# *ADAPT, Inc.*
# *General Policies & Procedures*
## *For Persons Served*

# *ADAPT SERVICES GENERAL POLICIES AND PROCEDURES*

**Although the term, "person(s) served", is the preferred language at Adapt, the terms, "consumer" and "program participant" may also be used to describe a person who receives services from Adapt*

## CONSUMER INPUT

ADAPT encourages and seeks, on a regular basis, input from consumers, guardians, and home providers. A variety of mechanisms are in place to solicit input including:

- Consumer Meetings
- Person-Centered Planning Meetings
- The Adapt Pre-planning PCP form
- Annual Consumer Survey
- Daily Access to Staff Members
- Grievance Procedures

## INFORMED CONSENT AND CHOICE

Prior to a referral to Adapt, Community Mental Health (CMH) workers are required to review all available services and providers with consumers (persons being served) and family members/guardians. It is up to the consumer and/or guardian to choose a provider and agree to the services approved by the CMH agency. Consumers and/or guardians who do not agree with the type and/or quantity of services authorized by the CMH may file an appeal.

Upon intake with Adapt, program personnel will discuss the legal decision-making status of the consumer (guardian, no guardian, payee, etc.) with the consumer, the CMH worker, the legal decision-making authority, and any other individuals, as appropriate or requested by the consumer. The scope of the legal decision-making authority will be discussed and how it is related to the consent for services, making choices relevant to daily program participation, and the selection of participants in the consumer's planning meeting. To support Adapt's mission to promote the fullest level of independence, self-growth, and community integration for all consumers, it is important for consumers to have the maximum level of choice possible. The more decisions an individual can make independently, the more likely that person is to realize his/her maximum potential. The more practice an individual has with making decisions, the better he/she becomes at making good decisions.

Adapt personnel will maintain open communication with the legal decision-making authority (i.e., guardians, payees, Durable Power of Attorney (DPOA's) and will strive to involve the consumer in as much decision-making as possible, within legal limits. Further, any consumer who maintains the legal authority to make his/her own decisions will be respected as such, with Adapt personnel recognizing the consumer's full right to make his/her own decisions, whether Adapt employees agree with the decision or do not. Adapt personnel will encourage the individual to make healthy and practical choices, providing education and role-playing to support the individual in his/her decision-making process. Consumers and/or family members interested in pursuing

guardianship or some other legal decision-making arrangement, should seek assistance from the CMH worker.

Written Informed consent is obtained for the following purposes, using the following means:

- Consent to participate in the program and work on the individual's program plan is given by the consumer through the annual Person-Centered Planning process.
- Consent for emergency medical treatment is obtained prior to the consumer starting in the program.
- Photo or electronic images
- Authorization to release, receive, or exchange information with other parties related to the provision of services/care/treatment to the consumer.

## PERSON-CENTERED PLANNING (PCP)

All consumers will have a Person-Centered Plan developed annually. The consumer's Case Manager or Supports Coordinator assists the consumer with the coordination and planning of the meeting. The planning session will involve family, friends, and staff invited by the consumer, as well as the individual consumer. The plan will be based on the person's strengths, desires, and preferences, and will address health and safety needs. Progress on the plan from the previous year will be reviewed, and new goals and strategies developed. A designated employee will periodically review the consumer's progress with goals. Documentation regarding goal progress is incorporated into consumer records.

Adapt utilizes a Pre-Planning form in preparation for the PCP meeting. The Pre-Planning form addresses the individual's strengths, goals, areas of risk, and desire for employment among other topics. The Adapt Pre-Planning form will remain in the consumer record along with the PCP document. Adapt personnel will offer the Pre-Planning form to the Supports Coordinator/Case Manager for his/her review.

## HEALTH AND SAFETY EDUCATION OF PERSONS SERVED

Adapt direct care workers receive training on universal precautions to help prevent the spread of communicable diseases and handle biohazardous materials. Employees are trained upon hire and annually. Part of the training includes how to teach universal precautions to individuals served in Adapt's Residential, In-Home Supports, and Day programs. Safety needs are discussed with the person served as part of the Person-Centered Planning (PCP) process and are written into the PCP document. Employees are trained on how to implement the PCP document, addressing health and safety needs while working with the individual.

