

Michigan Department of Community Health

## RECIPIENT RIGHTS COMPLAINT

**INSTRUCTIONS:**

If you believe that one of your rights has been violated you (or someone on your behalf) may use this form to make a complaint. A rights officer/advisor will review the complaint and may conduct an investigation. Keep a copy for your records and send the original to the right office at the CMH agency or the hospital where you are receiving (or received) services, or to: MDCH - Office of Recipient Rights, Lewis Cass Building, Lansing, Michigan 48933

Complainant's Name:	Recipient's Name (if different from complainant): Preston Sain
Complainant's Address:	Where did the alleged violation occur? Genesee County
Complainant's Phone Number:	When did the alleged violation happen? (date and time): Continued, ongoing violations listed below

What right was violated? 7111 Family Dignity and Respect 1708 Dignity and Respect, 7080 Mental Health services suited to condition 7122 Timely development, 7041 Civil Rights/Discrimination, Accessibility, Accommodation, 7130 Choice of Physician or Mental Health Professional, 7545 Retaliation or Harassment, 7086 Least Restrictive Environment

**Describe what happened:** Preston Sain is a child with a developmental disability who is a consumer of the Genesee County Community Mental Health. I have written information that Preston's consumer rights under the Michigan Mental Health Code have been violated and continue to do so. Preston's disability has not been given appropriate treatment/mental health services suited to his condition (7080, 7041)

Preston's disability prevents him from naturally being able to communicate, demonstrate appropriate impulse control, control his emotions, and causes him to have frequent violent and aggressive attacks on his caretakers and family (7041)

On several occasions Preston's family has requested evidence-based treatment that carries long term effects and transitional care that will (7130):

- 1) improve his quality of life by teaching him appropriate communication strategies and impulse control
- 2) offers a component of transitional care and carry over to his home environment 3) will ultimately enable him to live with his family and in his community 4) keep him and others around him out of harms way due to his aggressions and violent outbursts 5) enable him and his family to live a life of dignity free from the untreated effects of his disability.

Preston has not been offered a placement suitable to the needs of his disability and therefore remains a danger to himself, his family and caregivers (7080, 7130).

Genesee County CMH has been approached on many occasions and has violated the mental health code (7122) by not delivering these appropriate services.

Preston's family has requested he be placed at Great Lakes Autism Treatment Center using evidence-based practice methods such as Applied Behavior Analysis and have been denied (7130, 7041).

Genesee County CMH has asked Preston's family not to publicize details of their relationship with CMH and their feelings of neglect of care and now fear retaliation or harassment (7545).

Preston is not able to be an effective reciprocating part of his family or community due to his untreated disability and therefore is not able to live in the least restrictive environment (7086).

Preston's family has not been treated with dignity and respect by Genesee County CMH with respect to his care. Preston's family has been harmed and continues to be harmed as the result of his untreated disability (7111, 1708)

Preston's Civil Rights have been violated by not allowing him to access the appropriate evidence-based treatment necessary for him to live a life with dignity and respect (7041, 7080)

**What would you like to have happen in order to correct the violation?**

Preston should be given access to the treatment facility, Great Lakes Autism Treatment Center, as requested by his family. When discharged, Preston should be deemed appropriate for discharge via professionals of Great Lakes Autism Treatment Center. Transition plan, care and appropriate staff should be available to Preston along with a family training component.

Preston and his family should not be harassed or threatened due to their decision to share information with others regarding Preston's treatments or denial of services by Genesee County Community Mental Health.

Complainant's Signature	Date	Name Of Person Assisting Complainant
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DCH 0030 Replaces DCH-2500 Authority: P.A. 258 of 1974 as amended  
Distribution: ORIGINAL TO ORR  
COPY to Complainant (with acknowledgement letter)