

Title:	3.6.03, Qualifications and Training for Recipient Rights Staff of CMH Network Providers		
Subject:	Recipient Rights		
Section:	Clinical		
Related Policies:	3.6.03, Qualifications and Training for Recipient Rights Staff of CMH Network Providers		
Policy: <input type="checkbox"/> Procedure: <input checked="" type="checkbox"/>	Issued by: Director of Quality, Customer Service and Recipient Rights	Effective Date: 8/31/01	Applies to: <input checked="" type="checkbox"/> All CMHA-CEI staff <input checked="" type="checkbox"/> Contract Providers
Page: 1 of 8	Approved by: N/A	Review Date: 9/26/16	<input type="checkbox"/> Other:

I. **Purpose:** To establish criteria for the qualification and training of recipient rights staff.

II. **Procedures:**

- A. The provider shall notify CMHA CEI in writing of the option to operate an independent Recipient Rights Office, or to accept the jurisdiction of the CMHA CEI Recipient Rights Office.
- B. If the option is for an independent Recipient Rights Office, the provider shall submit policies and procedures required by the Mental Health Code to the CMHA CEI Recipient Rights Office for approval.
- C. The Chief Executive Officer of the CMH Network provider with an independent Recipient Rights Office shall ensure that the director of the Recipient Rights Office has the education, training, and experience to fulfill the responsibilities of the office; detailed in policy or position description.
- D. The Chief Executive Officer shall ensure that staff of the Office meet or exceed the qualifications and training detailed in the position description.
- E. Staff of the Recipient Rights Office shall receive training in recipient rights protection at least annually.
- F. Staff of the Recipient Rights Office will attend Michigan Department of Health and Human Services, Office of Recipient Rights Basic Skill I and II and Developing Effective Rights Training (DERT) within 3 months of hire.
- G. MDHHS/CMHSP Managed Mental Health Supports and Services Contract FY17 Attachment C.6.3.2.3A, "Continuing Education Requirements for Recipient Rights Staff Technical Advisory" (attached) shall be followed.

III. **Definitions:** None.

IV. **Monitor and Review:**

This procedure is reviewed annually by Director of Quality, Customer Service and Recipient Rights. This procedure is monitored by accrediting bodies and regulatory agencies as applicable.

V. **References:**

- A. PA 258 of 1974, "Michigan's Mental Health Code", as amended
 1. 330.1752--Policies and procedures

- 2. 330.1755--Office of recipient rights; establishment by community mental health services program and hospital
- B. CMHA CEI Policy 3.6.01, Recipient Rights

VI. Review Log

Review Date	Reviewed By	Changes (if any)
3/16/04, 5/27/05, 6/21/05, 2/01/07, 4/15/11, 3/10/13, 4/14/14	---	-----
9/26/16	RRO and QI Specialist	Update to new format, attached Technical Advisory

VII. Attachments:

Attachment A: MDHHS/CMHSP Managed Mental Health Supports and Services Contract FY17
Attachment C.6.3.2.3A, "Continuing Education Requirements for Recipient Rights Staff Technical Advisory" (6 pages)

**Continuing Education Requirements for Recipient Rights Staff
Technical Advisory**

Background/Regulatory Overview

The purpose of this Technical Advisory is to establish processes for meeting the educational mandates for Recipient Rights Officers/Advisors set forth in the following sections of the Michigan Mental Health Code and MDHHS/CMHSP Managed Mental Health Supports and Services Contract.

330.1754 State office of recipient rights; establishment by department; selection of director; powers and authority of state office of recipient rights.

(2) The department shall ensure all of the following: (f) Technical assistance and training in recipient rights protection are available to all community mental health services programs and other mental health service providers subject to this act.

330.1755 Office of recipient rights; establishment by community mental health services program and hospital.

(2) Each community mental health services program and each licensed hospital shall ensure all of the following: (e) Staff of the office of recipient rights receive training each year in recipient rights protection.

