

Policy and Procedure Manual Saginaw County Community Mental Health Authority		
Subject: Recipient Rights – Treatment by Spiritual Means	Chapter: 02 - Customer Service and Recipient Rights	Subject No: 02.02.20
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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 who are receiving public mental health services from Saginaw County Community Mental Health Authority (SCCMHA) can obtain treatment by spiritual means.

Policy:

It is the policy of SCCMHA to assist interested persons served of public mental health services in obtaining treatment by spiritual means.

Application:

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

Standards:

- 1) Person served shall be permitted treatment by spiritual means upon request of the person served, their guardian, or parent of a minor or loco parentis.
- 2) Requests for printed, recorded, or visual material essential or related to treatment by spiritual means, and for a symbolic object of similar significance, which shall be honored and made available at the recipient's expense.

- 3) If a minor, parent of a minor, or loco parentis refuse medication or other treatment based on spiritual grounds, SCCMHA ORR will assist in working with the court in determining the most appropriate method of treatment.
- 4) Person served, their guardian, parent of a minor or loco parentis will be informed of the reason for a denial of treatment by spiritual means.
- 5) Person served, their guardian, parent of a minor or loco parentis will be informed of their right to the Local Appeal Process upon a denial of treatment by spiritual means.
- 6) Opportunity for contact with agencies providing treatment by spiritual means shall be provided in the same manner as person served are permitted to see private mental health professionals.
- 7) The right to treatment by spiritual means includes the right of the person served their guardians, parents of a minor, or loco parentis to refuse medication or other treatment on spiritual grounds if:
 - a) Spiritual treatment predates the current allegations of mental illness or disability
 - b) No court order empowering guardian or facility to make those decisions
 - c) The person served is not imminently dangerous to self or others and treatment is essential to prevent physical injury.
- 8) The right to treatment by spiritual means does not include the right:
 - a) To use mechanical devices or chemical or organic compounds which are physically harmful
 - b) To engage in activity prohibited by law
 - c) To engage in activity that physically harms the person served or others
 - d) To engage in activity which is inconsistent with court ordered custody or voluntary placement by a person other than the person served

Definitions:

Assigned Support Staff: Case Manager, Support Coordinator, or Therapist assigned to work with a SCCMHA person served. The Case Manager, Support Coordinator, or Therapist may be a SCCMHA staff member or a member of the SCCMHA Service Provider Network.

Loco Parentis: A person or institution that assumes parental rights and duties for a minor.

Treatment by spiritual means: Spiritual discipline or school of thought upon which a person served wishes to rely to aid physical or mental recovery.

References:

Michigan Mental Health Code 330.1704

Administrative Rules 330.7001

Administrative Rules 330.7135

Exhibits:

None

Procedure:

ACTION	RESPONSIBILITY
1) Receipt of a request to receive treatment by spiritual means will be documented in the person served record.	1) Assigned Support Staff
2) When the request to receive treatment by spiritual means is received from a guardian or the parent of a minor, the person served will be asked if they consent to the treatment requested. If an agreement cannot be reached between the guardian and the person served, the person served will be able to decline the treatment.	2) Assigned Support Staff
3) Upon request to receive treatment by spiritual means, agencies providing treatment by spiritual means will be contacted to make a referral for treatment.	3) Assigned Support Staff
4) In the event that the staff member receiving the request believes there is a clinical reason for denying the request, the staff making the denial will send the person served, their guardian, parent of a minor, or loco parentis a letter stating the reason for denial.	4) Assigned Support Staff
5) The person served, their guardian, parent of a minor, or loco parentis receiving the written refusal of treatment by spiritual means will be notified of the ability to appeal the decision through the SCCMHA Local Appeal process. This request to access the Local Appeal process will be filed through the SCCMHA Customer Service Department.	5) Assigned Support Staff, and the Customer Service Department

6) If the person served, their guardian, parent of a minor or loco parentis refuse treatment ordered by a court based on spiritual grounds, the court originating the order will be consulted.	6) Assigned Support Staff
7) The court's decision based on this refusal of treatment will be followed by SCCMHA.	7) Assigned Support Staff