

(was MCCMH Policy 1-02-010)

---

---

Chapter: **ADMINISTRATION**  
Title: **COMPLIANCE WITH LAWS AND REGULATIONS**

Prior Approval Date: N/A  
Current Approval Date: 8/27/02

Approved by: \_\_\_\_\_  
Executive Director Date

---

---

**I. Abstract**

This policy establishes the position statement of the Macomb County Community Mental Health Board (MCCMH) regarding MCCMH adherence to and compliance with the legal requirements for the public behavioral health Prepaid Health Plan (PHP).

**II. Application**

This policy shall apply to the administrative offices and the directly-operated and contract network providers of the MCCMH Board.

**III. Policy**

It is the policy of the MCCMH Board that:

- A. The PHP shall operate within the framework of laws, regulations, and requirements of all entities which have jurisdiction and application to the MCCMH PHP, and
- B. The MCCMH PHP shall comply with the legal requirements and mandates of all governmental and regulatory entities under whose authority it operates.

**IV. Definitions**

- A. None.

**V. Standards**

- A. The MCCMH PHP shall comply with federal and state laws/rules. Among these are the following:
  - 1. Health Insurance Portability and Accountability Act of 1996 (HIPAA), P.L. 104-191
  - 2. Balanced Budget Act of 1997 (BBA), P.L. 105-33
  - 3. Anti-Lobbying Act, P.L. 101-121
  - 4. Pro-Children Act of 1994, 20 U.S.C. 6081 et seq.
  - 5. Hatch Political Activity Act / Intergovernmental Personnel Act of 1970, 5 U.S.C. 1501

6. Americans with Disabilities Act of 1990 (ADA), P.L. 101-336
  7. Section 504 of the Federal Rehabilitation Act of 1973, P.L. 93-112
  8. Michigan Mental Health Code - P.A. 258 of 1974, as amended
  9. Michigan Department of Mental Health (MDCH) Administrative Code, R 330.1001 et seq.
  10. Elliott-Larsen Civil Rights Act, PA 453 of 1976
  11. Whistle Blower's Act, MCL 17.428; MSA 15.361 et seq.
  12. Handicappers Civil Rights Act, PA 220 of 1976
  13. Freedom of Information Act, MCL 15.231 et seq.; MSA 4.1801(1) et seq.
- B. The MCCMH PHP shall comply with the regulations of the following State of Michigan entities:
1. Department of Community Health (MDCH)
  2. Department of Health and Labor - MIOSHA
  3. Department of Civil Rights
  3. MDCH Office of Recipient Rights
  4. Michigan Civil Rights Commission
- C. The MCCMH PHP shall comply with the Macomb County Board of Commissioners Resolution 1294 7/22/75 (P.A. 258) (Community Mental Health Board establishment) and applicable Macomb County policies.
- D. The MCCMH program shall comply with the following contract and standards::
1. MDCH - MCCMH Managed Specialty Supports and Services Contract, 10/1/00 - 9/30/02, §3.14
  2. Commission on Accreditation of Rehabilitation Facilities - to maintain accreditation for programs as required by MDCH
- E. The MCCMH PHP shall comply with other federal or state laws, statutes, rules, regulations, as applicable.

## **VI. Procedures**

- A. None.

## **VII. References / Legal Authority**

- A. See V. Standards.

## **VIII. Exhibits**

- A. None.

