

Policy and Procedure Manual Saginaw County Community Mental Health Authority		
Subject: Recipient Rights – Personal Property & Funds	Chapter: 02 - Customer Service and Recipient Rights	Subject No: 02.02.25
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 SAGINAW COUNTY COMMUNITY MENTAL HEALTH AUTHORITY		Authored By: Kentera Patterson, Officer of Recipient Rights Additional Reviewers: Judy Sausedo, Supervisor of Recipient Rights

Purpose:

The purpose of this policy is to ensure the rights of people served receiving mental health services from Saginaw County Community Mental Health Authority (SCCMHA) to have access to personal property and their own funds.

Policy:

It is the policy of SCCMHA to ensure that all people served of mental health services are not discriminated against in having access to their personal property and their own funds.

Application:

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

Standards:

- 1) A person served property or living area shall not be subject to search by a provider except in the following circumstances:
 - a) Search is authorized in the person served plan of service.
 - b) There is reasonable cause to believe the person served is in possession of contraband or property excluded by written policies or procedures of the provider.
- 2) Documentation will be made in the record of the circumstances surrounding the search which includes: (i) the reason for initiating the search, (ii) the names of the individuals performing and witnessing the search, (iii) the results of the search, including a description of the property seized.

- 3) Any property taken into possession by the residence/facility must be given to the person served at the time the person served leaves.
- 4) Person served will be allowed to inspect personal property at reasonable times.
- 5) Each facility will provide a reasonable amount of storage space to each resident for their clothing and other personal property.
- 6) The Support Staff responsible for the Individual Plan of Service may limit property to prevent the person served from physically harming himself, herself, or others, or to prevent the destruction of property. This may include limiting property to reduce the likelihood of theft or loss unless the person served signs a waiver. A limitation adopted by the individual in charge of the plan of service, the date it expires, and justification for its adoption will be promptly noted in the record of the person served.
- 7) A receipt shall be given to the person served and a person designated by the person served, for any personal property taken into possession by the home provider.
- 8) All limitations of property will be justified and documented in the Individual Plan of Service per Michigan Mental Health Code (MMHC).
- 9) Circumstances surrounding the search including:
 - (i) The reason for initiating the search
 - (ii) Names of the individuals performing and witnessing the search
 - (iii) Results of the search, including a description of property seized, shall be entered into the person served clinical record.
- 10) All of the people served money will be logged into their Resident Funds Log, and every time money is taken out of their account, it will be documented, initially by both the person served and staff, and a reason for the withdrawal will be recorded by staff. A person served is entitled to easy access to the money in his or her account and to spend or otherwise use the money as he or she chooses, except as stated previously under limitations.
- 11) The limitation will be removed when the circumstances that justified its adoption cease to exist.
- 12) A person served is entitled to receive, possess, and use all personal property, including clothing, except in the circumstances and under the conditions set forth in the MMHC.
- 13) A facility may exclude kinds of personal property from the facility. Any exclusions will be officially adopted and will be in writing and posted in each residential unit.

14) A search of a persons served living area or property will occur in the presence of a witness. The person served will also be present unless they decline to be present.

Definitions:

Support Staff: Case Manager, Supports Coordinator, or Therapist

References:

Michigan Mental Health Code 330.1728

Michigan Mental Health Code 330.1730

Michigan Mental Health Code 330.1732

Administrative Rules 330.7009

Exhibits:

None

Procedure:

ACTION	RESPONSIBILITY
1) Restrictions or limitations may be imposed upon a person served right to personal property if the need to do so is indicated in the assessment during the person-centered planning process. The restrictions or limitations will be documented in the clinical record.	1) Support Staff
2) The person served or guardian will be informed of any restrictions on access to personal property and funds at the time of the person-centered plan.	2) Support Staff
3) Restrictions or limitations will be removed when they are no longer essential to achieve objectives which justify the restrictions or limitations. The removal of the restrictions or limitations will be documented in the clinical record.	3) Support Staff
4) At the time the person served moves, their property shall be returned.	4) Adult Foster Care Home Provider
5) The person served may file a Recipient Rights complaint if they or their guardian believes all of their belongings have not been returned to them.	5) Person served or their guardian