



SUTTER-YUBA BEHAVIORAL HEALTH	POLICY AND PROCEDURE		#10-009
	PROGRAMS: All Agency and Mental Health Plan (MHP)		
	FUNCTIONAL AREA: Patient's Rights and Problem Resolution Process		
	SUBJECT: MHSA Issue Resolution Process		
	CONTACT PERSON:		APPROVED BY:
 <hr/> Deputy Director – Clinical Services		 <hr/> Mental Health Director	
ORIGINAL DATE 7-6-16		REVISED DATE	

POLICY: It is the policy of Sutter-Yuba Behavioral Health (SYBH) to resolve concerns or grievances related to the Mental Health Services Act (MHSA) community program planning process and concerns about consistency between program implementation and approved plans.

The State Department of Health Care Services (DHCS) requires that the local issue resolution process be exhausted before accessing State entities such as the DHCS, Mental Health Services Oversight and Accountability Commission (MHSOAC) or the California Mental Health Planning Council (CMHPC) seek issue resolution or to file a complaint or grievance. SYBH provides this issue resolution process for filing and resolving issues related to the MHSA community program planning process and to provide consistency between program implementation and the approved plan.

SYBH is committed to:

- Addressing issues regarding MHSA in an expedient and appropriate manner;
- Providing several avenues to file a grievance;
- Ensuring assistance is available, if needed, for the client/family member/provider/community member to file their issues; and
- Honoring the Issue Filer's desire for anonymity

Types of MHSA Issues to be Resolved in this Process:

- Inconsistency between approved MHSA plan and implementation
- SYMHS Community Program Planning Process

Allegations of fraud, waste and abuse of funds are excluded from this process. Allegations of this type will be referred directly to the Sutter County Human Services Compliance Officer for investigation.

PROCEDURE:

This procedure supplements the current SYBH beneficiary *Grievance and Appeals Policy & Procedure #10-003*, which provides detailed guidelines for filing grievances and appeals regarding services, treatment and care. This policy provides a process for addressing grievances about the SYBH MHSA planning process.

If any community member or stakeholder (including clients, family members, providers or members of the general public) is dissatisfied with any MHSA activity or process, the individual may file a grievance at any point with the Deputy Director of Clinical Services or their designee or the MHSA Coordinator.

1. Individuals may file the grievance orally or in writing. The oral request for a grievance must be followed up in writing.
2. Individuals are encouraged to complete the Mental Health Services Act (MHSA) Issue Resolution Form as referenced below.
3. MHSA issues shall be forwarded to the Deputy Director of Clinical Services or their designee.
4. Within one (1) working day of the Deputy Director of Clinical Services or designee's receipt of the grievance, the Deputy Director Clinical Services/designee shall:
 - a. register the grievance on the Problem Resolution Log; and
 - b. determine if the issue is to be addressed through the MHSA Issue Resolution Process or determine if it is an issue of service to be addressed by the SYBH Grievance and Appeals Procedure #10-003 protocol.

If the issue is MHSA-related and not regarding service delivery to consumers:

1. The Deputy Director of Clinical Services or their designee will acknowledge the receipt of the grievance to the Issue Filer in writing.
2. The Deputy Director of Clinical Services or designee will notify the MHSA Coordinator of the grievance received.
3. When the grievance has been fully investigated, the MHSA Coordinator will attempt to mediate and resolve the issues raised by the Issue Filer. After all attempts at resolutions have been made, the MHSA Coordinator will notify the Issue Filer in writing of the results of the mediation attempts and the decision made (within 60 days) and will provide information regarding the State level opportunities for additional resolution, if desired.
 - a. In the case the MHSA Coordinator cannot resolve the issue, the Behavioral Health Advisory Board, known as the MHSA Steering Committee, is convened to address the issue. If needed, the MHSA Steering Committee conducts a review of the issues and will hold interviews or other investigative actions to determine a pathway to resolution. In this case, the 60-day window for resolution will be extended.
4. The Director of Behavioral Health or designee will provide a quarterly MHSA Issue Resolution Report to the Behavioral Health Advisory Board (BHAB).

REFERENCES:

- Policy & Procedure 10-003 “Grievance and Appeal Procedures”
- Form MH-043 “MHSA Issue Resolution Form” (English)
<http://scnet2/teams/hsteam/Mental%20Health%20Library/MH-043%20MHSA%20ISSUE%20RESOLUTION%20FORM%20-%20ENGLISH.pdf>
- Form MH-043S “MHSA Issue Resolution Form (Spanish)
<http://scnet2/teams/hsteam/Mental%20Health%20Library/MH-043S%20MHSA%20ISSUE%20RESOLUTION%20FORM%20-%20SPANISH.pdf>
- Welfare & Institutions (W&I) Code, Section 5845(d)(12) “Oversight and Accountability” <http://leginfo.legislature.ca.gov/faces/codes.xhtml>

REVISION HISTORY:

- None