



STATE OF MICHIGAN

DEPARTMENT OF HEALTH AND HUMAN SERVICES

LANSING

GRETCHEN WHITMER
GOVERNOR

ROBERT GORDON
DIRECTOR

**RECIPIENT RIGHTS ADVISORY COMMITTEE
PROPOSED MINUTES**

November 12, 2020

1:07 PM – 2:02 PM

via Teams meeting due to Pandemic

RRAC MEMBERS PRESENT: Jennifer Gorman, Norman DeLisle, Price Pullins, Shaun Thompson, Dr. Robert Lagrou, Liz Healy, Liz O'Dell.

RRAC MEMBERS ABSENT: Tish Watson (Excused), Dianne Baker, Vendella Collins (Excused), Margaret Stooksberry.

ORR STAFF PRESENT: Raymie Postema, Director, Andrew Silver, Director of Education, Training and Compliance, Jim Klingenberg Director of Hospital and Community Investigations.

PUBLIC PRESENT: Shawn Bennett

OPENING REMARKS

Jennifer Gorman

- Call to Order
 - Call to order at 1:07 pm. Quorum met.
- Agenda Approval
 - Norm approved as amended. Liz O'Dell supported. Members present approved by roll call vote.
- Approval of September 2020 RRAC Meeting Minutes
 - Price Pullins approved, and Liz Healy supported. Members present approved by roll call vote.

NEW BUSINESS

Jennifer Gorman

- Inviting Elizabeth Hertel, Al Jansen and Dr. Mellos to November's meeting
 - Raymie will get with Julie to send something out inviting Elizabeth Hertel, Al Jansen and Dr. Mellos to future RRAC meetings.
- Dianne Baker's Introduction.
 - Postponed due to Dianne not being able to attend the meeting.
- Continued discussion for the review of nominations for the committee Chair and Vice Chair
 - One position is vacant on the Committee. By-laws govern committee composition. Section 2(B) states, "The composition of the committee shall be broadly based to best represent the varied perspectives of department staff, government officials, attorneys, community mental health service program staff, private providers, recipients, and recipient interest groups. (Section 756 [1])". Given that information if anyone has anyone in mind that might want to join the committee, they should have a background outside of rights, in the legislature, legislative office or be a primary consumer. Dianne Baker has filled the attorney representation.

NEW BUSINESS CONTINUED

- o The nominating subcommittee shared a nomination for Chair for Jennifer Gorman and Norm DeLisle for Vice-Chair. Discussion was held that Liz Healy could be an alternate chair, but the bylaws do not mention an alternate position. Both Jennifer and Norm accepted their nominations and a roll call vote was taken from present RRAC members, who approved.
- Open Meetings Act. We are still under a state of emergency and meeting virtually instead of meeting in person. Deadline for the virtual meetings is December 2021, however, the legislature might readdress the deadline.
- RRAC By-laws. Jennifer reminded the members of the removal policy in Section 5. Jennifer reiterated it is expected if committee members are not able to attend to receive an excused absence by notifying Julie Markham. Julie will forward that information to Jennifer. Unexcused absences (absences without notice) for two meetings is grounds for the chair to reach out to determine intent to continue your membership. Three unexcused absences within a calendar year would be grounds for removal. Removal for cause would be removal due to inability to perform official duties. Jennifer stated if anyone does not want to be on the committee anymore, just let Julie or Jennifer know. Discussion was held regarding the Articles for Officers – what is required regarding chair and vice-chair, quorum, regular meetings, public comment and how that occurs at the end of the meetings, and term of officers. (Current term is for one year at which point members can be re-elected.)

ORR UPDATES AND REPORTS

Raymie Postema

- We are continuing to work with LARA MDHHS to obtain authority to do assessments on a biannual or triannual basis of Licensed Psychiatric Hospital (LPH) rights systems. There is an upsurge of support. The latest RROAM meeting had conversation and RROAM voted to request some assistance in working together with CMHA of Michigan. Currently waiting on budget approval from LARA. Interested to getting Michigan Hospital Association's concerns. Would like to see more consumer advocacy boards involved. One person in the state will do the hospital assessments (1 FTE). Proposal by Joyce Tunnard presented to RROAM. Information will be shared with the committee. Proposed language would be tied to their license for LPHs. If an LPH does not have a compliant rights system, then licensing action can be taken.
- COVID Updates. All assessments are currently conducted remotely. Some investigation unit staff are on-site, others are not. There has been a surge of COVID staff cases at KPH, Caro Center and WRPH.
- Budget/Resource update. Trying to get spending plan. MDHHS-ORR will provide direct rights protection for the DCPD and all SHA contracted services related to this program. There will be direct placements into the community with Hope Network and Beacon Living Services. Jim has been doing site visits where placements are going to be. Currently working on policy issues for DCPD. 800 line has been set up and a designated email address created so consumers have contact access for rights concerns. Asking Dr. Mellos to pay for services through SHA. Just posted rights specialist position for ORR. Position will be assigned to DCPD program. Raymie will share spending plan at January's meeting.

Andrew Silver

- ORR annual conference bigger success than anticipated. There were some technological glitches, but these were able to get around. There was good attendance and speaker feedback. 2021 conference at Crystal Mountain.

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- Online training at final stage to post online for Telepsychiatry. Dr. Lagrou did a wonderful job with his input.

Jim Klingenberg

- Building block training went well virtually.
- Employee Services Program is offering regular information dealing with COVID resources. Raymie - Dr. Pinals, psychiatrist for department, works directly with behavioral health and with Director Gordon and has offered to have a “stay well” conversation with ORR staff on 11/24/20.
- There are issues with quarantine and isolation units and the complaints coming in and getting to the rights office.
- Attending New Supervisor Institute Training.

OLD BUSINESS

Jennifer Gorman

Review of eight items from Mental Health Code identified by subcommittee for review and revise were focused on Chapter 7, not Chapter 4.

- 1) 330.1712 Individualized written plan of services.
- 2) 330.1713 Choice of physician or mental health professional.
- 3) 330.1717 Electroconvulsive therapy or other procedure; consent.
- 4) 330.1724 Fingerprints, photographs, audio-recording, or use of 1-way glass.
- 5) 330.1730 Money.
- 6) 330.1740 Physical restraint (including chemical restraint).
- 7) 330.1742 Seclusion.
- 8) 330.1708 Suitable services; treatment environment; setting; rights.

ADDITIONAL BUSINESS

Committee

None

PUBLIC COMMENT

Shawn Bennett was not online at this point in the discussion. Jennifer did note that his interest/concerns involved informed consent.

ADDITIONAL ITEMS FOR NEXT MEETING

- Pursue invitations to MDHHS leadership
- Review of spending plan.

ADJOURNMENT

Motion for adjournment by Liz O’Dell; Norm DeLisle supported. Meeting ended at 2:02 PM.