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Aloha CMA and CCFFH Operators,

The information contained in this official newsletter has been reviewed and approved by DOH/OHCA. It is being distributed to all CMAs and CCFFHs.

Newsletter #117

October 17, 2023

Aloha CMAs and CCFFH Operators,

Regarding client mail, clients have the right to privacy and to receive mail and packages at their home residence unopened and untampered with. Mail theft is a felony-level federal offense. Perpetrators may receive up to five years in prison and a \$250,000 fine.

This is true for client's mail which is considered their property. Only the client and/or POA-legal representative can open a client's mail without proper written consent. CTA does not have the authority to determine whether mail theft has occurred and would refer it to the proper authority to investigate. If any CCFFH is investigated or inspected by CTA and a client states they are not getting their mail at all or they are getting their mail and it is already opened, CTA will have the client's CMA assist the client to make a police and postal service report for mail theft.

A client has capacity to open their own mail unless determined by a court to lack capacity and has a guardian appointed to them. Any other capacity or legal questions regarding mail need to be directed to an elder law attorney.

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