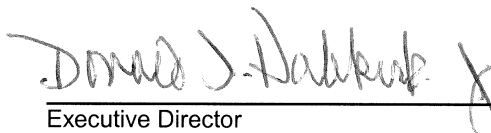
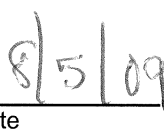


(was MCCMH Policy 9-07-020)

Chapter: **RECIPIENT RIGHTS**
Title: **TREATMENT BY SPIRITUAL MEANS**

Prior Approval Date: 6/23/04
Current Approval Date: 8/05/09

Approved by: BOARD ACTION

 
Executive Director Date

I. Abstract

This policy establishes the standards of the Macomb County Community Mental Health (MCCMH) Board regarding pursuit of treatment by spiritual means of recipients of residential care.

II. Application

This policy shall apply to all directly-operated and contract network providers of the MCCMH Board.

III. Policy

It is the policy of the MCCMH Board that:

- A. A resident shall be permitted to pursue treatment by spiritual means on his/her request, or the request of his/her parent, or guardian. This provision shall not imply that staff must furnish such materials as are included in the definition section of this policy.
- B. The "right to treatment by spiritual means" includes the right of residents, guardians, or the parent of a minor to refuse medication or other treatment, based on spiritual beliefs held prior to the onset of the current mental illness or disability. This right does not extend to circumstances in which:
 - 1. The resident is dangerous to him/herself or others as determined by clinical diagnosis and treatment is essential to prevent physical injury; or

2. Treatment is ordered by a court of law.
- C. If a parent or guardian refuses to consent to treatment for children or wards based on spiritual grounds, the situation shall be brought to the attention of the appropriate Provider Director, Manager, or designee. The Provider Director, Manager, or designee shall assess the presence of, or potential for, any danger to the child or ward; and if appropriate, shall petition the court to assure that the rights of the child or ward are protected.

IV. Definitions

- A. Treatment by Spiritual Means
Spiritual discipline, school, or thought upon which a resident wishes to rely to aid physical or mental recovery and includes easy access, at the resident's own expense, both to printed, recorded, or visual materials essential or related to treatment by spiritual means and to a symbolic object of similar significance, (e.g., faith healer, traditional religious denomination.) This shall not obligate staff to furnish or take unreasonable steps to assure access to such materials.

V. Standards

- A. Provider staff shall not intervene, either by action or persuasion, with a resident's plans to obtain or participate in treatment by spiritual means. Staff shall take no position to encourage resident participation in treatment by spiritual means.
- B. Opportunity for contact with agencies providing treatment by spiritual means shall be provided in the same manner as residents are permitted to see mental health professionals.
- C. The right to treatment by spiritual means shall not include the right:
1. To use mechanical devices or chemical or organic compounds which are physically harmful or illegal.
 2. To engage in activities which are physically harmful to the resident or others.
 3. To engage in activity prohibited by law.
 4. To engage in activities that interfere with the rights of other residents.
 5. To engage in activity which is inconsistent with court-ordered custody or voluntary placement by a person other than the resident.

- D. The requesting party shall be notified of a denial of a request for treatment by spiritual means, and the reasons for a denial.
- E. The requesting party who is denied the request for treatment by spiritual means may appeal the denial, at his/her option, to the MCCMH Office of Recipient Rights.

VI. Procedures

- A. None.

VII. References / Legal Authority

- A. MCL 330.1704
- B. MCL 330.1753
- C. 1998 MDCH Administrative Rules, R 330.7135

VIII. Exhibits

- A. None.