

# 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:	12/12/2023	BY: Recipient Rights Advisory Committee
(LAST) REVISION DATE:	10/28/2014	BY: Recipient Rights Officer
(LAST) REVIEW DATE:	12/14/2023	BY: Policy Committee
DISCONTINUED DATE:	NA	REPLACED BY: NA

### I. PURPOSE

To establish standards regarding an individual receiving services' 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

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 a resident's right to access entertainment materials, information and news.

Resident - A person with a mental illness or developmental disability, who is living in a residential setting.

Restrictions - Laws, rules and policies governing specific restrictions of access to entertainment material, information and news of a resident or group of residents.

### 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.

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- B. Staff working with individuals receiving services in Sanilac County Community Mental Health Authority residential facilities must determine that the individual receiving services has an interest in a daily newspaper. If the individual receiving services 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 resident's individualized plan of service. A provider shall document each instance when a limitation is imposed in the resident'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 residents is documented.

**VI. ATTACHMENTS**

None

**VII. APPEALS**

An individual receiving services or another individual, on behalf of an individual receiving services, 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.

**VIII. REFERENCES**

- Mental Health Code 330.1728 and 330.1752
- DHHS Administrative Rule R330.7139.