

**BARRY COUNTY COMMUNITY MENTAL HEALTH AUTHORITY  
POLICY AND PROCEDURE MANUAL**

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| Policy: Family Planning 7-I |         | Application: BCCMHA Staff & Providers |
| Reviewed<br>8/16/2023       | Revised | First Effective<br>7/20/2022          |

**I PURPOSE**

To clearly provide guidelines to staff on what their role is regarding family planning information and decisions given to consumers and create avenues to communicate this information to recipients.

**II POLICY**

It is the policy of BCCMHA to assist recipients with obtaining information and referral regarding sterilization, abortion, and contraception without advising on what course to take in regard to these options. BCCMHA services will not be contingent in any way on receiving family planning services.

**III STANDARDS**

The individual in charge of the recipient’s written plan of service shall provide recipients, their guardians, and parents of minor recipients with notice of the availability of family planning, and health information services and, upon request, provide referral assistance to providers of such services. The notice shall include a statement that receiving mental health services does not depend in any way on requesting or not requesting family planning or health information services. [MHC 330.7029 (1-3)].

As related to IDD guardianships the Michigan Mental Health Code Sec. 629 states (1) A guardian, temporary guardian, plenary, partial, or standby guardian shall not be liable for civil damages by reason of authorizing routine or emergency medical treatment or surgery or extraordinary procedures when previously ordered by the court for his or her ward if the guardian acted after medical consultation with the ward's physician, acted in good faith, was not negligent, and acted within the limits established for the guardian by the court... (3) Routine medical services do not include extraordinary procedures. Extraordinary procedures include, but is not limited to, sterilization, including vasectomy, abortion, organ transplants from the ward to another person, and experimental treatment.

**Definitions:**

Abortion: The termination of pregnancy before the stage of viability, induced or performed purposely, as by a surgeon.

Contraception: The prevention of conception by chemical or mechanical means, not to include surgical sterilization.

Family Planning Service: A specialized counseling service, which focuses on the values, clarification and decision-making about such issues marriage, sexuality, birth control and childbearing.

Sterilization: The process of rendering an individual incapable of reproduction.

**V PROCEDURES**

The clinician/case manager shall provide the client, guardian, and parents of minor children assistance in accessing basic information and education services, utilizing the resources of both the agency's staff as appropriate, and family planning service providers.

BCCMHA staff shall not advise recipients, guardians, or parents of minors on whether or not to seek an abortion or sterilization based on their own personal beliefs. Staff may assist consumers, guardians, or parents of minors in reaching a decision regarding abortion or sterilization through standard counseling practices. Such practices may include values clarification, examination of alternatives, securing information from pertinent community resources, and making referrals for specialized counseling practices.

The individual in charge of the client's written plan of service shall provide clients, their guardians, and parents of minor clients with notice of the availability of family planning and health information services and, upon request, provide referral assistance to providers of such services in accordance with other state and federal laws. The notice shall include a statement that receiving mental health services does not depend in any way on requesting or not requesting family planning or health information services.

If needs related to contraception, sterilization or abortion are identified at the time of assessment, these needs should be incorporated in the Person-Centered Plan of Service and recommendations made for necessary services, either by BCCMHA staff or by referral to appropriate community resources.

The clinician/case manager will provide follow-up to the referral and assure the coordination of services as appropriate, consistent with the standard procedure for the development of the Individual Plan of Service.

BCCMHA staff may assist consumers, guardians, or parents of minor recipients, in obtaining information and assistance in securing supplies related to contraception, family planning and health services.

The supplying of non-prescription contraceptive supplies does not require guardian consent.

The client shall be informed that the receipt of mental health services, or discharge, is in no way dependent upon the request or decision to act on the family planning information. This shall be documented in the progress notes.

If a client, during the course of treatment, requests information in the areas of abortion, sterilization, or contraception, the clinician/case manager shall make a referral to the appropriate agency whose mandates cover these areas.

## **REFERENCES**

Michigan Mental Health Code 1708 (1)

Rule 330.7001 through 330.7254, Administrative Rules of the Department of Community

Health.

**APPROVED BY:**

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Richard Thiemkey  
Executive Director

Date