




United Behavioral Health

Designated Mental Health Professionals and Designated Chemical Dependence Specialists			Policy Identifier/Number: AD-10
Annual Review Completed Date: February 2018			
Policy Category: Government - Pierce Regional Support Network	Applicable Lines of Business: Medicaid	Entity/Plan: Optum Pierce Behavioral Health Organization	State: Pierce County, Washington
Approved by: Bea Dixon, Executive Director		Signature: 	

Policy Statement and Purpose

Optum Pierce Behavioral Health Organization (BHO) has Designated Mental Health Professionals (DMHPs) available to conduct investigation and detention of individuals, including adults and children age 13 and older, who present a likelihood of serious harm or are gravely disabled or may be criminally insane.

Optum Pierce BHO has Designated Chemical Dependency Specialists (DCDS) available to conduct investigation and detention of individuals, including adults and youth age 13 and older, who present a likelihood of serious harm or are gravely disabled as a result of chemical dependency.

To describe how Optum Pierce BHO ensures compliance with the requirement that Designated Mental Health Professionals or Designated Chemical Dependency Specialists be available to perform investigation and detention of individuals for involuntary treatment services.

Policy Audience and Applicability

This policy is applicable to the Optum Pierce BHO and benefits administered through the Washington State Department of Social and Health Services (DSHS) current Prepaid Inpatient Health Plan (PIHP).

Policy Definitions

N/A

Policy Provisions

1. In accordance with *WAC 388-865*, Optum Pierce BHO has DMHPs and DCDSs in place to perform the duties of involuntary investigation and detention in accordance with *RCW chapters 70.96A(140), 71.05* (adults) and *71.34* (minors), for persons who may be a danger to themselves or others or who may be gravely disabled.

2. The intent of *RCW chapters 70.96A, 71.05 and 71.34* are:

Optum is responsible for adhering to all applicable state and/or federal laws governing activities within the scope of this policy, including the Mental Health Parity and Addiction Equity Act (MHPAEA) and the Health Insurance Portability and Accountability Act (HIPAA) privacy requirements, as well as the applicable requirements, standards and regulations as set forth by the Employee Retirement Income Security Act (ERISA), the Center for Medicare and Medicaid Services (CMS), the Department of Labor (DoL), and any applicable accrediting organizations.

- 2.1. To prevent inappropriate, indefinite commitment of behaviorally disordered persons and to eliminate legal disabilities that arise from such commitment;
- 2.2. To provide prompt evaluation and timely and appropriate treatment of persons with serious behavioral disorders;
- 2.3. To safeguard individual rights;
- 2.4. To provide continuity of care for persons with serious behavioral disorders;
- 2.5. To encourage the full use of all existing agencies, professional personnel, and public funds to prevent duplication of services and unnecessary expenditures;
- 2.6. To encourage, whenever appropriate, the provision of services within the community
3. Optum Pierce BHO also has DMHPs in place to perform the duties of involuntary investigation and detention in accordance with *RCW chapter 10.77*, for individuals who may be criminally insane.
4. The process for designation as a DMHP includes the following:
 - 4.1. A DMHP is an individual employed by the Optum Pierce BHO behavioral health care provider contracted to provide *Involuntary Treatment Act* (ITA) services.
 - 4.2. Only individuals who qualify as Mental Health Professionals, per *WAC 388-865* and *388-805* and who have the skills necessary to perform the evaluation and decision-making processes associated with a detainment, are designated to perform these duties. This determination is based on review of the individual's qualifications and experience.
 - 4.3. The agency is to request formal designation of an employee as a DMHP by submitting a formal letter to Optum Pierce BHO.
 - 4.3.1. The letter is to describe and outline the employee's education, experience and credentials which comply with the requirements as outlined in statute.
 - 4.3.2. In addition, the letter is to include a statement from the Clinical Director attesting to the employee's qualifications, skills, and ability to perform the required functions of a DMHP.
 - 4.3.3. Copies of the employee's résumé, diploma, transcripts, and applicable certification(s) and or licensure(s) are also to be submitted with the letter.
 - 4.4. Optum Pierce BHO reviews the letter and, if approved, authorizes the individual to be a DMHP. A letter is sent to the requesting agency with the outcome of the review.
 - 4.5. Termination of the individual as a DMHP occurs if the individual is reassigned to different duties by his/her employing agency or if the individual is terminated.
 - 4.6. Optum Pierce BHO may also terminate an individual's DMHP status for reasons including, but not limited to:
 - 4.6.1. Violation of employment policies of the contracted agency;
 - 4.6.2. The inability to perform the duties of a DMHP;
 - 4.6.3. Evidence that the individual is not carrying out his/her duties as a DMHP according to state statute.
5. The process for designation as a DCDS includes the following:
 - 5.1. A DCDS is an individual employed by the Optum Pierce BHO behavioral health care provider contracted to provide *Involuntary Treatment Act* (ITA) services.

