

CHAPTER Recipient Rights	CHAPTER 04	SECTION 002	SUBJECT 05
SECTION SUD Recipient Rights		DESCRIPTION Recipient Rights and Charitable Choice in Substance Use Disorder Services	
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APPLICATION:

<input checked="" type="checkbox"/> CMH Staff	<input checked="" type="checkbox"/> Board Members	<input checked="" type="checkbox"/> Provider Network	<input checked="" type="checkbox"/> Employment Services Providers
<input type="checkbox"/> Employment Services Provider Agencies	<input type="checkbox"/> Independent Contractors	<input checked="" type="checkbox"/> Students	<input checked="" type="checkbox"/> Interns
<input checked="" type="checkbox"/> Volunteers	<input type="checkbox"/> Persons Served		

POLICY:

Lapeer County Community Mental Health (LCCMH) complies with all Michigan Department of Health and Human Services (MDHHS) Administrative Rules for Substance Abuse Services Programs in Michigan, Charitable Choice in Treatment Federal Regulations (45CFR part 96), and all Region 10 Prepaid Inpatient Health Plan (PIHP) mandates with regard to Recipient Rights in Substance Use Disorder (SUD) services.

STANDARD:

- A. LCCMH notifies persons served of their right to request alternative services when being referred to an organization designated as a religious or faith-based organization. Persons served may also request treatment by religious or faith based means. See Policy 04.003.30 Treatment by Religious/Spiritual Means.
- B. LCCMH provides notification to persons served supporting the right to request alternative services.
- C. The PIHP administers the processing of requests for alternate services.
- D. LCCMH has a Recipient Rights Advisory Committee to assure compliance with the MDHHS Administrative Rules for SUD Services.

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PROCEDURES:

- A. LCCMH SUD Intake Staff issues written notice to persons served of their Charitable Choice Rights when being referred to a religious organization for SUD Services, including the right to an alternative service provider. The notice must include the following language:

No provider of substance abuse services receiving Federal funds from the U.S. Substance Abuse and Mental Health Services Administration, including this organization may discriminate against you on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to actively participate in a religious practice. If you object to the religious character of an organization, Federal law gives you the right to a referral to another provider of substance abuse services. The referral, and your receipt of alternative services, must occur within a reasonable period of time after you request them. The alternative provider must be accessible to you and have the capacity to provide substance abuse services. The services provided to you by the alternative provider must be of value not less than the value of the services you would have received from this organization.

- B. The Recipient Rights Advisory Committee oversees recipient rights activities to ensure agency compliance with Administrative Rules for Substance Abuse Services in Michigan.
- C. Any program announcement, brochure, or other written communication describing LCCMH's Substance Abuse Prevention Program must state the following:

Recipients of substance abuse services have rights protected by state and federal law and promulgated rules. The statement will include contact information on how to file a complaint.

REFERENCES:

LCCMH Policy 04.003.30 Treatment by Religious/Spiritual Means

Michigan Department of Health and Human Services Administrative Rules R325.14301 through R325.14306.

Region 10 PIHP Policies for Rights of Persons Served.

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LKJ:lr

This policy supersedes
#08/09020 dated 08/17/2009.
