

The Right Door for Hope, Recovery and Wellness

Chapter Title	Chapter #		Subject #
Recipient Rights	RR		121
Subject Title	Adopted	Last Revised	Reviewed
Freedom of Movement (Residential)	04/24/00	2/24/20	8/24/05; 4/24/06; 12/27/07; 12/21/09; 11/22/10; 1/23/12; 1/28/13; 3/24/14; 3/18/15;3/16/16; 3/15/17;6/26/17; 7/24/17; 3/14/18; 3/13/19; 2/24/20; 8/23/21; 8/22/22 8/28/23; 8/26/24

**POLICY**

**Application**

This policy shall apply to The Right Door for Hope, Recovery and Wellness and all services operated by or under contract with it.

1. Purpose:

To establish guidelines to ensure the freedom of movement of recipients in residential treatment settings.

2. Policy

- 2.1. Mental Health Services shall be in the least restrictive setting that is appropriate and available.
- 2.2. A recipient shall not be transferred to a more restrictive setting unless evidence exists that the recipient presents a substantial danger to himself, herself, or others, or to prevent substantial property damage.
- 2.3. Transfer between residential programs, which do not affect the level of service provided, may be made for administrative purposes, if the transfer would not be detrimental to the recipient.
- 2.4. Any limitations must be justified in the plan of service and time-limited; any restriction on freedom of movement of a recipient must be removed when the circumstances that justified its adoption cease to exist.
- 2.5. Recipients may appeal restrictions on movement or denial of leave requests to the Office of Recipient Rights.

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2.6. Recipients shall have access to residential areas suited for vocational, social, and recreational activities.

2.7. 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.

3. Responsibilities

3.1. The Recipient Rights Office is responsible for ensuring that procedures to implement the intent of this policy are developed, reviewed, and revised as necessary.

3.2. Although house rules are optional under State of Michigan licensing rules for Adult Foster Care and Homes for the Aged, for the purposes of the HCBS Final Rule, house rules will not be permitted.

3.3. The staff person in charge of the written plan of service shall ensure the development, approval, special consent and implementation of treatment plans involving limitations to a recipient’s right to freedom of movement when necessary for reasons of health and safety in accordance with applicable behavior treatment standards and requirements.

3.4. Staff are responsible for implementing positive support plans, behavior treatment committee behavior plan and person-centered treatment plans.

4. Monitoring and Review

This policy is reviewed by the Recipient Rights Office. It is reviewed and monitored internally by the Recipient Rights Advisory Committee and The Right Door for Hope, Recovery and Wellness Board. It is monitored externally by the Department of Health and Human Services.

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References:

Michigan Mental Health Code 330.1744 and 330.1755

Nancy Patera, Board Chairperson	Date		