

COPPER COUNTRY MENTAL HEALTH SERVICES BOARD
POLICY AND PROCEDURE

DATE: July 31, 2024 Right to Access Printed Material, Broadcasts, & Recorded Material.P4

RESCINDS: May 28, 2014

CATEGORY: Recipient Rights

SUBJECT: Right to Access Printed Material, Broadcasts and Recorded Material

POLICY: It is the policy of Copper Country Mental Health Services Board (CCMHS) to protect recipients' rights to acquire written material, and to listen to or view radio, recordings, television, movies, etc., unless access is generally restricted for all recipients in written house rules or limited for a recipient in the Individual Plan of Service.

PURPOSE: The purpose of this procedure is to ensure that a recipient shall not be prevented from acquiring, at his expense, or from reading, written or printed material or from viewing or listening to television, radio, recordings, or movies available locally or by mail, for reasons of, or similar to, censorship. Any restriction or limitation must have justification, authorization and proper notification.

PROCEDURE:

- I. Exercise of the right to access materials shall not be interfered with unless it infringes on the rights of others, is limited for treatment reasons, or is prohibited by law.
 - A. House rules shall not indicate hours for viewing and listening to television, radio, recordings or movies, and for volume. Provision for the use of earphones or other alternatives shall be considered when the rights of others are involved.
 - B. The Supervisor shall provide a determination of recipient interest in and for the provision of a daily newspaper.
 - C. The right to access materials shall not entitle a minor recipient to obtain and keep written material, or to view television programs or movies, over the objection of a minor's parents or guardians or if prohibited by law. Staff may attempt to persuade parents or guardians to withdraw objections to material including television or movies desired by the recipient.
 - D. The right to access materials shall not entitle an adult recipient to obtain and keep written or recorded material if it is prohibited by law.
- II. Any restrictions or limitations on access to materials, unless prohibited by law or included in the house rules, shall be:
 - A. Written into and justified in the Individual Plan of Service;
 - B. Approved by the Supervisor or Program Director and the Behavior Treatment Committee (BTC);
 - C. Determined with the participation of the recipient and/or the recipient's guardian, if at all possible;

- D. For a specific period of time, with at least quarterly review by the team and BTC of continuing need for limitation or restriction.
- E. Fully explained to the recipient and his/her family by the client services manager before implementing the restriction or limitation;
- F. Removed when the circumstance which justified the limitation ceases to exist;
- G. Subject to appeal by the recipient or some other person acting on his/her behalf filing a complaint through the Recipient Rights Office.

APPLICATION: Residential and Day Programs.

CROSS REFERENCE:

CCMHS Policy - Behavior Treatment Committee

Mental Health Code 726

Administrative Rule 7139