Education of individuals served may occur in a number of ways depending on the person's unique needs and personal preferences. Some opportunities for teaching may include during orientation when beginning services, during the pre-planning and Person-Centered Planning process, group discussions, role-modeling and one-on-one discussions. The most effective method of learning occurs during the daily routine

when direct care workers can use naturally occurring teachable moments in either one-on-one or group settings. Employees are trained on the importance of Active Treatment which addresses how to encourage individuals served to participate as fully and independently as possible in all aspects of their care, including how to make healthy and safe choices.

## CONFLICT RESOLUTION WITHIN THE PROGRAM

Each consumer has the right to appeal any decision by a staff member. If a consumer questions a statement, decision, or action by a staff member, the first step is to discuss the problem with the staff member's supervisor. The person or their guardian may request, either verbally or in writing, to appeal that statement, decision, or action. When such an appeal request is received, the staff member must inform the Executive Director of the request within three (3) working days. The Executive Director will then arrange for a hearing between himself and the consumer, within three (3) working days. The decision of the Executive Director is final and will be issued in writing to the consumer within five (5) working days.

Consumers are also entitled to present their complaints to a Recipient Rights Officer who can be contacted through their local Community Mental Health agency.

## DENIAL OF SERVICE

All applicants who are refused service shall be informed of the reasons for the denial. If requested, this information will be made available to the person and/or family in writing. ADAPT will maintain a list of people who have been denied services and the reason for the denial. Every effort shall be made to refer non-eligible individuals to alternative services. Individuals interested in a private pay arrangement for services may direct their questions to the Program Supervisor, who will provide a copy of Adapt's private pay procedure.

## GRIEVANCE AND APPEALS (Service Denial/Changes/Termination)

Consumers of Adapt services, as well as those who apply for Adapt services, have the right to appeal any decision to deny, change or end services. If a consumer/applicant disagrees with a decision regarding services, the first step is to discuss it with the County Director of DD/MI Services. If the consumer/applicant is not satisfied with the result of this discussion, a verbal or written request may be submitted to the County Director appealing the decision. When such an appeal request is received, the County Director must inform the Executive Director within three (3) working days. The Executive Director will then arrange for an appeal hearing between the Executive Director and the consumer/applicant within three (3) working days. The decision of the Executive Director is final and will be issued in writing to the consumer within five (5) working days.

Consumers are also entitled to present their complaints to a Recipient Rights Officer who can be contacted through their local Community Mental Health Agency.

## TERMINATION OF SERVICE

Upon termination of service, consumers and guardians/caregivers will be directly involved in discussions regarding the consumer's future plans, including needs and preferences, and the availability of community resources. Referral to another community agency will be made accordingly. Adapt will make every effort possible to ensure continuity of care by working with outside agencies and communicating with relevant parties prior to termination and during the transition process.

An ADAPT staff member will complete an Exit Summary and a Follow-Up report as completely as possible within 30 days of termination. All individuals who terminate service will be recorded on the discharge summary form.

### *Voluntary Termination*

When an individual terminates services voluntarily, ADAPT shall make every effort to ensure that the person's best interests are being served. This may involve assisting discharged consumers with finding replacement services in cooperation with the local CMH agency. If possible, a meeting of all interested parties shall be held to ensure that the termination is in the best interest of the person and that all resources for future success are being utilized.

### *Re-Entry*

Re-entry into any Adapt program will be reviewed on a case-by-case basis. Adapt strives to provide services to any individual who would benefit from receiving services.

### *Involuntary Termination*

Although ADAPT will make every effort to maintain people within its programs, there are people who have needs or display behavior that cannot be managed within the scope of services provided. Severe acts of physical violence (to self or others,) excessive absenteeism, inability to function in and gain benefit from programming, etc., are possible reasons for an involuntary termination. After exhausting all reasonable alternatives for maintaining services, a meeting will be held with all involved parties, including the person served, concerning the termination. Referrals to other programs shall be examined and made. ADAPT reserves the right to make the final decision about providing services to any person. Re-entry into an Adapt program after an involuntary termination will be considered on a case-by-case basis.

### *Follow-up Procedures*

When a consumer moves to another area or to other services, ADAPT personnel will be available to assist the person in obtaining new services. Appropriate information will be sent to the prospective program(s), provided the consumer and/or guardian have signed the appropriate Authorization to Disclose Information forms. In most cases, the mental health Case Manager/Supports Coordinator will handle the referral and information transfer and ADAPT personnel will provide additional assistance when appropriate. A follow-up report will be prepared by the Director of Services for the county or designated staff member within 60 days of the consumer's exit from services. The purpose of the follow-up report is to assist the discharged consumer and/or guardian in obtaining the recommended services to ensure the continuum of care.

