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| <b>CHAPTER</b><br>Human Resources                      | <b>CHAPTER</b><br>05                                  | <b>SECTION</b><br>001  | <b>SUBJECT</b><br>60 |
| <b>SECTION</b><br>Personnel                            |   | <b>DESCRIPTION</b><br>Personal Relationships with Persons Served |                      |
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**APPLICATION:**

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|--|---|--|---|
| <input checked="" type="checkbox"/> CMH Staff                  | <input checked="" type="checkbox"/> Board Members           | <input type="checkbox"/> Provider Network    | <input checked="" type="checkbox"/> Employment Services Providers |
| <input type="checkbox"/> Employment Services Provider Agencies | <input checked="" type="checkbox"/> Independent Contractors | <input checked="" type="checkbox"/> Students | <input checked="" type="checkbox"/> Interns                       |
| <input checked="" type="checkbox"/> Volunteers                 | <input checked="" type="checkbox"/> Persons Served          |  |   |

**POLICY:**

Lapeer County Community Mental Health (LCCMH) staff maintains professional relationships with persons served at all times.

The relationship between staff and persons served must remain compliant with the agency's Code of Professional and Ethical Conduct (LCCMH Form #170-B).

**PROCEDURES:**

A. Gifts

The intent and clinical impact of any gift from persons served to staff may vary from program to program. A gift is acceptable if it functions as an infrequent expression of gratitude and does not result in financial benefit to the recipient of the gift.

1. No staff may give or accept money or gifts from persons served or their family with a value of over \$20.00.

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- a. If a person served/family member attempts to give a staff member a more expensive gift, staff informs the person served / family member that LCCMH prohibits accepting personal gifts from persons served.
  - b. If the staff feels returning the gift would be detrimental to the working relationship with the person served, they are to discuss the gift with the Chief Clinical Officer (CCO) who makes a final determination on whether the staff returns the gift.
  - c. Staff are required to reference their specific professional code of ethics regarding gifting and adhere to them.
2. All gifts received by staff, either individually, or as a group are listed on a "Gifts Received Log" consisting of a simple listing including date, to whom, from whom, and item (estimated cost may be included as well).
- a. A "Gifts Received Log" is maintained by the Human Resources (HR) Department and it is the responsibility of any staff person who received any gift from any person served to report the gift to HR.
  - b. Additionally, the person receiving the gift is responsible for notifying the primary case holder of the receipt of the gift.
  - c. If the gift is valued at more than \$20.00 and the CCO approves the gift, this is noted on the "Gifts Received Log" along with the rationale for approval.
  - d. Utilization of the "Gifts Received Log" is a requirement of the job and serves to protect staff if any person served later makes claims about staff taking advantage of them.
  - e. The primary case holder takes into account any pattern in gift giving and whether the gift giving is a continuous behavioral pattern.

#### B. Personal Business Transactions

1. Staff are not permitted to conduct business transactions with persons served. Such transactions may include, but are not limited to purchase of vehicles, babysitting or other household or lawn care services, tenant / landlord relationships, fundraisers for school, girl/boy scouts, churches, etc.

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### C. Social Relationships

Staff and persons served may come into contact outside the agency.

1. Staff are expected to not initiate or encourage friendships, social or romantic relationships with persons served. Excluded are therapeutic reinforcement activities for persons served according to the treatment plan.
2. Staff who have a pre-existing personal connection to a person served (neighbor, friend, social connection, acquaintance, etc.) must disclose the relationship using LCCMH Form #423 Disclosure of Relationship with Person Served.
3. Persons served may not be able to make mature, rational judgments, therefore it is the staff member's responsibility to use sound judgment in any such situations and to be certain the person served is not exploited either financially, emotionally, or sexually.
4. Under the Michigan Penal Code, it is illegal to have sexual contact with a person who is mentally incompetent or mentally incapacitated and anyone so doing may be subject to criminal prosecution and agency disciplinary action and is reported to state licensing boards for clinically licensed staff.
5. LCCMH staff are prohibited from being involved in a romantic or sexual relationship with a current or known former person served.
6. To aid in the treatment process, staff are required to notify their supervisor of any such relationship beyond a casual acquaintance.
7. The restrictions and prohibitions in this policy are in effect during the staff member's period of employment or contract.

#### **DEFINITIONS:**

Sexual Relationship: any words, behavior or actions designed or intended to arouse or gratify sexual desires with a person served, including suggestive humor or any words, behavior or action that could reasonably be interpreted as sexually inappropriate or unprofessional.

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**REFERENCES:**

Michigan Mental Health Code, Act 258 of the Public Acts of 1974 as amended.  
LCCMH Code of Ethics Form #170-B  
LCCMH Form #423 Disclosure of Relationship with Person Served

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This Policy supersedes #03/11015  
#11/94060 dated 11/16/1994.  
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