

DEPARTMENT OF COMMUNITY HEALTH
MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES

(By authority conferred on the department of mental health by sections 1 to 4 of Act No. 80 of the Public Acts of 1905, as amended, section 33 of Act No. 306 of the Public Acts of 1969, as amended, and sections 114, 130, 136, 157, 206, 244, 498n, 498r, 842, 844, 908, and 1002a of Act No. 258 of the Public Acts of 1974, as amended, being sections 19.141 to 19.144, 24.233, 330.1114, 330.1130, 330.1136, 330.1206, 330.1244, 330.1498n, 330.1498r, 330.1842, 330.1844, 330.1908, and 330.2002a of the Michigan Compiled Laws)

**SUBPART 7. PLACEMENT OF ADULTS WHO HAVE A MENTAL ILLNESS
OR A DEVELOPMENTAL DISABILITY INTO COMMUNITY BASED
DEPENDENT LIVING SETTINGS**

R 330.1701 Definitions.

Rule 1701. As used in these rules:

(a) "Client" means an individual who has a mental illness or a developmental disability and who receives services from the department, a county community mental health board or contracting agency.

(b) "Client services manager" means an employee of the department, a community mental health board, or an agency under contract with the department or a community mental health board who has primary responsibility for effectuating the placement of a client into a dependent setting and monitoring the provision of services called for in the client's treatment plan.

(c) "Department" means the department of mental health.

(d) "Placing agency" means an agency of the department, a county community mental health board, or an agency under contract to the county community mental health board or the department that is responsible for all of the following:

- (i) Assessing a clients's need for placement into a dependent living setting.
- (ii) Determining the type of dependent living setting required to meet the client's needs.
- (iii) Developing the client's individual plan of service and supports.
- (iv) Coordinating all necessary arrangements for the placement of the client into a dependent living setting.
- (v) Monitoring and evaluating the provision of services to the client.
- (vi) Protecting the rights of the client including informing clients/ guardian of how to file complaints against the licensee or placing agency.

History: 1996 AACS.

R 330.1702 Standards for placement of client into dependent living setting.

Rule 1702. A placing agency shall not place a client in a dependent living setting unless all of the following criteria are met before placement:

- (a) An individual plan of service has been developed for the client.
- (b) If a specialized program is called for in the client's individual plan of service, the dependent living setting is certified to provide the program.
- (c) The placing agency has made an on-site inspection and determined that the dependent living setting has sufficient resources to provide all the services that the dependent living setting is required to provide in the client's individual plan of service.
- (d) The consent of the client, or the client's guardian, has been obtained for the placement.
- (e) The dependent living setting has written operating policies and procedures which are in place and enforced by the dependent living setting and which are in compliance with the requirements of section 752 of Act No.258 of the Public Acts of 1974, as amended, being §330.1752 of the Michigan Compiled Laws. The dependent living setting agrees to make the operating policies and procedures available to the client, provide the information in alternative formats and provide assistance to the client with understanding the language used in the procedures, if needed.
- (f) The dependent living setting agrees to maintain and limit access to records that document the delivery of the services in the client's individual plan of service in accordance with all applicable statutes, rules, and confidentiality provisions. The dependent living setting agrees to make client's record available to the client or their representative, provide the record in alternative format and assist the client with understanding the language used, if needed.

History: 1996 AACCS.

R 330.1703 Individual plan of service.

Rule 1703. A placing agency is responsible for the development of the client's individual plan of service and shall comply with the provisions of section 712 of Act No. 258 of the Public Acts of 1974, as amended, being §330.1712 of the Michigan Compiled Laws, and R 330.7199, except that the waiver provisions of R 330.7199(11) shall not apply. An initial individual plan of service shall be provided upon placement and a comprehensive plan developed within 30 days. The individual plan of service shall consist of a treatment plan, a support plan, or both. The individual plan of service shall focus on the needs and preferences of the client and be developed by a planning team comprised of the following entities:

- (a) The client.
- (b) Individuals of the client's choosing, for example, friends or relatives.
- (c) Professionals as needed or desired.

If the client is not satisfied with his or her individual plan of service or modifications made to the plan, the client may object and request a review of the objection by the client services manager in charge of implementing the plan. The review shall be initiated within 5 working days of receipt of the objection. Resolution shall occur in a timely manner. If the client is not satisfied with the resolution, the client may notify his or her client services manager of the client's wish to appeal the resolution to the placing agency. The placing agency shall initiate a review of the appeal within 5 working days and reach a resolution in a timely manner.

History: 1996 AACCS.

R 330.1704 Modification of individual plan of service.

Rule 1704. The placing agency shall promptly review, revise, or modify a client's plan of service because of any of the following:

- (a) The client has achieved an objective set forth in the client's individual plan of service.
- (b) The client has regressed or lost previously attained skills or otherwise experienced a change in condition.
- (c) The client has failed to progress toward identified objectives despite consistent effort to implement the individual plan of service.

History: 1996 AACCS.