

NORTHEAST MICHIGAN COMMUNITY MENTAL HEALTH AUTHORITY

POLICY & PROCEDURE MANUAL

PERSONNEL
(Manual Section)

**RECIPIENT RIGHTS:
PERSONAL PROPERTY AND FUNDS – POLICY 3831**

Approval of Policy

Dated:

Original Inception Date:

January 11, 1996

Policy Last Reviewed:

June 17, 2024

Last Revision of Policy Approved:

June 10, 2015

•1 POLICY:

1. Individuals served by the Agency are entitled to receive, possess and use all personal property, including clothing and personal effects, except in certain circumstances and conditions as defined in this policy. Exceptions are listed below:
 - A. Weapons, including firearms, knives and sharp objects and other potentially dangerous articles; explosives;
 - B. Drugs, whether prescribed or not unless possession of the drug is specifically authorized by the attending physician;
 - C. Alcohol;
 - D. Particular kinds of personal property (such as expensive jewelry, stocks or bonds, etc.):
 1. to prevent theft, loss, and destruction of property; and/or
 2. to prevent individuals served from physically harming themselves or others;

•2 APPLICATION:

All employees, individuals served

•3 DEFINITIONS:

•4 CROSS-/REFERENCES:

•5 FORMS AND EXHIBITS:

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Administrative Approval of Procedure:

Dated:

June 17, 2024

•6 PROCEDURE:

Personal Property and Funds

•6.1 APPLICATION:

All employees, all individuals served.

•6.2 OUTLINE / NARRATIVE:

1. The Agency may choose to exclude all people from bringing certain types of personal property into the facility. These exclusions must be clearly documented in the home or program rules and must be posted. (Ex: exclusion of firearms or pornographic reading material or wall posters.)
2. Staff are allowed to search when there is a reasonable suspicion the individual served has brought contraband items into the facility or program. Staff shall strictly follow the Agency's search procedure to conduct the search.
 - A. The search procedure is as follows:
 - 1) Staff shall request the individual served to voluntarily relinquish the contraband.
 - 2) If the individual refuses, staff must inform the individual of the search and the reasons for the search prior to conducting the search of their personal belongings.
 - 3) The individual served must be present while the search is being conducted.
 - 4) Two staff must be present during the search.
 - 5) The reasons for conducting the search, the staff involved in conducting the search, and the results of the search, including a description of the property seized, shall be clearly documented in the electronic health record (EHR).
 - B. NeMCMHA will not conduct intrusive procedures such as strip searches or pat downs.
3. Any restrictions or limitations of the rights of the individual served must be reviewed and approved by the Behavior Support Committee. Any restriction or limitation must be justified, time-limited, and clearly documented in the Individual Plan of Service (IPOS). Documentation shall be included that describes attempts that have been made to avoid such restrictions, as well as what actions will be taken as part of the plan to ameliorate or eliminate the need for restrictions in the future.
4. Any limitation shall be removed when the circumstance(s) justifying the limitation ceases to exist.
5. A receipt shall be given to the individual served, their legal guardian, or designated individual for any and all personal properties or funds taken into custody. Any personal property and/or funds belonging to an individual served being held by the

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program or residential facility at the time of discharge shall be returned to the individual served.

6. An individual served is entitled to easy access to the money in their personal spending account, and to spend or otherwise use the money as they choose.
7. An individual served is permitted to inspect personal property at reasonable times.
8. Each residential facility or program shall provide a reasonable amount of storage space for each individual served for their clothing and/or personal property.
9. Each residential facility shall inventory personal property and funds of the individual served when admitted into the home. Only the items which are essential shall be retained, and non-essential property shall be returned to the parents, guardian, or relatives. The facility shall safeguard the personal property and funds of the individual served.
10. The IPOS may limit personal property in order to prevent the individual served from physically harming themselves or others, theft, loss, or destruction of the property, unless a waiver is signed by the individual served. Limitations of property are to be justified and documented in the EHR.
11. AFC licensing rules require a resident's account to be individual to the resident. The Agency is prohibited from having any ownership interest in a resident's account and shall verify such in a written statement to the resident or the resident's designated representative, and
12. No employee or volunteer of the Agency, as well as members of their families, shall accept, take, or borrow money or valuables from a resident, even with the consent of the resident.

•6.3 CLARIFICATIONS:

•6.4 CROSS-/REFERENCES:

Mental Health Code, 330.1728, 330.1730, and 330.1732
Administrative Rules, 330.7009 (7), 330.7199
P.A. 218, 1979 AFC Rule 400.14315(9) & (10)

•6.5 FORMS AND EXHIBITS: