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DIRECTOR

State of California—Health and Human Services Agency
Department of Health Care Services



GAVIN NEWSOM
GOVERNOR

DATE: February 28, 2020

Behavioral Health Information Notice No: 20-005

TO: All County Welfare Directors
All Short-Term Residential Therapeutic Program Providers
California Alliance of Child and Family Services
California Association for Alcohol/Drug Educators
California Association of Alcohol & Drug Program Executives, Inc.
California Association of DUI Treatment Programs
California Consortium of Addiction Programs and Professionals
California Council of Community Behavioral Health Agencies
California Department of Social Services
California Opioid Maintenance Providers
California State Association of Counties
Chief Probation Officers of California
Coalition of Alcohol and Drug Associations
County Behavioral Health Directors
County Behavioral Health Directors Association of California
County Drug & Alcohol Administrators
County Welfare Directors Association of California
Local Mental Health Boards

SUBJECT: Statewide Criteria for Mental Health Program Approval for Short-Term Residential Therapeutic Program

PURPOSE: This information notice supersedes Mental Health Substance Use Disorder Services (MHSUDS) Information Notice No. 17-016 and establishes the regulatory requirements and procedures for Short-Term Residential Therapeutic Programs (STRTPs) to obtain a Mental Health Program Approval (MHPA). Assembly Bill 1997, Section 131(b) (Stone, Chapter 612, Statutes of 2016) authorizes the Department of Health Care Services (Department) to adopt regulations by way of information notice regarding the MHPA standards applicable to STRTPs. The STRTP Interim Regulations specifying the requirements are effective immediately and enclosed.

REFERENCE: [MHSUDS Information Notice No.:17-016](#)

BACKGROUND:

In 2017 interim STRTP regulations were reviewed by stakeholders as an enclosure to MHSUDS Information Notice No.: 17-016 and subsequently published. Policy guidance was provided regarding the process for applying for MHPA, the duration of approval and requirements for annual reviews.

POLICY:

The Department has updated MHPA program requirements in a second version of the Interim STRTP regulations and have enclosed the “Interim STRTP Regulation Version II.” (See Enclosure 1). Any California Department of Social Services (CDSS) provisionally licensed STRTP organization shall use the updated DHCS 3131 application form entitled “Application for Mental Health Program Approval” when applying for an MHPA (See Enclosure 2).

To become approved, the STRTP shall meet the requirements of the Interim STRTP Regulations Version II, including becoming certified to participate in Medi-Cal to provide onsite Specialty Mental Health Services (SMHS) in accordance with Title 9 of California Code of Regulations (CCR) Section 1810.435.

The Department or delegated county Mental Health Plan (Delegate) will certify STRTPs to participate in Medi-Cal pursuant to the process specified in the Mental Health Plan (MHP) contract regarding organizational providers. While STRTP and Medi-Cal certification onsite reviews can be conducted during the same scheduled onsite review, a MHPA cannot be issued until the applicant can provide onsite SMHS pursuant to Title 9 CCR Section 1810.435, subdivision (d).

A STRTP with an existing MHPA will have 60 calendar days to come into compliance with the requirements specified in the Interim STRTP Regulations Version II. DHCS will be working with STRTPs to provide guidance regarding the required deliverables and times frames for their submission.

The following is an overview of the application process for the MHPA approvals and related information.

Application Process for Initial MHPA

A STRTP has 12 months from the date of licensure by CDSS to obtain the MHPA which requires an accompanying Medi-Cal Certification and a contract with an MHP to provide SMHS in accordance with Title 9 CCR Section 18410.435.

An applicant shall e-mail a completed "Application for Mental Health Program Approval" (Enclosure 2) to the Department at STRTP@dhcs.ca.gov or send via certified mail to the address identified on the enclosed MHPA application form. An applicant submitting an application for MHPA to a Delegate shall submit via certified mail or utilize an e-mail box, as directed by the applicable Delegate.

The Department or Delegate shall provide written notice to an applicant if the application is incomplete. If missing or additional information is required, the applicant shall provide the required information within 30 calendar days of the date the Department or Delegate issued the notice.

After the application is complete, if the Department or Delegate has determined that the application and supporting documentation demonstrate that the applicant meets the requirements, the Department or Delegate will conduct an onsite review to verify that the applicant meets the interim STRTP regulation MHPA requirements.

If the Department or Delegate determines that the submitted information demonstrates that the applicant does not meet the requirements, the Department or Delegate may deny the application for MHPA without conducting an onsite review. A written notification will be issued, with an explanation of the reasons for denial.

The Department or Delegate shall approve or deny a MHPA request within 45 calendar days of receipt of the completed application. In cases where the Department or Delegate has denied an application for MHPA, the applicant shall have the right to request a review of the denial.

Provisional Approvals

For any new STRTP, where no children are admitted to the facility at the time of the initial onsite review, the Department or Delegate may issue a provisional approval of less than one year, if the submitted application, supporting documentation, and any initial onsite review demonstrates that the applicant meets the requirements. The Department or Delegate will conduct an onsite review within 45 days of the first admission.

Duration of MHPA

The MHPA is effective for one year from the date of issuance and must be renewed on an annual basis. The Medi-Cal certification must be renewed on a triennial basis.

Required Annual MHPA

The Department or Delegate will conduct a yearly onsite review of each STRTP with a MHPA to determine whether the STRTP continues to meet all of the requirements. If an STRTP continues to meet the requirements for MHPA, the MHPA will be renewed.

The Department or Delegate will notify the STRTP in writing of the renewal, or non-renewal of their MHPA, with an explanation of the reasons for renewal or non-renewal, within 60 calendar days of the onsite review. An STRTP that receives notice of non-renewal will have the right to request a review of the non-renewal.

The Department or Delegate will notify CDSS of the renewal or non-renewal of the MHPA of each STRTP in writing to ccr@DSS.ca.gov.

Interim STRTP Regulations Technical Assistance

The Department will be conducting webinars to address program requirements specified in the enclosed Interim STRTP Regulations Version II. Information regarding the date and times of upcoming webinars will be published on the Department's Internet Website in conjunction with the publication of this information notice. This information notice can be located on the Department's Internet Website at:

<https://www.dhcs.ca.gov/formsandpubs/Pages/2020-BH-Information-Notices.aspx>

Submit any questions concerning information addressed in this Behavioral Health Information Notice or enclosures, to the STRTP unit at STRTP@dhcs.ca.gov.

Sincerely,

Original signed by

Marlies Perez, Chief
Community Services Division

Enclosures