

**MENTAL HEALTH CODE (EXCERPT)**  
**Act 258 of 1974**

**330.1752 Policies and procedures.**

Sec. 752. (1) The department, each community mental health services program, each licensed hospital, and each service provider under contract with the department, a community mental health services program, or a licensed hospital shall establish written policies and procedures concerning recipient rights and the operation of an office of recipient rights. The policies and procedures shall provide a mechanism for prompt reporting, review, investigation, and resolution of apparent or suspected violations of the rights guaranteed by this chapter, shall be consistent with this chapter and chapter 7a, and shall be designed to protect recipients from, and prevent repetition of, violations of rights guaranteed by this chapter and chapter 7a. The policies and procedures shall include, at a minimum, all of the following:

- (a) Complaint and appeal processes.
- (b) Consent to treatment and services.
- (c) Sterilization, contraception, and abortion.
- (d) Fingerprinting, photographing, audiotaping, and use of 1-way glass.
- (e) Abuse and neglect, including detailed categories of type and severity.
- (f) Confidentiality and disclosure.
- (g) Treatment by spiritual means.
- (h) Qualifications and training for recipient rights staff.
- (i) Change in type of treatment.
- (j) Medication procedures.
- (k) Use of psychotropic drugs.
- (l) Use of restraint.
- (m) Right to be treated with dignity and respect.
- (n) Least restrictive setting.
- (o) Services suited to condition.
- (p) Policies and procedures that address all of the following matters with respect to residents:
  - (i) Right to entertainment material, information, and news.
  - (ii) Comprehensive examinations.
  - (iii) Property and funds.
  - (iv) Freedom of movement.
  - (v) Resident labor.
  - (vi) Communication and visits.
  - (vii) Use of seclusion.

(2) All policies and procedures required by this section shall be established within 12 months after the effective date of the amendatory act that added section 753.

**History:** 1974, Act 258, Eff. Aug. 6, 1975;—Am. 1995, Act 290, Eff. Mar. 28, 1996.