



Tab 7:
DMH Proposed Issue Resolution Process
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Tab 7 Enclosures:

- **Proposed DMH MHSA Issue Resolution Process, updated 1/22/09**
- **Interim MHSA Issue Resolution Process Flowchart**



Objective

- Provide an overview of the activities of a work group convened by DMH to develop a proposed “Issue Resolution Process” for filing and resolving issues related to the MHSA, including the planning process, access to services, and consistency between program implementation and approved plans.



Background

- Early 2008 DMH invited MHSOAC, CMHDA, CMHPC, CALMHBC, and other stakeholders to participate in work group
 - Develop proposed process for answering and investigating complaints from stakeholders during the development and implementation of their county's MHSOAC components

Background (Continued)

- Welfare and Institutions Code (WIC) authorizes MHSOAC and CMHPC to refer issues to DMH to resolve pursuant to WIC Section 5655
 - MHSOAC: WIC Section 5845(d)(7)
 - CMHPC: WIC Section 5772(d)
- WIC Section 5655 describes DMH authority, including
 - Withhold part or all of state mental health funds from such county
 - Require the county to enter into negotiations for the purpose of assuring...compliance...
 - Bring an action... in court ...to compel compliance... 4



Purpose of the Issue Resolution Process

- Develop process for filing and resolving issues related to MHSA development and implementation
 - Community Program Planning process
 - Access to services
 - Consistency between program implementation and approved plans
 - Appropriate use of funds



Non-MHSA Issues Referred to Appropriate Entities

- Patients' Rights Advocates
- Ombudsman
- Medi-Cal Issue Resolution Process
- County Quality Assurance/Utilization Review
- Disability Rights California

DMH Interim MHSA Issue Resolution Process

- DMH receives issue directly or through referral from MHSOAC or CMHPC
 - Determines if MHSA-related. If not, issue filer referred to appropriate entity (Slide 6)
 - DMH asks issue filer if they used the local process; if not, DMH refers issue filer back to their county
 - Any individual can request anonymity; DMH continues investigation without requiring individual to complete local process



DMH interim MHSA issue resolution process (Continued)

- DMH notifies the county and obtains its statement and disposition of the issue
- DMH reviews the issue to determine if county actions were consistent with MHSA regulations, statutes or agreements. If not, DMH asks the county how it intends to resolve the issue. A corrective action plan may be issued.
- At the end of the process, DMH notifies all parties of the resolution



Next Steps

- DMH Webinar/conference call April 2, 2009
 - solicit input from stakeholders throughout California
 - Stakeholders submit questions or public comment before the Webinar and two weeks afterward
 - MHSOAC staff will participate
- DMH reviews stakeholder input
 - Use to finalize the process
 - Notify counties and stakeholders
- Process completed by Spring 2009