

(was MCCMH Policy 9-05-050)

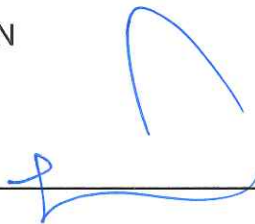
Chapter: **RECIPIENT RIGHTS**
Title: **HARASSMENT / RETALIATION FOLLOWING RIGHTS ACTIVITY**

Prior Approval Date: 8/05/09
Current Approval Date: 8/29/12

Approved by: BOARD ACTION

Executive Director

Date



08/29/12

I. Abstract

This policy establishes the standards and procedures of the Macomb County Community Mental Health (MCCMH) Board regarding harassment of any person following a recipient rights activity.

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 to ensure that the effective operation of the Recipient Rights system shall not be undermined by action on the part of any individual which could discourage others from reporting, participating in, or cooperating with Recipient Rights investigations.

IV. Definitions

A. Harassment

For purposes of this policy, unwelcome verbal or physical conduct that:

- Denigrates or shows hostility or aversion toward an individual;
- Threatens an individual;
- Attempts to intimidate, coerce, or inappropriately influence an individual who is involved in, or who may be involved in, recipient rights activities;

- Has the purpose or effect of unreasonably interfering with an individual's work performance; or
- Creates an intimidating, hostile, or offensive environment or situation.

B. Retaliation

For purposes of this policy, unjustified negative actions taken against an individual in return for the individual's involvement in, or perceived involvement in, recipient rights activities.

V. Standards

- A. No person who files/reports a complaint, MDCH #2500; or a Consumer Incident, Accident, Illness, Death or Arrest Report, (Exhibit A to MCCMH MCO Policy 9-321); or who participates in or cooperates with Recipient Rights investigations shall be harassed or retaliated against in any way.
- B. Each report of harassment shall be treated as a recipient rights complaint and shall be dealt with in the same manner as a complaint.
- C. In the event that Office of Recipient Rights (ORR) personnel are harassed or retaliated against, the ORR shall have access to a grievance process which includes appeal to the Board's Personnel Committee and the full MCCMH Board.

VI. Procedures

- A. The complainant shall make a complaint of harassment to the ORR.
- B. The ORR shall report such incidents to the MCCMH Executive Director within twenty-four (24) hours.
- C. The Recipient Rights Director or designee shall investigate the complaint, following procedures as outlined in the MCCMH MCO Policy 9-510, "Recipient Rights Investigation."
- D. The MCCMH Executive Director or designee shall take disciplinary action on substantiated rights complaints including harassment and retaliation for directly operated providers and ensure disciplinary action is taken by contracted providers.

VII. References / Legal Authority

- A. MCL 330.1755(3)(a)

VIII. Exhibits

- A. None.