


CHAPTER Recipient Rights	CHAPTER 04	SECTION 002	SUBJECT 05
SECTION SUD Recipient Rights		DESCRIPTION Recipient Rights and Charitable Choice in Substance Use Disorder Services	
WRITTEN BY Lisa K. Jolly, B.S. Recipient Rights Officer	REVISED BY		AUTHORIZED BY  Lauren Emmons, Interim CEO, COO

APPLICATION:

- ▶ All Staff
- ▶ Employment Service Providers
- ▶ Provider Network
- ▶ Independent Contractor
- ▶ CMH Board of Directors
- ▶ Students
- ▶ Volunteers
- ▶ Interns

POLICY:

Lapeer County Community Mental Health will comply with all Michigan Department of Health and Human Services Administrative Rules for Substance Abuse Services Programs in Michigan. LCCMH will also comply with the Charitable Choice in Treatment Federal Regulations (45CFR part 96). Furthermore, LCCMH shall also adhere to all Region 10 PIHP mandates with regard to Recipient Rights in Substance Use Disorder services.

STANDARD:

- A. Lapeer CMH shall notify persons served of their right to request alternative services when being referred to an organization that is designated as a religious or faith-based organization. Persons served may also request treatment by religious or faith based means. See also LCCMH Policy 04.003.30, Treatment by Religious/Spiritual Means.
- B. Lapeer CMH shall provide notification to persons served about their right to request alternative services.
- C. The PIHP shall administer the processing of requests for alternate services.
- D. LCCMH shall have a Recipient Rights Advisory Committee to assure compliance with the MDHHS Administrative Rules for SUD Services

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PROCEDURES:

LCCMH SUD Intake Staff shall issue written notice to persons served of their Charitable Choice Rights when being referred to a religious organization for SUD Services, including the right to an alternative service provider. The notice must include the following language:

No provider of substance abuse services receiving Federal funds from the U.S. Substance Abuse and Mental Health Services Administration, including this organization may discriminate against you on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to actively participate in a religious practice. If you object to the religious character of an organization, Federal law gives you the right to a referral to another provider of substance abuse services. The referral, and your receipt of alternative services, must occur within a reasonable period of time after you request them. The alternative provider must be accessible to you and have the capacity to provide substance abuse services. The services provided to you by the alternative provider must be of value not less than the value of the services you would have received from this organization.

The Recipient Rights Advisory Committee will perform the function of overseeing recipient rights activities to insure agency compliance with Administrative Rules for Substance Abuse Services in Michigan.

Any program announcement, brochure, or other written communication that describes Lapeer County Community Mental Health's Substance Abuse Prevention Program shall state the following:

Recipients of substance abuse services have rights protected by state and federal law and promulgated rules. For information contact:

Office of Recipient Rights
Lapeer County Community Mental Health
1570 Suncrest Drive
Lapeer, Michigan 48446
Phone: (810) 667-0500

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REFERENCES:

Michigan Department of Health and Human Services Administrative Rules R325.14301 through R325.14306.

Region 10 PIHP Policies for Rights of Persons Served.

Questions regarding this policy and procedure may be addressed to the Recipient Rights Officer or any member of the management team.

LKJ:mgr

This policy supersedes
#08/09020 dated 08/17/2009.
