



Short Term Residential Therapeutic Programs

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DHCS

Promulgation of Regulations for STRTPs



Promulgation of Regulations

DHCS in consultation with CDSS, shall promulgate regulations regarding STRTPs:

- Program standards and oversight, enforcement
- Issuance of mental health program approvals
- Includes provisional approvals effective for less than one year
- Due Process protections related to the Mental Health Program Approval process



Promulgation of Regulations

DHCS will be implementing and administering these processes through:

- Information Notices or similar written instructions until regulations are adopted.



Transition from RCL 13/14 Certs to STRTP Mental Health Program Approval

RCL 13/14 Certifications

DHCS remains the oversight agency for the group home RCL 13/14 Certifications

- Currently *delegated* to the MHPs
- Renewal by MHP through transition to STRTP or termination



AB 1997 & STRTPs

Bottom Line

- STRTPs will maintain the level of care and services necessary to meet the needs of the children and youth in their care
- STRTPs will maintain and have in good standing the mental health program approval and Medi-Cal certification for Medi-Cal specialty mental health services (SMHS)



AB 1997 & STRTPs

- STRTPs cannot directly provide SMHS without a current Mental Health Program Approval.
- Mental Health Program approval is a condition for receiving an Aid to Families with Dependent Children-Foster Care rate pursuant to Section 11462.01.
- STRTPs that have not yet completed the program approval process must still provide access to appropriate mental health services until their program approval is completed.



STRTP Medi-Cal Certification to Provide Mental Health Services

At a minimum, STRTPs must:

1. Be Medi-Cal Certified to provide the following SMHS as medically necessary
 - a. Mental Health Services
 - b. Crisis Intervention
 - c. Medication Support
 - d. Targeted Case Management
2. Provide access to other mental health services based on individual need



Placement Criteria

The child has been assessed, pursuant to WIC Section 4096, **AND** meets one of the following:

1. Meets the medical necessity criteria for Medi-Cal SMHS per Title 9, CCR, Section 1830.205 or 1830.210; and/or
2. Is seriously emotionally disturbed, as defined in WIC Section 5600.3(a); and/or
3. This level of service is necessary to meet the behavioral or therapeutic needs.



Additional Placement Criteria

Additionally, STRTPs may have a specialized program to serve the following:

- (A) A commercially sexually exploited child.

- (B) A private voluntary placement, if the youth exhibits status offender behavior, the parents or other relatives feel they cannot control the child's behavior, and short-term intervention is needed to transition the child back into the home.



Additional Placement Criteria

(C) A juvenile sex offender.

(D) A child who is affiliated with, or impacted by, a gang.

(WIC Section 11462.01(b)(4))



DHCS Mental Health Program Approval



Components of STRTP Mental Health Program Approval

- Delegation of Program Approval/Certification process
- Application for Mental Health Program Review
- Application for Mental Health Program Renewal Approval
- Medi-Cal Certification



Mental Health Approval and Medi-Cal Certification Process

The STRTP Protocol for the Mental Health Program Approval & Medi-Cal certification are combined:

- Decreases duplication
- Streamlines the process from two (2) reviews into one (1) simultaneous site visit
- The Mental Health Program Approval will be done annually.
- The Medi-Cal certification will be done tri-annually.



Components of STRTP Mental Health Program Approval

- Complaints
- Notice of Non-Compliance
- Imposition of Sanctions
- Notice and Review Procedures (Due Process)



Components of STRTP

Mental Health Program Approval

The major elements added to the STRTP regulations include, but are not limited to:

1. Application content, process, and timelines
 2. Requires a written program plan including contents of the plan
 3. Requires notification to the department, e.g., when there is a change to the mental health program plan
 4. Record Retention
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Components of STRTP Mental Health Program Approval

The major elements continued....:

5. Documentation requirements includes timelines
6. Psychotropic medication control, e.g., monitoring, documentation, timelines
7. Clinical Review and Continued Stay Determinations
8. In-service education requirements for staff
9. Staff characteristics, qualifications and duties



Due Process Protections

DHCS/MHPs may enforce the mental health program approval standards by taking any of the following actions against a non-compliant STRTP:

- A. Suspend or revoke a mental health program approval.
- B. Impose monetary penalties.
- C. Place a mental health program on probation.
- D. Require a mental health program to prepare and comply with a corrective action plan.



