

## **Mental Health Services Act (MHSA) Issue Resolution Process** **Revised June 5, 2017**

### **Purpose:**

This procedure supplements the Beneficiary and Client Problem Resolution Policy and Process, which provides detailed guidelines for addressing grievances and appeals regarding services, treatment and care, by providing a process for addressing issues, complaints and grievances about MHSA planning and process.

The Department of Health Care Services (DHCS) requires that the local issue resolution process be exhausted before accessing State venues such as the Mental Health Services Oversight and Accountability Commission (MHSOAC), and the California Mental Health Planning Council (CMHPC) to seek issue resolution or to file a complaint or grievance.

San Diego County Behavioral Health Services has adopted an issue resolution process for filing and resolving issues related to Mental Health Services Act (MHSA) community program planning process, and consistency between program implementation and approved plans.

The County's Behavioral Health Services Division is committed to:

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

Types of MHSA Issues to be Resolved in this Process:

- Appropriate use of MHSA funds
  - Allegations of fraud, waste, and abuse of funds are excluded from this process. Allegations of this type will be referred directly to the County Compliance Office for investigation.
- Inconsistency between approved MHSA Plan and implementation
- San Diego County Community Program Planning Process

**Process:**

- An individual may file an issue at any point and avenue within the system. These avenues may include but are not limited to: the County Behavioral Health Director, County Behavioral Health Assistant Director, County Behavioral Health Deputy Directors, Behavioral Health Councils, County Compliance Officer, Consumer and Family Liaisons, Patient Advocacy Program, and Behavioral Health Provider.
- The MHSA issue shall be forwarded to the Consumer and Family Liaisons, RI International and NAMI San Diego for review within one (1) business day of receipt.
- Consumer and Family Liaisons (CFL) shall provide the Issue Filer a written acknowledgement of receipt of the issue, complaint or grievance within two (2) business days.
- CFL shall notify the County's MHSA Coordinator of the issue received while maintaining anonymity of the Issue Filer.
- CFL will investigate the issue.
  - CFL may convene the MHSA Issue Resolution Committee (MIRC) whose membership includes unbiased, impartial individuals who are not employed by the County of San Diego.
  - CFL will communicate with the issue filer every seven (7) days while the issue is being investigated and resolved.
- Upon completion of investigation, CFL/MIRC shall issue a committee report to the Behavioral Health Director.
  - Report shall include a description of the issue, brief explanation of the investigation, CFL/MIRC recommendation and the County resolution to the issue.
  - CFL shall notify the Issue Filer of the resolution in writing and provide information regarding the appeal process and State level opportunities for additional resolution, if desired.
- The Behavioral Health Director will provide a quarterly MHSA Issue Resolution Report to the Behavioral Health Advisory Board.

**Consumer and Family Liaisons:**

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