

(was MCCMH Policy 9-07-120)

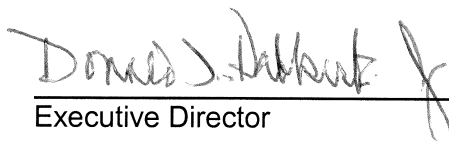
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Chapter: **RECIPIENT RIGHTS**  
Title: **SECLUSION**

Prior Approval Date: 3/26/08  
Current Approval Date: 7/16/09

Approved by: BOARD ACTION

 7/16/09  
Executive Director Date

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**I. Abstract**

This policy establishes the standards of the Macomb County Community Mental Health Board (MCCMH) regarding the use of seclusion for consumers.

**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 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 be in compliance with federal laws, Michigan statutes, and the rules and guidelines established by the Michigan Department of Community Health (MDCH).

**IV. Definitions**

**A. Center**

A facility operated by the Michigan Department of Community Health (MDCH) 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 consumer in a room, alone, 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 shall 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 the therapeutic suggestion to a consumer to remove himself or herself from a stressful situation in order 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 (not Medicaid funds) so long as the child caring institutions adhere to Department of 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 (as described in this policy), 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 the Board shall be evaluated:
  - 1. To ensure compliance with the Michigan Mental Health Code/MDCH Administrative Rules; and
  - 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 the MCCMH Board.

**VI. Procedures**

- A. 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.

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- D. 2007 MDCH Administrative Rules, R 330.7001; R 330.7243
  
- E. Commission on Accreditation of Rehabilitation Facilities (CARF) 2007 Standards Manual, §1., E., "Health & Safety," 6.d.(2), p. 69; §2.,F., "Seclusion and Restraint," p. 128 - 133

**VIII. Exhibits**

- A. None.