



CMHA-CEI Policies and Procedure Manual

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|--|---|------------------------------------|--|
| <b>Title:</b>  | 3.6.24, Property and Funds (Residential)  |                                    |  |
| <b>Subject:</b>  | Recipient Rights  |                                    |  |
| <b>Section:</b>  | Clinical  |                                    |  |
| <b>Policy:</b> <input type="checkbox"/><br><b>Procedure:</b> <input checked="" type="checkbox"/> | <b>Issued by:</b><br>Director of Quality, Customer Service,<br>and Recipient Rights (QCSRR) | <b>Effective Date:</b><br>04/12/94 | <b>Applies to:</b><br><input checked="" type="checkbox"/> All CMHA-CEI staff<br><input checked="" type="checkbox"/> Contract Providers |
| <b>Page:</b> 1 of 4  | <b>Approved by:</b> N/A   | <b>Review Date:</b><br>02/13/17    | <input type="checkbox"/> Other:  |

**I. Purpose:**

To establish guidelines to ensure that recipients in residential treatment programs have the right to receive, possess, and use all personal property.

**II. Procedures:**

- A. The residential service provider shall officially adopt, and post in writing, any items of personal property such as weapons, sharp objects, explosives, drugs, alcohol, etc. to be excluded from the premises.
- B. The provider shall implement the CMHA-CEI procedures for search and seizure (3.3.17).
- C. The staff person responsible for the written plan of service may limit a resident’s access to property and funds for the following purposes:
  - 1. In order to prevent theft, loss, or destruction of property, unless a waiver is signed by the resident, empowered guardian, or parent of a minor.
  - 2. In order to prevent the resident from physically harming himself, herself, or others.
- D. The staff person responsible for the written plan of service shall ensure that treatment plans address limitations to recipients’ access to property and funds, when clinically appropriate, and that limitations are removed when no longer clinically appropriate. The record will include prompt documentation of:
  - 1. Justification for the adoption of the limitation.
  - 2. The date the limitation expires.
  - 3. Removal of the limitation when the circumstance that justified its adoption ceases to exist.
- E. The recipient, empowered guardian, or parent of a minor may appeal a limitation of access to personal property and funds, and/or the expiration date of the limitation, by requesting a review of the treatment plan by the staff person responsible for the written plan of service. The review shall be:
  - 1. Completed within 30 days of the request.
  - 2. Carried out in a manner consistent with CMHA-CEI Policies 3.3.25, “Person Centered Planning” and 3.6.21, “Services Suited to Condition”.
- F. The residential service provider and staff shall implement each resident’s plan of service.

- G. The residential service provider or house manager will store Consumer Funds in a secure location (locked cabinet/box or safe) at the home location or at another business location of the provider.
  - 1. A minimal amount of cash must be accessible to the consumer or staff at all times (unless the resident has spent their allotted funds).
    - a. The home location or CEI program will define what a minimal amount is.
    - b. The home location will follow any restrictions of funds provided by the PCP, payee and/or the empowered guardian.
- H. The residential service provider or house manager will review the consumer funds on a weekly basis. Funds must balance at all times. If the funds do not balance, a note must be made on the fund log sheet detailing the difference and requesting staff to turn in receipts.
  - 1. All expenditures out of consumer funds must be accompanied by either a receipt or a consumer signature. When receipts are provided, consumer initials and a staff signature are required.
  - 2. If a receipt cannot be located, a receipt replacement form or a memo must be completed.
- I. The residential service provider or house manager will complete a consumer fund log sheet on a monthly basis per individual consumer. The log sheet is due to the Residential Coordinator by the 10th of each month.
  - 1. The Case Manager will review individual consumer fund log sheets when at the home location.
- J. The residential service provider, house manager, or residential coordinator shall provide a complete accounting, on an annual basis and upon request, of all resident funds and valuables.
- K. The Residential Coordinator shall monitor the use of consumer funds on a monthly basis. The Residential Coordinator shall do periodic checks of the funds stored at the home to insure all funds are properly stored and accounted for.
- L. Consumer Funds are subject to audit by the finance department of CMHA-CEI.
- M. The residential service provider shall provide a reasonable amount of storage space to each resident for clothing and other personal property.
- N. The residential service provider shall permit a resident to inspect personal property, and access funds, at reasonable times.
- O. Any personal property in the possession of the residential provider at the time the resident to whom the property belongs is released from the residence shall be returned to the resident.

**III. Definitions:**

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- A. Center: a facility operated by the Department of Health and Human Services to admit individuals with developmental disabilities and provide habilitation and treatment services.
- B. Facility: a residential facility for the care or treatment of individuals with serious mental illness, serious emotional disturbance, or developmental that is either a state facility or a licensed facility.
- C. Hospital or psychiatric hospital: an inpatient program operated by the Department of Health and Human Services for the treatment of individuals with serious mental illness or serious emotional disturbance, a licensed psychiatric hospital, or a licensed psychiatric unit.
- D. Licensed facility: a facility licensed by the Department of Health and Human Services, or an adult foster care facility.
- E. Unlicensed facility: a facility that is not licensed by the Department of Health and Human Services.
- F. Resident: an individual who receives services in a facility.

**IV. Monitor and Review:**

This procedure is reviewed annually by the 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. 330.1100a--Definitions; A to E
  - 2. 330.1100b--Definitions; F to N
  - 3. 330.1728--Personal Property
  - 4. 330.1752--Policies and procedures
- B. Administrative Rules-R 330.7199--Written plan of Services
- C. Licensing Rules for Adult Foster Care Small Group Homes (R 400.14315)
- D. CMHA-CEI Policy 3.2.5, "Service Planning"
- E. CMHA-CEI Policy 3.3.25, "Person Centered Planning"
- F. CMHA-CEI Policy 3.6.2, "Rights of Recipients Including Consumers in Community Residences"
- G. CMHA-CEI Policy 3.6.21, "Services Suited to Condition"

**VI. Related Policies and Procedures:**

CMHA-CEI Policy      3.6.24      Property and Funds (Residential)

**VII.    Review Log:**

| <b>Review Date</b> | <b>Reviewed By</b> | <b>Changes (if any)</b> |
|--------------------|--------------------|-------------------------|
| 03/16/04           | -                  | -                       |
| 06/10/05           | -                  | -                       |
| 02/01/07           | -                  | -                       |
| 05/26/10           | -                  | -                       |
| 02/06/12           | -                  | -                       |
| 10/01/13           | -                  | -                       |
| 02/13/17           | QCSRR Director     | Updated to new format   |

**VIII.   Attachments:**

N/A