
Chapter: **RECIPIENT RIGHTS**
Title: **SECLUSION**

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Proposed by: Traci Smith 04/24/2025
Chief Executive Officer Date

Approved by: Al Lorenzo 04/24/2025
County Executive Office Date

I. ABSTRACT

This policy establishes the standards of Macomb County Community Mental Health (MCCMH), an official agency of the County of Macomb, regarding the use of seclusion for persons served.

II. APPLICATION

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

III. POLICY

It is the policy of MCCMH that the use of seclusion shall only be permissible in certain child caring institutions, licensed hospitals, or State centers. No MCCMH network provider of residential, day care, outpatient, or other MCCMH program or service may utilize seclusion. The use of seclusion shall comply with federal laws, Michigan statutes, and the rules and guidelines established by the Michigan Department of Health and Human Services (MDHHS).

IV. DEFINITIONS

A. Center

A facility operated by the Michigan Department of Health and Human Services (MDHHS) to admit adults with serious mental illness, individuals with developmental disabilities, or children with serious emotional disturbance and provide habilitation and treatment services.

B. Child Caring Institution

A facility licensed under MCL 722.111 et seq.; MSA 25.358 (11) et seq.

- C. Hospital
An inpatient program for the treatment of individuals with serious mental illness or serious emotional disturbance or a psychiatric hospital or psychiatric unit licensed under MCL 330.1137; MSA 14.800(137).
- D. Seclusion
The temporary placement of a person served alone in a room, where egress is prevented by any means.
- E. Therapeutic De-Escalation
An intervention, the implementation of which is incorporated in the individualized written plan of service, wherein the recipient is placed in an area or room, accompanied by staff who therapeutically engage the recipient in behavioral de-escalation techniques and debriefing as to the cause and future prevention of the target behavior. (Therapeutic de-escalation is not a form of seclusion as defined herein.)
- F. Time out
A voluntary response to a therapeutic suggestion to a person served to remove himself or herself from a stressful situation to prevent a potentially hazardous outcome. (Voluntary time-out is not a form of seclusion as defined herein.)

V. STANDARDS

- A. Seclusion of an individual by a directly-operated or contracted program/service (including respite providers, sitters, or volunteers) other than a contracted licensed hospital, psychiatric unit, or center is strictly forbidden.
- B. Seclusion may be used for children with serious emotional disturbances in child caring institutions payable with general fund dollars only (non-Medicaid funds) so long as the child caring institutions adheres to the Michigan Department of Health and Human Services' licensing requirements and MCL 330.1742; MSA 14.800(742), Administrative Rule 330.7243 (which pertain to the use of seclusion), and as provided in 1973 PA 116, MCL 722.111 to 722.128 or rules promulgated under that act.
- C. In facilities where seclusion is permitted, seclusion policies/procedures shall adhere to the conditions set forth in all applicable State and Federal laws, rules, and regulations.
- D. As stipulated by the MCCMH Office of Recipient Rights, a review of seclusion policies and procedures of applicable facilities under contract with MCCMH shall be evaluated:
 - 1. To ensure compliance with the Michigan Mental Health Code/MDHHS

Administrative Rules

2. To ensure that the seclusion policies and procedures are of a uniformly high standard
 3. To ensure compliance with federal standards
- E. Substantiated violations of this policy may subject the individual program to severe penalties, including cancellation of contracts and/or termination from employment with MCCMH.

VI. PROCEDURES

None.

VII. REFERENCES / LEGAL AUTHORITY

- A. MCL 330.1137; MSA 14.800(137)
- B. MCL 330.1742; MSA 14.800(742)
- C. MCL 722.111 et seq.; MSA 25.358 (11) et seq
- D. 2007 MDHHS Administrative Rules, R 330.7001; R 330.7243
- E. Commission on Accreditation of Rehabilitation Facilities (CARF) 2022 Standards Manual, §1., H., “Health & Safety,” §2.,F., “Promoting Nonviolent Practices”

VIII. EXHIBITS

None.