Due Process Protections

- DHCS/MHPs shall provide STRTPs with due process protections when taking any of the actions described above in previous slide.
- DHCS/MHP shall notify CDSS immediately upon the termination of any mental health program approval.



Provisional Mental Health Program Approval for STRTPs



Provisional Mental Health Program Approval for STRTPs

- DHCS/MHP will review Mental Health Program Approval requests.
- STRTPs have 12 months from date of licensure to obtain a mental health program approval that includes a Medi-Cal mental health certification (Sections 4096.5 and 11462.01 of WIC).



Provisional Mental Health Program Approval for STRTPs

- May be necessary if DHCS or a MHP receives a high volume of applications in early 2017
- Allows staggered onsite reviews
- Will create staggered subsequent onsite reviews



Provisional Mental Health Program Approval for STRTPs

- Review of submitted documents (e.g., Application, Program Statement)
- Issued for less than one year
- Within that one year period of time (in most cases within 3 months of Provisional approval) the full onsite review will be conducted



Two Types of Provisional Mental Health Program Approval

1) EXISTING RCL TRANSITIONING TO STRTP

- A desk review (off site) for provisional approval of the STRTP's application and program description may be scheduled.
- Upon provisional status, the facility would be scheduled for an onsite review
- The full site review and approval date will set the annual rotation date.



Two Types of Provisional Mental Health Program Approval

B) BRAND NEW STRTPS

1. DHCS/MHP completes "initial" site review
 - a. Checks that basic requirements are met
 - b. Determines implementation readiness
 - c. Provides TA for full site review
2. If the above are met: Approves Provisionally
 - a. Allows the STRTP to begin operations



Two Types of Provisional Mental Health Program Approval

B) BRAND NEW STRTPS

3. DHCS/MHP will complete the full review within approximately 3 months from first admit.
4. Annual reviews thereafter



Medi-Cal Certification for Specialty Mental Health Services



Medi-Cal Certification for SMHS

Medi-Cal certification:

- Beneficiary Informing Materials
- Facility Inspection
- Policies and Procedures
- HIPAA/Confidentiality/Security of Protected Health Information



Medi-Cal Certification for SMHS

DHCS/MHP will accept evidence obtained from the Licensure process that is already covered as part of the licensing requirements to satisfy applicable Medi-Cal Certification requirements, **for example:**

- A copy of the Licensing Packet may be provided with tabs and labels identifying applicable evidence for for Medi-Cal Cert requirements.
- MOUs, Letters, Copies of Licenses/Contracts



Specialty Mental Health Services (SMHS)



What are Specialty Mental Health Services (SMHS)

CA Code of Regs, title 9, section 1810.247 (a),
Specialty Mental Health Services means:

Rehabilitative Mental Health Services include:

- 1) Mental Health Services which includes but is not limited to Assessment, plan development, therapy, rehabilitation, and collateral
- 2) Medication Support Services
- 3) Day Treatment Intensive
- 4) Day Rehabilitation



What are Specialty Mental Health Services (SMHS)

- | | |
|---|---|
| 5. Crisis Intervention | 10. Targeted Case Management |
| 6. Crisis Stabilization | |
| 7. Crisis Residential Treatment Services | 11. Psychiatrist Services |
| | 12. Psychologist Services |
| 8. Psychiatric Health Facility (PHF) Services | 13. EPSDT Supplemental SMHS Services; and |
| 9. Psychiatric Inpatient Hospital Services | 14. Psychiatric Nursing Facility Services |

See Definitions of Terms in CCR, title 9, sections 810.200 – 1810.254



Discussion

- Positions—1 or separate?
 - Head of Service combined with Mental Health “Program Director”—Required by DHCS
 - Administrator—Required by CCL
- Medi-Cal Certification
 - Original Medi-Cal Certification
 - Piggy Backing on original Medi-Cal Cert



Discussion

- Program Approval—Approval Agency must
 - Track Approvals
 - Monitor for Compliance—Set and collect Fines
 - Address Complaints as per Medi-Cal Complaint Protocol
 - Time Lines
 - Tracking
 - Resolution



Discussion

Potential Scenarios for Services

- STRTP provides all services
- MHP and STRTP share service delivery, eg:
 - Individual Therapy—MHP County
 - Group Therapy—ST RTP
 - Med Support/as needed and 24/7—ST RTP
 - Med Support/Psychiatrist—MHP County
 - Case Management—ST RTP & MHP County



Thank You!

ANY QUESTIONS?

