


<b>Policy and Procedure Manual</b> <b>Saginaw County Community Mental Health Authority</b>		
<b>Subject:</b> Recipient Rights – Freedom of Movement	<b>Chapter:</b> 02 - Customer Service and Recipient Rights	<b>Subject No:</b> 02.02.24
<b>Effective Date:</b> September 8, 1997	<b>Date of Review/Revision:</b> 3/19/03, 1/25/08, 7/13/09, 6/19/12, 6/14/14, 11/27/16, 6/2/18, 1/8/19, 2/11/20, 2/9/21, 5/10/22	<b>Approved By:</b> Sandra M. Lindsey, CEO  <b>Responsible Director:</b> Tim Ninemire, Director of Customer Services & Recipient Rights  <b>Authored By:</b> Tim Ninemire  <b>Additional Reviewers:</b> None
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 SAGINAW COUNTY COMMUNITY MENTAL HEALTH AUTHORITY		

**Purpose:**

The purpose of this policy is to ensure the rights of consumers receiving mental health services from Saginaw County Community Mental Health Authority (SCCMHA) will be allowed freedom of movement to the greatest extent possible.

**Policy:**

It is the policy of SCCMHA to assure consumers of mental health services are not discriminated against in order to be allowed freedom of movement.

**Application:**

This policy applies to all consumers of SCCMHA including the Service Provider Network.

**Standards:**

- O1) SCCMHA and its Service Provider Network shall endeavor to treat all consumers in the least restrictive environment suitable to their individual plan of service.
- O2) Freedom of movement of a consumer shall not be restricted more than necessary to:
  - a) Provide mental health services to the consumer
  - b) Prevent injury to the consumer or others
  - c) Prevent substantial property damage except that security precautions appropriate to the condition and circumstances of an individual admitted by order of a criminal court or a person transferred from a penal institution
- O3) A consumer's right to freedom of movement will only be limited as authorized in the consumer's individual plan of service. The reason(s) for any limitation(s) must be

clearly documented in the Individual Plan of Service. Any limitation placed on the consumer will be time limited per Michigan Mental Health Code (MMHC).

- O4) Limitations on freedom of movement will be removed when the circumstance that justified its adoption cease to exist.
- O5) Consumers shall be entitled access to areas designated for recreational, vocational, social activities where age, sex, physical illness/handicap, or maintenance of security is appropriate for access.
- O6) The residential agency shall provide for a rational and fair manner in which a consumer, their guardian, parent of a minor, or loco parentis may request leaves and appeal denial of requests. If dissatisfied, consumers may seek assistance from the SCCMHA ORR.
- O7) Substantial limitations shall be reported to the guardian, parent of a minor or loco parentis and the Court during any hearing process.
- O8) Service plans for consumers involved with the legal or criminal justice system will identify any security precaution necessary to ensure safety to comply with an existing court order.
- O9) Consumers placed in Adult Foster Care Homes are able to have complete freedom of movement unless specified differently in their Individual Plan of Service.

**Definitions:**

**Support Staff:** Case Manager, Supports Coordinator, or Therapist

**References:**

Michigan Mental Health Code 330.1708;  
Michigan Mental Health Code 330.1744;  
Administrative rules 330.7199.

**Exhibits:**

None

**Procedure:**

ACTION	RESPONSIBILITY
1) Limitations may be imposed upon a consumer's right to freedom of movement if the need to do so is indicated in the consumer's individual plan of service and will be time limited per Michigan Mental Health Code (MMHC).	1) Support Staff

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2) Limitations will be removed when they are no longer essential to achieve objectives which justified the restrictions or limitations. The removal of the restrictions or limitations will be documented in the clinical record.	2) Support Staff
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