



MENTAL HEALTH BULLETIN

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF PUBLIC WELFARE

ISSUE DATE

March 1, 1995

EFFECTIVE DATE

Immediately

NUMBER

OMH-95-05

SUBJECT

**GUIDELINES FOR SAFEGUARDING
PATIENT PROPERTY**

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SCOPE:

State Mental Health Facilities

PURPOSE:

This Bulletin provides guidelines for state mental health facilities to assess and update systems and procedures to ensure the protection and safeguarding of patient personal property.

BACKGROUND:

Persons receiving treatment in state mental facilities have certain basic rights and interests concerning the care and use of their personal property, including money. Personal property interests are those relating to the belongings the individual takes to the facility and/or those items he/she receives while in the facility. Money interests are those relating to money the individual takes to the facility or receives during his/her stay. The rights and interests in maintaining personal property while receiving treatment in a state mental facility carry corresponding responsibilities for both the individual receiving treatment and the facility.

While hospitalized, individuals maintain property and money rights like all other citizens, unless they are specifically limited for clinical or administrative reasons or through actions of the court.

The facility administration has a responsibility to establish, maintain and monitor systems and procedures to safeguard patient property.

COMMENTS AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO:

Area Director

GUIDELINES FOR SAFEGUARDING PATIENT PROPERTY

The following guidelines are to be used to assess and update state mental hospital and restoration center systems which are developed to ensure the protection and safeguarding of patient property.

1. Each facility shall annually review, and revise or develop as necessary, policies and procedures regarding safeguarding of patient property. Examples include policies on obtaining and maintaining inventories of patient property, identification/marketing of patient property, inspection of patient property, protection/storage/disposition of patient valuables, procedures for delivering checks to patients, or any other policy or procedure that involves patient property.

- a. The annual review shall encompass the facility-wide policy(ies) and any or all specific procedures for unit/ward programs that have been authorized by the facility. Unit/ward staff shall not be permitted to authorize special procedures in isolation of the hospital administration.
- b. The Human/Patients Rights Committee shall be involved in the review and assessment of current policies and procedures (including those specific to a unit/ward), and make recommendations to the facility administration regarding any concerns or discrepancies.

2. Staff training shall be developed to address current policies and procedures. The training may be incorporated into the annual patients rights training, but shall address specific patient property issues including:

- a. efforts to emphasize the importance of safeguarding patient property as a primary element in providing quality services, treating individuals with dignity and respect, and promoting an environment that enhances the overall treatment and recovery of patients.
- b. the process(es) for identifying concerns or trends regarding lost, damaged or stolen property to the unit/ward treatment team for resolution; and
- c. any changes made as a result of the annual reviews of policies regarding safeguarding of patient property;

3. Staff supervision and performance rating factors shall include adherence to practices that promote the well-being of the patients served. This includes following procedures to protect patient property. Incidents of non-compliance with established procedures are to be corrected, and the employee(s) is to be provided counseling, training, or disciplinary action, if necessary, to ensure future compliance and improved performance.

4. Any complaint by a patient regarding missing (i.e. lost or stolen) property is addressed in a manner similar to other incident

management procedures. A report is completed by staff who receives the complaint (or has knowledge of the complaint) and submitted to person designated by the facility to review such incidents to allow for possible trend analysis. An investigation is conducted (either by ward/unit staff or by designated persons) with emphasis placed on determining the cause of the problem.

- a. If a systems problem is identified, the facility takes action to resolve the problem (i.e. providing appropriate storage, developing or revising policies/procedures, providing staff training, etc.).
- b. If an employee is identified as the causal agent, supervisory action is taken to ensure improved performance (i.e. counseling, training, or, if necessary disciplinary action, etc.).
- c. If a patient is identified as a causal agent, the treatment team addresses the problem with the individual and incorporates any intervention(s) into the individual's plan of treatment (i.e., instructing the patient or providing a program to develop abilities to care for personal property, and/or providing intervention(s) or program(s) to develop awareness of and respect for other people's property, etc.).
- d. The facility shall establish procedures and conditions for reimbursing clients/patients for lost, stolen or damaged property.

5. Patients are informed of their rights, including the right to keep and to use personal possessions, unless it is determined that specific personal property is contraband (Mental Wealth Procedures Act, Title 55 §5100.53), or otherwise creates a substantial threat to the health/safety of the patient or others. Limitations may also be imposed due to inadequate hospital/facility space to store large quantities of personal items. The reasons for imposing any limitation and its scope must be clearly defined, recorded and explained to the patient (Mental Health Procedures Title 55 §5100.53). Disputes regarding restrictions to access or limitations of patient personal property may be resolved through the treatment team process, or, if unresolved at that level, through the patient rights appeal process (Mental Health Bulletin SMH-94-03).

6. While all facility staff have responsibilities for protecting patients' property, the nursing department has the primary responsibility to assist patients in managing personal property and keep an accounting of clothing and other personal possessions during a patient's hospitalization. In order to assist in keeping track of patient property, an inventory form should be developed and maintained. Attached is a copy of a clothing inventory form used at South Mountain Restoration Center. This form is included as a suggested method for keeping track of a patient's property and can be adapted as necessary to include non-clothing items.

Please refer to the following Mental Health Bulletins and Department of Public Welfare regulations which outline policies and procedures for specific issues related to patient property.

MENTAL HEALTH BULLETINS:

- 99-82-33 Vecchione Competency Determinations, Procedures, and Alternatives.
- 99-82-39 (MH/MR) Monitoring the Guardianship Petitioning Process at State Centers and State Mental Hospitals.
- 99-83-23 Guardianship Petitioning Process – Redeterminations.
- 99-85-38 Predischarge Money Management Planning.
- 99-81-59 Search of Visitors and Residents/Patients at State Operated Civil Mental Hospitals, Long Term Care Units, and Restoration Centers.
- OMH-92-07 Policy and Guidelines for Insuring the Protection of Human Rights (Patients Rights), May 5, 1992.
- SMH-94-03 Procedures for patients Rights Grievance Appeal Hearings.

DEPARTMENT OF PUBLIC WELFARE REGULATIONS:

DPW Administrative Manual, Sections 7023.1-.2 (Patient/Resident Funds and Property)

DPW Personnel Manual, Sections 7100 (Code of Conduct) and 7178 (Patient/Resident Abuse).