MDHHS/CMHSP Managed Mental Health Supports and Services Contract:

The Community Mental Health Services Program (CMHSP) shall assure that, within the first three months (90 days) of employment, the Recipient Rights Office Director, and all Rights Office staff (excluding clerical staff) shall attend and successfully complete the Basic Skills Training programs offered by the Department's Office of Recipient Rights. In addition, within every three (3) year period subsequent to their completion of Basic Skills, the Recipient Rights Office Director and all Rights Office staff (excluding clerical staff) must comply with the requirements specified in Attachment C6.3.2.3A "Continuing Education Requirements for Recipient Rights Staff".

Definitions

1. Continuing Education Unit:
One Continuing Education Unit (CEU) is defined as one clock hour (60 minutes) of participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction. The primary purpose of the CEU is to provide a permanent record of the educational accomplishments of an individual who has completed one or more significant educational experiences.
2. Category I Credits: Operations
This category includes programs that support and enhance the fundamental scope of responsibilities and effective work of recipient rights staff. These may be directly related to prevention, complaint resolution, and monitoring and education that support the fundamental scope of a Rights Office's operations. Examples include:
Rights Office Operations Techniques
Enhancing Investigative Skills

- Inpatient Rights
- Out-of-catchment rights protection
- Writing effective rights-related contract language
- Conducting effective site visits
- How to protect rights in a dual rights protection system

3. Category II Credits: Legal Foundations
This category includes programs that enhance the understanding and application of the Mental Health Code, Administrative Rules, Disability and Human Rights Laws, Federal Laws and regulations and any other laws addressing the legal rights of a mental health recipient.
4. Category III Credits: Leadership
This category includes programs that support and enhance the leadership abilities of rights staff. Examples include:
 - Community Mental Health Services Program (CMHSP) issues
 - How to establish a rights presence in an organization
 - Understanding rights data and how to use it to trigger systemic organizational changes
 - What goes on in a Failure Mode Event Analysis (FMEA)/Adverse Event Review
 - Working with key individuals in your organization—Customer Services, Contracts Unit, and how it can enhance rights
5. Category IV Credits: Augmented Training
This category includes training sessions that contains information that would help rights staff have a better understand the people they serve, their disabilities, their families, or training indirectly related to rights but affecting rights. These may include trainings in mental health conditions and disabilities, treatment and support modalities, recovery, and self-determination as long as these topics can be ascertained to have a component that relates to assisting the attendee in the protection of rights. Examples include:
 - Understanding MI/SUD Co-occurring disorders
 - How to communicate with people with disabilities
 - Ethics
 - HIPAA and the MHC
 - Consumers from different cultures (including deaf, deafblind and hard of hearing community)
 - Diversity Issues
6. CMHSP: Community Mental Health Services Program
7. Continuing Education Committee: A committee appointed by the Director of the MDHHS Office of Recipient Rights upon recommendation from the Director of the Education and Training Unit of the Office of Recipient Rights. This committee shall consist of rights staff and management from MDHHS-ORR, CMHSP's, and LPH/U's and shall have at least one representative who is a Licensed Master's Social Worker (LMSW). This committee shall review applications and assign an appropriate category to each approved application. Committee members shall be appointed for a three-year term and may be re-appointed at the discretion of the Director of ORR.
8. Department: Michigan Department of Health and Human Services (MDHHS)
9. LPH/U: Licensed Private Hospital/Unit

Standards

A. Basic Requirements

1. All staff of the Department, a community mental health services program (CMHSP), or a licensed private

Hospital (LPH/U), employed for the purpose of providing recipient rights services shall, within the first 90 days of employment, attend, and successfully complete, the Basic Skills Training curriculum as determined by the Michigan Department of Health and Human Services Office of Recipient Rights. The Basic Skills curriculum shall consist of the following classes:

