

**Mistreatment**

An intentional, reckless or negligent action or omission that exposes a behavioral health recipient to a serious risk of physical or emotional harm. Mistreatment includes but is not limited to:

- Abuse, neglect or exploitation;
- Corporal punishment;
- Any unreasonable use or degree of force or threat of force not necessary to protect the person or another person from bodily harm;
- Infliction of mental or verbal abuse, such as screaming, ridicule, or name calling;
- Incitement or encouragement of others to mistreat a behavioral health recipient;
- Transfer or the threat of transfer of a behavioral health recipient for punitive reasons;
- Restraint or seclusion used as a means of coercion, discipline, convenience or retaliation;
- Use of medication as punishment;
- Any act in retaliation against a behavioral health recipient for reporting an incident of mistreatment; and
- Commercial exploitation including but not limited to requiring work with no pay, use of photographs for commercial purposes without consent, spending funds belonging to enrolled persons without consent.