ADAPT will actively seek follow-up contact with discharged consumers and/or guardians within 60 days of discharge. Follow-up activities may include, but are not limited to, telephone calls, personal visits, and written correspondence. Some attempts to conduct follow-up will be unsuccessful; the reason for the lack of contact will be documented on the Follow-Up section of the *Termination, Exit, and Follow-Up* form.

## CIVIL RIGHTS

ADAPT does not discriminate with regards to services, pay, or opportunity for work because of race, religion, gender/gender identification, national origin, age, disability, or any other characteristic protected by law. ADAPT complies with all federal and state wage and hour laws.

## RECIPIENT RIGHTS POLICY

ADAPT adheres to the Michigan Mental Health Code's Recipient Rights requirements. Each Community Mental Health (CMH) agency has its own procedures, coordinated by that county's Recipient Rights Officer. ADAPT follows the policies and procedures as required by each CMH agency with which it contracts, as well as the regional authority, Southwest Michigan Behavioral Health (SWMBH). Protected areas include:

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| Consent for treatment | Comprehensive exams |
| Sterilization | Entertainment materials, information, and news |
| Fingerprinting, photographing, audio taping, and use of 1 way glass | Freedom of movement |
| Abuse and neglect | Resident labor |
| Treatment by spiritual means | Communication and visits |
| Qualifications for training the right staff | Restraint and seclusion |
| Changes in the type of treatment, medication procedures | Dignity and respect |
| Use of psychotropic drugs | Least restrictive environment |

ADAPT staff members are available to assist consumers who want to complete a Recipient Rights complaint form. Complaint forms and Recipient Rights booklets are available at ADAPT and the local mental health agencies. Consumers have the right to voice grievances and make complaints without fear of humiliation and/or retaliation by Adapt employees. Rights education is ongoing for consumers.

## PROMOTING PERSONAL CHOICE AND LIMITING RIGHTS RESTRICTIONS

All Adapt employees strive to ensure the fullest amount of personal choice is afforded to all consumers, as is the right of every person. Adapt employees should possess and promote a mindset that consumers receiving services need support to make the best possible choices for their lives, and do not have to make perfect choices to retain their rights and personal freedoms.

Adapt values the rights of all consumers and it is the responsibility of all employees to endeavor to protect consumer (recipient) rights. As a last resort and with the informed consent of the consumer and/or guardian, the rights of a consumer may be restricted if deemed necessary to ensure the safety and well-being of the consumer, and in accordance with the Community Mental Health (CMH) service planning and delivery team. Further, restrictions will only be implemented after reasonable attempts to maintain the safety of the consumer have failed and have been documented by CMH personnel in accordance with the Home and Community Based Services (HCBS) Transition Rule. Restrictions must be written into the current Person-Centered Plan (PCP) document and reviewed periodically with the intent to remove the restriction as soon as feasible.

Employees working with the consumer will be trained on the proper implementation of the restriction. Employees will continue to use positive behavior interventions, including Gentle Teaching strategies, while the restriction is in place. The effectiveness of the restriction, as well as attempts to remove the restriction, will be monitored by the program/home supervisor and communicated to the appropriate CMH personnel. Further, the service delivery team will ensure the restriction is removed as soon as the threat to the consumer's safety and well-being has decreased to an acceptable level or is eliminated. In the case of an emergent or urgent situation, verbal approval may be obtained and documented by the program supervisor or designee, until a PCP or addendum is received by the Adapt program supervisor from CMH personnel.

## TRANSITION TO OTHER SERVICES

When an individual served in any Adapt program desires to move on to a different program, Adapt staff will work with that person to help him/her achieve this desire regardless of the agency providing the service. Some of the criteria involved will include having the appropriate diagnosis for the desired program (if one exists) and the ability to function within the program structure. If it is a Medicaid-funded service, participation in the program will depend on the appropriate Community Mental Health agency approving the service.

Adapt will assist an individual in his/her desire to move to another program through discussion with support people and the individuals providing the service, and education of the person served to help prepare for entry to the desired program regardless of the service provider. Transitional goals will be developed. Transitional plans are developed cooperatively by the Case Manager/Supports Coordinator and designated Adapt personnel. Striving to honor the preferences of the person served is the number one priority for Adapt.

## READMISSION

Readmission to an Adapt Program will be determined on a case-by-case basis. ADAPT will make every effort to provide services to individuals who meet criteria.