

<b>Community Mental Health Partnership of Southeast Michigan/PIHP</b>	<b><i>Policy and Procedure Non-Discrimination in Provision of Service</i></b>
<b>Committee/Department: Recipient Rights</b>	<b>Local Policy Number (if used)</b>
<b>Implementation Date 10/24/2023</b>	<b>Regional Approval Date 09/28/2023</b>

<b>Reviewed by:</b>	<b>Recommendation Date:</b>
ROC	08/09/2023
<b>CMH Board:</b>	<b>Approval Date:</b>
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 that prohibit discrimination in the provision of services.

**II. REVISION HISTORY**

<b>DATE</b>	<b>MODIFICATION</b>
04/20/2010	Full policy revision
04/11/2013	Template updated
01/06/2017	Template/References/Language Updated
02/13/2020	3-year review Policy section updated
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 no qualified person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any services or activities of the CMHPSM solely on the basis of race, color, religion, national origin, ancestry, age, sex, gender, gender expression, gender identity, height, weight,

marital status, sexual orientation, physical or mental disability, political belief, Medicaid, Medicare or CHIP status, or ability to pay for 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.

Discrimination: The negative treatment, either intentional or unintentional, of a person or group based on the factors specified in Section IV above.

Disability: A determinable physical or mental characteristic of an individual or a history of the characteristic which may result from disease, injury, congenital condition of birth, or functional disorder which is unrelated to the individual's ability to utilize and benefit from a service.

Regional Entity: The entity established under section 204b of the Michigan Mental Health Code to provide specialty services and supports.

**VI. STANDARDS**

None

**VII. EXHIBITS**

None

**VIII. REFERENCES**

Reference:	Check if applies:	Standard Numbers:
Michigan Mental Health Code Act 258 of 1974	X	Sec. 330.1705
The Rehabilitation Act of 1973	X	Sec. 504
The Persons With Disabilities Civil Rights Act of 1976, P.A. 220, as amended by P.A. 478 of 1990.	X	
The Americans with Disabilities Act (1990)	X	
CMHPSM Policy: <u>Customer Services</u>	X	
CMHPSM Policy: <u>Consumer Appeals</u>	X	
CMHPSM Policy: <u>Office of Recipient Rights</u>	X	
MDHHS Revised Plan for Procurement of Medicaid Specialty Prepaid Health Plans	X	

**IX. PROCEDURES**

WHO	DOES WHAT
Applicant or Recipient of Services	1) Informs any staff if it is believed that services have been denied for a reason which is defined as discriminatory under this policy.
Any staff	1) Contacts the Office of Recipient Rights to report alleged discrimination. 2) Informs the applicant or recipient of services of their right to file a complaint with the Office of Recipient Rights. 3) Informs the applicant or recipient of services of their right to file a grievance with Customer Services.
Program Supervisor/Designee	1) After being informed by staff, reviews the complaint and determines, in consultation with her/his Program Administrator, how to resolve the situation.
Applicant or Recipient of Services	1) May make a request for a second opinion regarding a denial of services to the Director. The Director shall secure the second opinion from a physician, licensed psychologist, registered professional nurse, master's level social worker or master's level psychologist. 2) May file a complaint with the Office of Recipient Rights at any time if the matter has not been satisfactorily resolved.
Office of Recipient Rights	1) When informed of an allegation of discrimination, provides appropriate follow-up in matters concerning any protected right under state or federal law, and decides on proper disposition as indicated in the CMHPSM policy: <u>Office of Recipient Rights</u> .
Customer Services	1) When contacted by an applicant or recipient of services regarding an allegation of discrimination, provides appropriate follow-up and decides on proper disposition as indicated in the CMHPSM policy: <u>Customer Services</u> .