- 5.2. Only individuals who qualify as Chemical Dependency Professionals, per WAC 388-805, 388-865, , and who have the skills necessary to perform the evaluation and decision-making processes associated with a detainment, are designated to perform these duties. This determination is based on review of the individual's qualifications and experience.
- 5.3. The agency is to request formal designation of an employee as a DCDS by submitting a formal letter to Optum Pierce BHO.
 - 5.3.1. The letter is to describe and outline the employee's education, experience and credentials which comply with the requirements as outlined in statute.
 - 5.3.2. In addition, the letter is to include a statement from the Clinical Director attesting to the employee's qualifications, skills, and ability to perform the required functions of a DCDS.
 - 5.3.3. Copies of the employee's résumé, diploma, transcripts, and applicable certification(s) and or licensure(s) are also to be submitted with the letter.
- 5.4. Optum Pierce BHO reviews the letter and, if approved, authorizes the individual to be a DCDS. A letter is sent to the requesting agency with the outcome of the review.
- 5.5. Termination of the individual as a DCDS occurs if the individual is reassigned to different duties by his/her employing agency or if the individual is terminated.
- 5.6. Optum Pierce BHO may also terminate an individual's DCDS status for reasons including, but not limited to:
 - 5.6.1. Violation of employment policies of the contracted agency;
 - 5.6.2. The inability to perform the duties of a DCDS;
 - 5.6.3. Evidence that the individual is not carrying out his/her duties as a DCDS according to state statute.
6. The contracted agency employing a DMHP or DCDS is responsible to ensure that the DMHP/DCDS performs his or her duties in compliance with the DBHR protocols as well as ensuring the DMHP/DCDS receives ongoing annual training as described by the Optum Pierce BHO.
 - 6.1. As part of Optum Pierce BHO's Clinical and Administrative site visit protocol, provider policies and procedures and supervision records are reviewed to ensure that evaluations of the job performance of individual DMHPs and DCDSs are conducted in accordance with WAC 388-865.

Related Policies, Procedures & Materials

- Pierce Behavioral Health Organization policy: CM-11 - *Involuntary Evaluation and Treatment*
- Pierce Behavioral Health Organization policy: CM-14 - *Less Restrictive Alternative*
- Pierce Behavioral Health Organization policy: QA-08 - *Clinical and Administrative Review Including Annual Review of Behavioral Health Agencies*

Attachments

N/A

Approval History

- Policy created and effective: 07/2009
- Policy and Procedure Committee review and approval: 10/26/2009
- Policy and Procedure Committee review and approval: 08/23/2010

- Policy and Procedure Committee review and approval: 09/26/2011
- Policy and Procedure Committee review and approval: 08/27/2012
- Policy and Procedure Committee review and approval: 12/02/2013
- Policy and Procedure Committee review and approval: 09/22/2014
- Policy and Procedure Committee review and approval: 09/28/2015
- Policy and Procedure Committee review and approval: 02/24/2016
- Operational Procedures and Standards Committee Reviewed and Accepted: 01/25/2017
- Optum Pierce BHO reviewed and accepted: February 2018