

COPPER COUNTRY MENTAL HEALTH SERVICES BOARD

POLICY AND PROCEDURE

DATE: April 24, 2019 Freedom of Movement.P4

RESCINDS: May 30, 2018

CATEGORY: Recipient Rights

SUBJECT: Freedom of Movement

POLICY: It is the policy of Copper Country Mental Health Services Board that recipients of services be placed in the least restrictive setting and that the freedom of movement of a recipient of services shall not be limited more than is necessary to provide the recipient mental health services, to prevent injury to the recipient or others, or to prevent substantial property damage.

PURPOSE: The purpose of this procedure is to ensure that recipients of services are placed in the least restrictive setting of their choosing and have access to all areas within the home, on the grounds, in the community, and in the Agency Program areas that are for recreational, vocational, and normal social activities.

PROCEDURE:

- I. Limitations of freedom of movement shall only be implemented for health and safety reasons.
- II. As required by the Home and Community Based Services Final Rule (HCBS) and Mental Health Code, any effort to limit freedom of movement must be:
 1. Justified by a specific and individualized assessed health or safety need;
 2. The minimum limitation necessary to address the need;
 3. Addressed through the PCP process;
 4. Determined with the participation of the recipient and the recipient's family, if at all possible;
 5. Fully explained to the recipient and the recipient's family by the client service manager before implementing the limitation;

6. Approved by the Behavior Treatment Committee;
7. Removed when the circumstance that justified its adoption ceases to exist; and is
8. Subject to appeal by the resident or another person on the resident's behalf by filing a Recipient Rights complaint.

The following requirements must be documented in the IPOS when a specific health or safety need warrants such a limitation:

1. The specific and individualized assessed health or safety need.
2. The positive interventions and supports used prior to any modifications or additions to the PCP regarding health or safety needs.
3. Documentation of less intrusive methods of meeting the needs, that have been tried, but were not successful.
4. A clear description of the condition that is directly proportionate to the specific assessed health or safety need.
5. A regular collection and review of data to measure the ongoing effectiveness of the modification.
6. Established time limits for periodic reviews to determine if the modification is still necessary or can be terminated.
7. The date of expiration.
8. Informed consent of the person to the proposed modification.
9. Assurance that the modification itself will not cause harm to the person.

III. The appropriateness of the recipient's placement in Residential Programs shall be reviewed by the Treatment Team on a regular basis.

CROSS REFERENCE:

Mental Health Code

Home and Community Based Services Final Rule