



RIGHTS CHAMPION

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A publication of St. Clair County Community Mental Health Authority's Office of Recipient Rights

RIGHTS CHAMPION AWARDS PROGRAM

The Rights Champion awards program is sponsored by the St. Clair County Community Mental Health Authority (SCCCMHA) Recipient Rights Advisory Committee. The program recognizes individuals and teams for their extraordinary contributions to the Rights Protection System. Congratulations to our award recipients from January—June 2023. Job well done!

Rights Champions:

- January: **Kris Curtis and Aaron Foote**, I.M.P.A.C.T. (Service Excellence)
 February: **Travis Wolff**, SCCCMHA (Service Excellence)
 March: **Gary Streiter**, Blue Water Developmental Housing (Service Excellence)
 April: **Mike Wesch**, SCCCMHA (Service Excellence)
 May: **Paige O'Dell**, Innovative Housing Development Corporation (Advocacy)
 June: **Simpson Group Home**, I.M.P.A.C.T., **Irene Schuck & Lisa London**, SCCCMHA (Advocacy)



Pictured from left to right: Travis Wolff, Gary Streiter, Mike Wesch, Paige O'Dell, and Irene Schuck, Lisa London, Mary Mackey, and Dennis Loxton

FOCUS ON RIGHTS: Civil Rights

The Elliott-Larsen Civil Rights Act, Public Act 453 of 1976, was amended in March of this year. The additional protections will be effective 91 days after the adjournment of the 2023 regular legislative session. Per the Michigan Department of Health and Human Services Administrative Rules, R 330.7009 (1), "...A violation of civil rights shall be regarded as a violation of recipient rights and shall be subject to remedies established for recipient rights violations."

Section 37.2302.amended

Except where permitted by law, a person shall not do any of the following:

(a) Deny an individual the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation or public service because of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, or marital status.

(b) Print, circulate, post, mail, or otherwise cause to be published a statement, advertisement, notice, or sign that indicates that the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation or public service will be refused, withheld from, or denied an individual because of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, or marital status, or that an individual's patronage of or presence at a place of public accommodation is objectionable, unwelcome, unacceptable, or undesirable because of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, or marital status.

Due to the U.S. Supreme Court's ruling in *303 Creative LLC v. Ennis*, on June 30, 2023, Attorney General Dana Nessel stated, "This holding has no impact on Michigan's Elliott-Larsen Civil Rights Act when it is applied to protect against discrimination in the provision of public accommodations that *do not* constitute speech."

COMPLAINT RESOLUTION SYSTEM

Employees must immediately report known or suspected violations of recipient rights to the Office of Recipient Rights. To file a complaint, please call (810) 985-8900, fax your complaint to (810) 966-3393, or mail your complaint to:

Office of Recipient Rights
3111 Electric Avenue
Port Huron, MI 48060

Bullard-Plawecki Employee Right to Know Act

This Act, Public Act 397 of 1978, requires employers to notify their employees/former employees of notification to third parties of disciplinary action. The notice to employees must be sent by first-class mail to the employee's last known address, and must be mailed on or before the day the information is divulged.

Please Note: If a recipient rights complaint results in disciplinary action, the action taken must be included in the Summary Report that is issued to the complainant, recipient, and guardian, if applicable. As such, employees must be notified that information in their personnel file was disclosed to a third party/parties in compliance with this Act.

MICHIGAN VEHICLE CODE

As all employees transporting recipients must comply with the Michigan Vehicle Code, Public Act 300 of 1949, it is essential that employees are aware of changes to the law. Effective June 30, 2023, the Michigan Vehicle Code was amended to reflect the following:

Section 257.602b.

(1) ...an individual shall not hold or use a mobile electronic device while operating a motor vehicle...

(9) A police officer...may treat a violation of this section as the primary or sole reason for issuing a citation to a driver...

(13) ..."use a mobile electronic device" means using a mobile electronic device to do any task, including...

(i) Send or receive a telephone call.

(ii) Send, receive, or read a text message.

(iii) View, record, or transmit a video.

(iv) Access, read, or post to a social networking site.

Please note: Employees must follow the Michigan Vehicle Code (MVC) and agency policies when transporting recipients. As such, any violation of the MVC is a violation of a recipient's rights, and will be categorized as neglect. Per Michigan Department of Health and Human Services Administrative Rules, violations of neglect require a written discipline, at minimum.

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Contact the ORR!

If you have questions about Incident Reports, ORR Background Checks, site visits, or need assistance filing a complaint, please contact a staff member of the Office of Recipient Rights:

- Telly Delor, Director: (810) 966-3743
- Sandy O'Neill, Advisor: (810) 966-3356
- Marissa George, Advisor: (810) 966-3547
- Tracy Duncan, Advisor: (810) 966-7825
- Sandy Horne, Secretary: (810) 966-3710