


**COUNTY OF SONOMA
DEPARTMENT OF HEALTH SERVICES
BEHAVIORAL HEALTH DIVISION: MENTAL HEALTH SERVICES**

| | |
|--|--|
| ISSUE DATE: 2/5/2018 | POLICY NO: MHSA-01 |
| REVISION DATE: 07/16/2020 | POLICY NAME: MHSA Issue Resolution |
| APPROVED BY:  Behavioral Health Services Director | REFERENCE/AUTHORITY: <ol style="list-style-type: none">1. Government Code sections 11180-11182;2. W&I §§ 5614, 5651(c), 5717(b), 14124.2(a)3. DEPARTMENT OF HEALTH CARE SERVICES PERFORMANCE CONTRACT 18-95281(Exhibit A, Number 6 A 2) |

I. POLICY:

A. Sonoma County Department of Health Services, Behavioral Health Division (DHS-BHD) has adopted the MHSA Issue Resolution Process for filing and resolving issues related to:

1. Mental Health Services Act (MHSA) Community Program Planning (CPP) Processes (e.g., stakeholder involvement, required time frames, etc.)
2. Appropriate use of MHSA funds (e.g., non-supplantation)
3. Inconsistency between an approved MHSA Plan/Update and actual implementation
4. Client access to MHSA programs

To avoid duplication of MHP-06 Beneficiary Grievance and Appeal Process that provides detailed guidelines for addressing grievances and appeals regarding services, treatment and care, DHS-BHD is required to establish an MHSA Issue Resolution Process.

State regulations require the DHS-BHD MHSA Issue Resolution Process be exhausted before the issue Filer accesses State level issue resolution processes through any of the following agencies: Mental Health Oversight and Accountability Commission (MHSOAC), Department of Health Care Services (DHCS), or California Mental Health Planning Council (CMHPC).

- B. Sonoma DHS-BHD is committed to:
1. The right of individual(s) to bring issues forth
 2. Addressing issues regarding MHSA in an expedient and appropriate manner
 3. Providing several avenues for individuals to file an issue
 4. Ensuring assistance is available, if needed, for anyone who desires to file an issue
 5. Honoring the Issue Filer's desire for anonymity
 6. Ensuring an impartial issue resolution process is conducted
 7. Notifying the Filer (Filer), in writing, of outcomes (if contact information was provided by the Filer)

II. PROCEDURE:

- A. The MHSA Coordinator will provide training on MHSA Issue Resolution policy and procedure to all DHS-BHD employees and service providers involved in the delivery of services to recipients of MHSA programs. Additionally, the MHSA Coordinator will maintain documentation of training to all DHS-BHD employees and contract service providers including: dates of training, attendance, and curriculum.
- B. An individual may file an issue at any time within the system by filling out the MHSA Issue Resolution Form and submitting it to the MHSA Coordinator.
- C. The MHSA Coordinator shall investigate the issue and may convene an issue resolution committee whose membership includes individuals who represent diverse perspectives.
- D. The MHSA issue shall be forwarded to the DHS-BHD Division Management Team and the DHS-BHD Director for review.
- E. Upon completion of the investigation, the MHSA Coordinator shall issue a report to the DHS-BHD Senior Management Team which includes the DHS-BHD Director.
- F. The report shall include a description of the issue, a brief explanation of the investigation, the recommendation and the DHS-BHD resolution to the issue.
- G. DHS-BHD Director will submit the report to the DHS Director and the Compliance Officer.
- H. For MHSA Issue Resolution Process form (in English and Spanish) go to:
<http://sonomacounty.ca.gov/Health/Behavioral-Health/Mental-Health-Services-Act/>

Email completed form to MHSA@sonoma-county.org or mail to the address below:
County of Sonoma
Department of Health Services
Behavioral Health Division
Mental Health Services Act Coordinator

2227 Capricorn Way, Suite 207
Santa Rosa, CA 95407
Phone number: (707) 565-4909

- I. The MHSOAC shall provide the Issue Filer a written acknowledgement of receipt of the issue or complaint within three (3) business days. The Filer will not receive a response if the Filer chooses to remain anonymous.
- J. The MHSOAC shall notify the Filer of the issue resolution in writing and inform Filer they will receive a letter with the results of the investigation within sixty (60) days. The Filer will be provided information regarding the appeal process and State contact information.
- K. The MHSOAC may call the Filer during the sixty (60) day timeframe to inquire if the Filer is satisfied with the outcome of the investigation.
- L. After exhausting the DHS-BHD MHSOAC Issue Resolution Policy Process, Filers can access the State venues listed below:
 - i. Mental Health Oversight and Accountability Commission (MHSOAC): <https://mhsoac.ca.gov/>
 - ii. Department of Health Care Services (DHCS): <https://www.dhcs.ca.gov/>
 - iii. California Mental Health Planning Council (CMHPC): <https://www.dhcs.ca.gov/services/MH/Pages/CBHPC%20Overview.aspx>
- M. For allegations of healthcare fraud, waste, and abuse are to be referred directly to the Department of Health Services Compliance Officer for investigation at (707) 565-4936.

III. DHS-BHD FORMS:

- A. MHS 302 MHSOAC Issue Resolution Form

IV. ATTACHMENTS:

- A. Sonoma DHS-BHD MHSOAC Issue Resolution Policy Log