

Community Mental Health Partnership of Southeast Michigan/PIHP	<i>Policy and Procedure</i>
Committee/Department: Recipient Rights	<i>Personal Property and Funds</i> Local Policy Number (if used)
Implementation Date 10/24/2023	Regional Approval Date 09/28/2023

Reviewed by:	Recommendation Date:
ROC	08/09/2023
CMH Board:	Approval Date:
Lenawee	09/28/2023
Livingston	08/29/2023
Monroe	09/27/2023
Washtenaw	08/25/2023

I. PURPOSE

The purpose of this policy is to establish guidelines for the protection of, and access to recipients' personal property and funds.

II. REVISION HISTORY

DATE	MODIFICATION
11/24/2010	Full policy revision
06/03/2013	Template updated
01/13/2017	Template Updated
02/13/2020	3-year review No Content Changes
09/28/2023	3 year review No Content Changes

III. APPLICATION

<input checked="" type="checkbox"/> CMHPSM PIHP Staff, Board Members, Interns & Volunteers
<input checked="" type="checkbox"/> Regional Partner CMHSP Staff, Board Members, Interns & Volunteers
Service Providers of the CMHPSM and/or Regional CMHSP Partners:
<input checked="" type="checkbox"/> Mental Health / Intellectual or Developmental Disability Service Providers
<input type="checkbox"/> SUD Treatment Providers <input type="checkbox"/> SUD Prevention Providers
<input type="checkbox"/> Other as listed:

IV. POLICY

It is the policy of the CMHPSM that the personal property and funds of recipients shall be protected and accessible during the provision of mental health services.

V. DEFINITIONS

Community Mental Health Partnership Of Southeast Michigan (CMHPSM): The Regional Entity that serves as the PIHP for Lenawee, Livingston, Monroe and Washtenaw for mental health, developmental disabilities, and substance use disorder services.

Community Mental Health Services Program (CMHSP): A program operated under chapter 2 of the Mental Health Code as a county community mental health agency, a community mental health authority, or a community mental health organization.

Personal Funds: Any money that belongs to a recipient.

Personal Property: Any possession that belongs to a recipient.

VI. STANDARDS

- A. Recipients are entitled to receive, possess, and use all personal property and funds, except in the circumstances and conditions set forth in this policy.
- B. Licensed residential settings shall provide a reasonable amount of storage space to each recipient for clothing and other personal property. The recipient shall be permitted to inspect personal property at reasonable times.
- C. Licensed residential settings may implement general restrictions of personal property, including weapons, sharps, explosives, drugs, and alcohol. Any excluded items must be:
 - a. Listed in writing.
 - b. Conspicuously posted at each residential setting.
 - c. Implemented in compliance with CMHPSM policy Limitation of Rights.
- D. Individual limitations of personal property may be implemented to prevent:
 - a. Theft, loss, or destruction of the property, unless a waiver is signed by the recipient.
 - b. Physical harm to the recipient or others.
- E. Individual limitations of personal property must be:
 - a. Clinically justified and documented in the recipient's record.
 - b. Implemented in compliance with CMHPSM policies Limitation of Rights and Behavior Treatment Committee.
 - c. Removed when no longer clinically justified.
- F. A recipient's property or living area shall not be searched by a provider unless the search is authorized in the recipient's plan of service, or there is reasonable cause to suspect that the recipient is in possession of contraband or property that is excluded from the recipient's possession by written policies, procedures, or rules of the licensed residential provider. The following conditions apply to all searches:
 - a. A search of the recipient's living area or property shall occur in the presence of a witness. The recipient shall also be present unless he or she declines.
 - b. The circumstances surrounding the search shall be documented in the recipient's record, and shall include the following:
 - i. The reason for initiating the search.
 - ii. The names of the individuals performing and witnessing the search.
 - iii. Any results of the search, including a description of the property seized.

G. A receipt shall be given to a recipient and a recipient's designee for any personal property taken for safekeeping. Any personal property taken for safekeeping shall be returned to the recipient upon discharge from the program.

H. Provider agencies shall promptly reimburse a recipient for any discrepancies in client funds, either from theft or simple error.

VII. EXHIBITS

None

VIII. REFERENCES

Reference:	Check if applies:	Standard Numbers:
Michigan Mental Health Code Act 258 of 1974, as amended	X	330.1728, 330.1730
MDHHS Administrative Rules	X	330.7009
CMHPSM Policy: <u>Behavior Treatment Committee</u>	X	
CMHPSM Policy: <u>Limitation of Rights</u>	X	

IX. PROCEDURES

A. Personal Property

WHO	DOES WHAT
Assigned Clinical Staff	1) Based on clinical assessment, determines if an individual limitation of personal property is necessary. Implements any individual limitation in compliance with CMHPSM Policies: <u>Limitation of Rights</u> and <u>Behavior Treatment Committee</u> .
Licensed Residential Service Provider	1) Provides a reasonable amount of storage space for each recipient's clothing and other personal property. 2) Ensures that recipients have unimpeded access to inspect their personal property. 3) May adopt general exclusions of personal property that are: a) Listed in writing. b) Conspicuously posted at service sites. c) Implemented in compliance with CMHPSM Policy: <u>Limitation of Rights</u> .

<p>Licensed Residential Service Provider</p> <p>Non-Licensed Residential Service Provider</p>	<ol style="list-style-type: none"> 1) Implements recipient's Individual Plan of Service, including any individual limitations of personal property. 2) May search a recipient's personal property if there is reasonable cause to suspect that a recipient possesses an item excluded by general or individual limitations. The following conditions must apply: <ol style="list-style-type: none"> a) The search shall be conducted in the presence of a witness. The recipient shall also be present, unless they decline. b) The circumstances of the search shall be documented in the recipient's record, including the reason for the search, names of staff conducting/witnessing the search, and the results of the search, including any property seized. 3) Provides a receipt to a recipient and a recipient's designee for any personal property taken for safekeeping. Any personal property taken for safekeeping shall be returned to the recipient upon discharge from the program
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B. Personal Funds

WHO	DOES WHAT
<p>Assigned Clinical Staff</p>	<ol style="list-style-type: none"> 1) Based on clinical assessment, determines if an individual limitation of personal funds is necessary. Implements any individual limitation in compliance with CMHPSM Policies: <u>Limitation of Rights and Behavior Treatment Committee</u>. 2) In the event that a recipient requires support in the management of their personal funds, ensures that these supports are outlined in the recipient's Individual Plan of Service (IPOS). Monitors the services at the frequency outlined in the IPOS.
<p>Licensed Residential Service Provider</p> <p>Non-Licensed Residential Service Provider</p>	<ol style="list-style-type: none"> 1) Implements recipient's Individual Plan of Service, including any individual limitations of personal funds as applicable.

	<ul style="list-style-type: none">2) If providing support with the management of a recipient's personal funds, ensures that the support is provided consistent with any licensing rules (as applicable), laws, agency policy, or other guidelines.3) Ensures that recipients have maximum control and choice in the use of their funds.4) Promptly reimburse a recipient for any discrepancies in client funds, either from theft or simple error.
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