

NORTHEAST MICHIGAN COMMUNITY MENTAL HEALTH AUTHORITY

POLICY & PROCEDURE MANUAL

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PERSONNEL
(Manual Section)

RECIPIENT RIGHTS:

FREEDOM OF MOVEMENT & LEAST RESTRICTIVE SETTING – POLICY 3820

Approval of Policy

Original Inception Date:

Policy Last Reviewed:

Last Revision of Policy Approved:

Dated:

January 11, 1996

June 17, 2024

August 11, 2006

•1 POLICY:

The Agency shall ensure that freedom of movement of recipients shall not be restricted more than is necessary.

A consumer shall have a right to the least restrictive conditions necessary to achieve the purposes of treatment and habilitation with due safeguards for safety of persons and property.

Freedom of movement is restricted or limited only by general restrictions in a residential setting which may include the following:

1. Areas that could impair the effective function of the residence.
2. Areas that could cause safety or security problems.
3. Temporary restrictions from areas for reasonable unforeseeable activities, such as repairs or maintenance.
4. Emergencies in case of fire, tornadoes, floods, etc.

•2 APPLICATION:

All employees, all recipients.

•3 DEFINITIONS:

•4 CROSS-/REFERENCES:

•5 FORMS AND EXHIBITS:

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Administrative Approval of Procedure :

Dated:

March 7, 2008

•6 PROCEDURE:

Freedom of Movement and Least Restrictive Setting

•6.1 APPLICATION:

All employees, all consumers

•6.2 OUTLINE / NARRATIVE:

1. The freedom of movement of a consumer shall not be restricted more than is necessary to provide mental health services to him/her, to prevent injury to him/her or to others, or to prevent substantial property damage, except that security precautions appropriate to the condition and circumstances of an individual admitted by order of a criminal court or transferred as a sentence-serving convict from a penal institution may be taken.
2. A consumers's plan of service shall address and justify the least restrictive treatment. Individual limitations shall also be documented and justified, as well as time limited.
3. Any restriction on freedom of movement of a consumer is removed when the circumstance that justified its adoption ceases to exist.
4. Consumer is not transferred to a more restrictive setting unless evidence exists that the recipient presents a substantial danger to self or others.
5. The Agency will offer mental health services in the least restrictive setting that is appropriate and available.

•6.3 CLARIFICATIONS:

•6.4 CROSS-/REFERENCES:

Michigan Mental Health Code Sections 330.1708, 330.1712, 330.1744

•6.5 FORMS AND EXHIBITS: