



SAN MATEO COUNTY HEALTH
**BEHAVIORAL HEALTH
& RECOVERY SERVICES**

DATE: June 4, 2020

BHRS POLICY: 20-10

SUBJECT: MHSA Issue Resolution Process

AUTHORITY: Department of Health Care Services; California Code of Regulations, Title 9. Rehabilitative and Development Services, Division 1. Department of Mental Health, Chapter 14. Mental Health Services Act

NEW POLICY: June 4, 2020

REFERENCES: [Policy 19-01 Consumer Problem Resolution and Notice of Adverse Benefits Determination Resolution System](#)

PURPOSE:

The purpose of this policy is to establish a Mental Health Services Act (MHSA) Issue Resolution Process, as required by MHSA legislation, to resolve process-related issues with 1) the MHSA Community Program Planning (CPP) process; 2) consistency between approved MHSA plans and program implementation; and 3) the provision of MHSA funded programs.

SCOPE:

This policy is only applicable to MHSA activities and programs.

BACKGROUND:

In San Mateo County, MHSA supports a broad continuum of needs across personnel, prevention, early intervention and direct services, infrastructure, technology, training and other resources necessary to support planning, implementation, monitoring and evaluation of progress toward statewide goals for children, transition-age youth, adults, older adults and families.

MHSA legislation requires that Counties adopt an MHSA Issue Resolution Process to support the resolution of process-related issues. A San Mateo County MHSA Issue Resolution Process was developed in collaboration with the Office of Consumer and Family Affairs and the BHRS Quality Improvement team and stakeholders through the MHSA Steering Committee. The Mental Health and Substance Abuse Recovery Commission reviewed and recommended the adoption of the Issue Resolution Process, which was subsequently included in the MHSA Annual Update

Page 1 of 4



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for Fiscal Year 2016-17 and adopted by the San Mateo County Board of Supervisors on July 25, 2017.

DEFINITIONS:

As per the California Code of Regulations, Title 9. Rehabilitative and Development Services, Division 1. Department of Mental Health, Chapter 14. Mental Health Services Act:

The “Mental Health Services Act (MHSA)” is the law that took effect on January 1, 2005 when Proposition 63 was approved by California voters and codified in the Welfare and Institutions Code.

“Community Program Planning” means the process to be used by the County to develop Three-Year Program and Expenditure Plans, and updates in partnership with stakeholders to: Identify community issues related to mental illness resulting from lack of community services and supports, including any issues identified during the implementation of the Mental Health Services Act; Analyze the mental health needs in the community; Identify and re-evaluate priorities and strategies to meet those mental health needs.

“Stakeholders” means individuals or entities with an interest in mental health services in the State of California, including but not limited to: individuals with serious mental illness and/or serious emotional disturbance and/or their families; providers of mental health and/or related services such as physical health care and/or social services; educators and/or representatives of education; representatives of law enforcement; and any other organization that represents the interests of individuals with serious mental illness/ and/or serious emotional disturbance and/or their families.

“Client” means an individual of any age who is receiving or has received mental health services. The term “client” includes those who refer to themselves as clients, consumers, survivors, patients or ex-patients.

POLICY:

1. An MHSA Issue Resolution Process shall support the resolution of issues related to
 - a. The MHSA Community Program Planning (CPP) process.
 - b. Consistency between approved MHSA plans and program implementation.
 - c. MHSA funded programs (accessibility, appropriate use of funds, etc.).

2. BHRS shall keep and update an Issue Resolution Log to handle client disputes and complaints. The Issue Resolution Log must include a brief description of the MHSA issue, dates, and final resolution.



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RESPONSIBILITY/PROCEDURES:

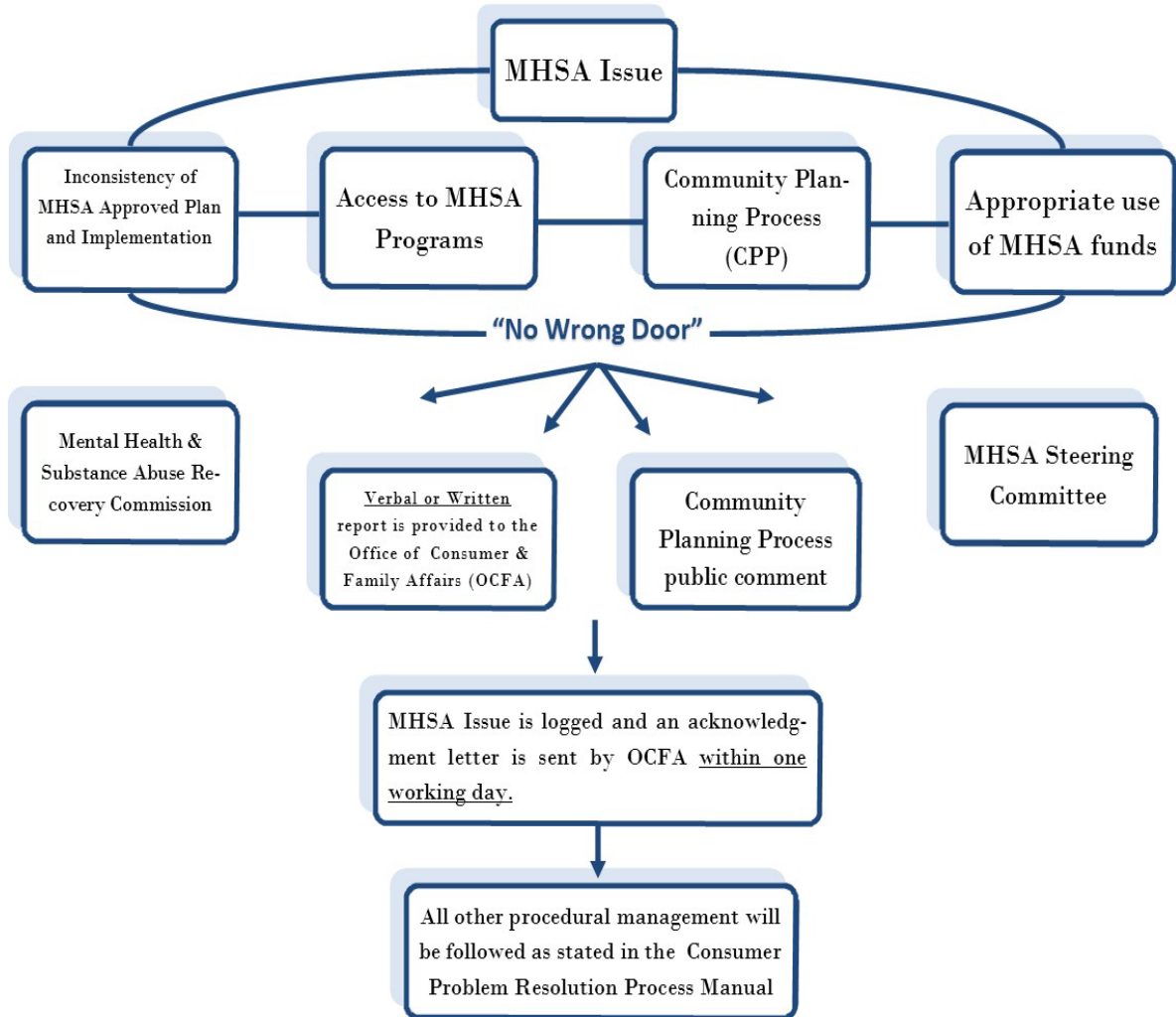
The Office of Consumer and Family Affairs (OCFA) oversees and facilitates the BHRS Problem Resolution Process for clients, including filing a grievance about services received from BHRS or contracted providers, ensuring that client issues are heard and investigated (Policy 19-01). BHRS clients receive client rights information upon admission to any program, which includes information on the right to a problem resolution process and how to file a grievance, appeal or request a state fair hearing after exhausting the internal problem resolution process.

1. OCFA shall support processing, tracking and resolution of MHPA related grievances.
2. MHPA related grievances may be directly reported to OCFA and/or arise via a number of public forums including during MHPA Steering Committee meetings, during the Community Planning Process and/or the MHPARC meetings. Grievances that arise at these public forums shall be directed to OCFA for processing and to ensure appropriate resolution.
3. When MHPA specific grievances are received by OCFA, see Figure 1. Below, the coordinator shall:
 - a. Note in the Grievance/Appeal Log that it is an MHPA-specific grievance and send an acknowledgement letter, within one working day.
 - b. Handle all issues related to treatment by MHPA funded programs.
 - c. Direct all process-related issues to the MHPA Coordinator or appropriate staff
 - i. If a satisfactory resolution of the process-related issue is determined, the OCFA coordinator or designee shall coordinate with the MHPA Coordinator to provide a resolution letter.
 - ii. If a satisfactory resolution is not determined, all other procedures will be followed as stated in the Consumer Problem Resolution Process Manual.
 - iii. Where appropriate (e.g. MHPA community planning process issues) the MHPA Coordinator will consult a sub-committee of the MHPA Steering Committee, which shall include at least 50% client and family members to resolve the issue. Decision-makers involved in the grievance process will not have been involved in the specific grievance itself and/or in any previous level of review concerning the grievance.



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Figure 1. MHSA Issue Resolution Process Flowchart



Approved: _____ *Signature on File*
 Scott Gilman, MSA
 BHRS Director