Basic Skills – Part 1

Basic Skills – Part 2

NOTE: THIS IS CLARIFICATION NOT A CHANGE

B. Continuing Education Requirements

1. All staff employed or contracted to provide recipient rights services shall receive education and training oriented toward maintenance, improvement or enhancement of the skills required to effectively perform the functions as rights staff.
2. A minimum of 36 contact hours of education or training shall be required over a three (3) year period subsequent to the completion of the Basic Skills requirements, and in every three (3) year period thereafter.
3. The 36 contact hours obtained must be in rights-related activities and must fall within one or more of the categories identified in the definitions above.
4. A minimum of 12 contact hours must be obtained in programs classified as Category I or II.
5. No more than 12 credits in a 3 year period may be earned through the use of online learning resources.
6. CEU's may be received by attending programs or conferences developed by the Department, other rights-related organizations, organizations that have applied to the Office of Recipient Rights Training Division for approval of their programs or through online training.
7. Rights staff may request approval for other educational programs by utilizing the established approval process.
8. Recipient rights staff should retain documentation of meeting the CEU requirements for a period of four (4) years from the date of attendance. It is suggested that the following information be kept on file:
 - a. The title of the course or program and any identification number assigned to it by the education provider. The number of CEU hours completed.
 - b. The provider's name and identifying number.
 - c. Verification of your attendance by the provider.
 - d. The date and location of the course.
9. Reviews will be conducted by the MDHHS Office of Recipient Rights Assessment Unit staff at each assessment of a recipient rights program to determine if all rights staff have met both the basic and continuing education requirements.
10. CMHSPs who contract with Licensed Private Hospitals/Units shall mandate compliance with the

standards in this Technical Advisory by the Recipient Rights Office staff of those entities.

C. Procedures for Training approval

1. Training that is automatically approved for CEU credits:
 - a) MDHHS ORR training *excluding Basic Skills*
 - b) Sessions at the MDCH ORR Annual Conference, including the Pre-Conference session
 - c) Training provided by, or sponsored by, MDHHS Office of Recipient Rights

2. Training that may be approved for CEU credits, if meeting the criteria above and with the submission of the necessary documents by the applicant:
 - a) RROAM sponsored training
 - b) CMH/LPH/U sponsored training
 - c) Training provided by other agencies, entities, or professionals—law enforcement, mental health or physical health professionals, accreditation bodies, risk management, corporation counsel/lawyer, etc.
 - d) Training provided to the Rights Officer/Advisor for their own profession’s licensure.
 - e) Other training in the community at large, including on-line training, if requirements as detailed above are met.

3. CEU Documentation and Notification

a) Application

To apply for CEU credits for a training, complete the MDHHS ORR Continuing Education Course Summary (Exhibit A) form and send by email, mail or FAX, at least 30 calendar days prior to the date of the event, to:

MDHHS ORR Education and Training Unit
18471 Haggerty Road
Northville, MI 48168
FAX: 248-348-9963
Email: MDHHS-ORR-Training@michigan.gov

b) Verification of attendance.

Attendance can be verified through provision of a Certificate of Attendance, copies of a training record, copy of an attendance/sign in sheet, a copy of the training agenda or outline with a self-attestation statement that the applicant did attend the training. Verification of attendance shall be kept on file with the applicant and be readily available for review by MDHHS ORR if requested.

c) Notification

Applicants will receive notification of approval determination for CEU credits no later than 30 business days following receipt of the required documents. Approved courses, credit and category information will be posted on the ORR website.

d) Application Review, Approval and Appeal

Applications from organizations outside the Department, or applications from individuals who have attended, or plan to attend training programs shall be reviewed and approved or rejected by the Continuing Education Committee. If an application is rejected by the Continuing Education Committee it may be appealed to the director of the office of recipient rights. The decision of the Director of ORR is the final MDHHS position on the application.

Exhibit A: APPLICATION FOR RECIPIENT RIGHTS CEU CREDIT

**OFFICE OF RECIPIENT RIGHTS
APPLICATION FOR RECIPIENT RIGHTS CEU CREDIT**

APPLICANT (ORGANIZATION OR INDIVIDUAL)					
APPLICANT'S CONTACT INFORMATION		EMAIL: PHONE: ADDRESS: CITY/ZIP:			
COURSE DATE COURSE TITLE LOCATION					
COURSE PRESENTER					
COURSE DESCRIPTION					
COURSE OBJECTIVES		Description of Learning Objectives			Class Time
		1			
		2			
		3			
		4			
		5			
Requested Category	Category I Operations	Category II Legal Foundations	Category III Leadership	Category IV Augmented	
Describe how the content relates to Rights?					

Please attach a detailed agenda.