

MACMHB

State Training Guidelines Workgroup

Training/Curriculum Recommendations

The intent of this Training Guideline is for the development and presentation of training content. Curricula based on this guideline will contribute to statewide training quality, uniformity, and reciprocity.

Topic: *Due Process/Exercising Rights/Grievance and Appeals*

Defining Paragraph (Vision, Boundaries, Overall Outcome Statement):

All individuals seeking services from the public mental health system have rights that are protected by Federal and State laws, including the Michigan's Mental Health Code. Due Process/Grievance and Appeals are the right of every person seeking or receiving mental health or developmental disability services from a Community Mental Health Service Provider or its contracted agencies. All individuals have the right to a fair and efficient process for resolving complaints regarding their services and supports.

Definitions:

Content – These are a listing of the areas covered in the subject.

Outcomes/Competencies – These are statements about what participants will be able to do as a result of having participated in the course.

Outline – A suggested approach to meeting Outcomes/Competencies.

These three are interrelated, but not necessarily a one-to-one relationship.

Content:

1. Due Process
2. Exercising Rights / Self Advocacy
3. Grievance and Appeal

Outcomes/Competencies:

Participants will be able to:

1. Describe the Due Process rights of individuals receiving services
2. Explain the difference between a grievance and an appeal
3. Demonstrate knowledge of the filing process and be able to help individuals file
4. Teach self-advocacy skills to the people they serve

Outline/Recommendations:

1. Due Process
 - a. Legal basis of due process
 - b. Medicaid/Non Medicaid
 - c. Local/State Hearings
 - d. What constitutes Grievance and Appeals vs. Due Process
 - e. Adequate vs. Advanced Notice
 - f. Filing process
2. Teaching Self Advocacy
 - a. Approaches
 - b. Do's and Don'ts
 - c. Possible topics (may include but are not limited to)
 - Voting
 - Contacting legislators
 - Exercising free speech
 - Obtaining education
 - Seeking legal advice and protection

Trainer Qualifications:

Check all that apply, be specific (years, degree, skills, etc.):

- ☐ College Degree:
- ☐ License:
- ☒ Years' Experience (please specify below): 2 years with Due Process
- ☐ Documented Skill Set:
- ☒ Training Experience:
- ☒ Trainer in Adult Learning Styles/Methods:
- ☐ Other:

Specified Experience: A resource required to be accessible to trainer would be an SME with a history of minimum 2 years of work experience to include Due Process Officer or position within the Due Process Department.

Length of Training:

1 hour classroom training – test required. New employees should attend in person; annual refresher training could be done online.

On-line could be 30 minutes

Format:

The acceptable format(s) for the class:

- ☒ Blended Learning (Online + Instructor-Led)-Recommended for initial format
- ☒ Instructor-Led Class – Recommended format for initial training
- ☒ Instructor-Led Webinar-Refresher
- ☒ Online Course-Refresher
- ☐ Other

Teaching Methods:

These are the best teaching methods for teaching course content. Additional methods may also enhance learning.

- ☒ Individual
- ☒ Classroom/Group
- ☒ Lecture
- ☒ Group Discussion
- ☐ Skills Practice
- ☐ Return demonstrations
- ☐ Activities
- ☐ Videos, supplemental to other teaching methods
- ☐ Online Activities
- ☐ Individual Assignments
- ☐ Homework assignments
- ☐ Case Study
- ☐ Other (specify):

Method of Assessment:

How to measure entry-level competency in this course.

- | | | |
|-------------------------------------|----------------------|----------------------------|
| <input checked="" type="checkbox"/> | Written Test | Performance Indicator: 80% |
| <input type="checkbox"/> | Return Demonstration | Performance Indicator: |
| <input checked="" type="checkbox"/> | Online Test | Performance Indicator: 80% |
| <input type="checkbox"/> | Skill Sheet | Performance Indicator: 80% |
| <input type="checkbox"/> | Other: | |

*Online Test encompasses Review questions anchored within the training and/or an online test after the class

Scope of Implementation:

Training recommended for:

- ☒ Specialized Residential direct care staff/home managers
- ☒ Specialized Residential Administrators
- ☒ Community Living Supports (CLS)
- ☒ Pre-Voc Skill Building / Supported Employment (i.e. Competitive Employment, volunteer)
- ☒ Non-Voc Skill Building
- ☒ Supported Living staff
- ☒ Adult Foster Care staff
- ☒ Respite Service staff
- ☒ Self-Determination staff
- ☒ In-Home service staff (children's program)
- ☒ Foster Family Group Home staff
- ☒ Child-caring Institutions (Children's Group Home) staff
- ☒ As identified in the Individual's Person Centered Plan
- ☐ Other employee group (specify):

Frequency:

It is recommended the content be reviewed/retaken.

- ☐ Initial & as needed
- ☒ Initial & Annual
- ☐ Initial & Every two (2) years
- ☐ Initial & Every three (3) years
- ☐ As directed by the Individual Plan of Service
- ☐ As needed as directed by employer, first-line supervisor, clinical staff
- ☐ Other: See guide

Additional Comments:**References/Legal Authority:**

- 1) MCL 400.710(3)
- 2) R330.1801 et. seq.
- 3) Prevailing State Guidelines and Practice Protocols

Note: If training is for an adult foster care, facility/home adult foster care staff must also comply with the adult foster care administrative rules. In addition, in those situations where the contents of the training conflict with

an administrative rule, the rule prevails.