

SANILAC COUNTY COMMUNITY MENTAL HEALTH AUTHORITY

CLINICAL POLICY

NUMBER: RR032

NAME: RIGHT TO ACCESS ENTERTAINMENT MATERIAL, INFORMATION AND NEWS

INITIAL APPROVAL DATE:	06/12/2002	BY: Administrative Committee
STAKEHOLDER REVIEW:	02/18/2025	BY: Recipient Rights Advisory Committee
(LAST) REVISION DATE:	12/17/2024	BY: Recipient Rights Officer
(LAST) REVIEW DATE:	02/20/2025	BY: Policy Committee
DISCONTINUED DATE:	NA	REPLACED BY: NA

I. PURPOSE

To establish standards regarding an individual's right to access the media and other printed materials.

II. APPLICATION

Populations: **ALL**

Programs: **Direct - ALL**
Contracted - ALL

III. POLICY

Individuals receiving mental health services are entitled to receive, possess and use all personal property, including clothing, except in certain circumstances and conditions as defined in this policy.

Individuals receiving mental health services shall not be prevented, at their own expense, from acquiring or from reading, written or printed materials or from viewing or listening to television, radio, recordings or movies for reasons of or similar to censorship.

IV. DEFINITIONS

Individual – Specifically references an individual who receives services from Sanilac County Community Mental Health Authority (Sanilac CMH) and who lives in a residential setting.

Right to Access - Means the right to purchase, possess and use personal property, entertainment materials, including printed materials, television, radio, recordings and/or movies.

Limitation - Individual rules governing the specific limitations of an individual's right to access entertainment materials, information and news.

Restrictions - Laws, rules and policies governing specific restrictions of access to entertainment material, information and news of an individual or group of individuals.

V. STANDARDS

- A. Sanilac CMH may establish general program restrictions on access to materials for reading, listening or viewing. Restrictions for the purpose of or similar to censorship are not allowed.
- B. Staff working with individuals in Sanilac CMH residential facilities must determine that the individual has an interest in a daily newspaper. If the individual desires access to a daily newspaper, it shall be provided.

- C. A Provider may limit access to entertainment materials, information, or news only if such limitation is specifically approved in the individual's individualized plan of service. A provider shall document each instance when a limitation is imposed in the individual's record. Any and all personal limitations and restrictions must include the justification of the limitation and date the limitation expires.
- D. The treatment team must review any limitation or restriction within at least ninety [90] days.
- E. Any limitation shall be removed when the circumstances justifying the limitation cease to exist.
- F. The right of access shall not entitle a minor receiving services to obtain and keep written or printed material or to view television programs or movies over the objection of the minor's parent or guardian or if prohibited by state law. Material not prohibited by law may be read or viewed as a part of a written plan of service.

The Care Manager or primary therapist may attempt to persuade a parent or guardian of a minor to withdraw their objections to the material desired by the minor.

- G. Restrictions or limitations can be imposed on a day/work program or a residential unit if a therapeutic benefit for that group of individuals is documented.

VI. ATTACHMENTS

None

VII. APPEALS

An individual has the right to appeal decisions concerning restrictions on their access to entertainment materials. Appeals may be made in accordance with the Sanilac County Community Mental Health Authority Grievance and Appeals policy, RR035.

VIII. REFERENCES

- Mental Health Code 330.1728 and 330.1752
- DHHS Administrative Rule R330.7139.
- Appeals Process Policy, RR035.