

**State of California  
Department of Mental Health (DMH)**

**COUNTY MENTAL HEALTH PLAN ANNUAL ATTESTATION**

I, \_\_\_\_\_, under penalty of perjury, as the County Mental Health Director, *or his/her designee* who is a direct report to the County Mental Health Director, certify and attest to the fact that the following processes and/or policies are in compliance with Federal and State requirements. These items shall be maintained at all times in an easily accessible manner and shall be readily available upon request by the State Department of Mental Health (DMH).

- The Mental Health Plan (MHP) makes a good faith effort to give affected beneficiaries written notice of the termination of a contracted provider within 15 days after receipt or issuance of the termination notice. [CFR Title 42, Section 438.10 (f)(5)]
- Written policies and procedures to ensure beneficiary rights [CFR, Title 42, Section 438.100 (a)(b)(d); DMH Letter No. 04-05]
- MHPs Mandated Key Points of Contact shall have linguistically proficient staff or interpreters available to beneficiaries during regular operating hours and show the response to offers of interpreter services [CCR, Title 9, Chapter 11, Section 1810.410 (d)(2), DMH Information Notice No. 02-03, Enclosure, Page 16]
- MHPs Key Points of Contact shall have documented progressive steps to show that beneficiaries who do not meet the threshold language criteria are linked to culturally and linguistically appropriate services [CCR, Title 9, Chapter 11, Section 1810.410 (e)(2), DMH Information Notice No. 02-03, Enclosure, Page 17, Title VI, Civil Rights Act of 1964 (42 U.S.C., Section 2000d, CFR, Title 45, Part 80)]
- MHPs shall ensure training on client culture includes a client's personal experiences, and include for children and adolescents, the parent and/or caregiver's experiences [CCR, Title 9, Chapter 11, Section 1810.410, DMH Information Notice No. 02-03, Enclosure, Page 24]
- Written policies and procedures regarding advance directives [CFR, Title 42, Sections 422.128 and 438.6(i) (1) (3) (4)]
- Written policies to ensure beneficiaries are not discriminated against based on whether or not the beneficiary has executed an advance directive [CFR, Title 42, Sections 438.6(h)(2)(i), 422.128(b)(1)(ii)(F) and 417.436(d)(1)(iv)]
- Written policies that provide for the education of staff regarding advance directive [CFR, Title 42, Sections 438.6(h)(2)(i), 422.128(b)(1)(ii)(F) and 417.436(d)(1)(iv)]
- Written policies and procedures to ensure consistent application of review criteria for authorization decisions [CFR, Title 42, Section 438.210 (b) (1)]
- Written policies and procedures for ensuring access to out-of-county adults in residential placement [CCR, Title 9, Chapter 11, Section 1830.220(b) (3) (4) (A); DMH Information Notice No. 97-06, D, 4]
- Written policies and procedures for authorization, documentation and reimbursement of services when a child is in a foster care, KinGAP or Aid to Adoptive (AAP) aid code residing outside his or her county of origin. [CCR, Title 9, Chapter 11, Section 1830.220 (b) (4); DMH Information Notice No. 09-06 and DMH Information Notice No. 97-06, D, 4]
- Written policies and procedures that ensure compliance with: 1) standard forms issued by DMH are accepted by the child's county of origin, or 2) exemption due to an externally placed requirement (e.g. federal integrity agreement). [CCR, Title 9, Chapter 11, Section 1830.220 (b) (4), DMH Information Notice No. 09-06 and DMH Information Notice No. 97-06, D, 4]
- Written policies and procedures for the grievance and appeals process [CFR, Title 42, Sections 438.402(b)(3); Section 438.406(a)(3)(ii); Section 438.406 (b)(1-4); CCR, Title 9, Chapter 11, Section 1850.205(c)(d)(e); CCR, Title 9, Chapter 11, Section 1850.207(f)]
- Written policies and procedures to ensure that decision-making staff have the appropriate clinical experience [CFR, Title 42, Section 438.406(a)(3)(ii); CCR, Title 9, Chapter 11, Section 1850.205(c)(9)]

- Written expedited appeals process [CFR, Title 42, Section 438.408(d)(2); [CCR, Title 9, Chapter 11, Section 1850.208(f)(2)]
- Written notices posted for beneficiaries and providers about the grievance, appeal and expedited appeal procedures [CCR, Title 9, Chapter 11, Section 1850.205(c)(1)(B)]
- Written policies and procedures to ensure grievance and appeal forms and self-addressed envelopes are available [CCR, Title 9, Chapter 11, Section 1850.205(c) (1) (C)]
- Written policies and procedures to ensure decision-making staff have not been involved in any previous level of review or decision-making on grievances and appeals [CFR, Title 42, Section 438.406(a)(3)(i)]
- Written policies and procedures to resolve grievances within established timeframes [CFR, Title 42, Section 438.408(a)(b)(1), CCR, Title 9, Chapter 11, Section 1850.206(b)]
- Written policies and procedures to resolve appeals within established timeframes [CFR, Title 42, Sections 438.408(a)(b)(2), CCR, Title 9, Chapter 11, Section 1850.207(c)]
- Written policies and procedures to resolve expedited appeals within established timeframes [CFR, Title 42, Section 438.408(a)(b)(3)]
- Written policies, procedures and Compliance Plan that meet Program Integrity Requirements [CFR, Title 42, Section 438.608]
- MHPs shall ensure hospital contracts for each disproportionate share and traditional hospital meets selection criteria [CCR, Title 9, Chapter 11, Section 1810.430(a)(b)(c)]
- MHPs shall ensure Fee for Services/Medi-Cal contract hospital rates are annually submitted [CCR, Title 9, Chapter 11, Section 1810.375(c), W&IC Section 5614 (b)(4)]
- MHPs shall ensure adult and children performance outcome system data is reported [W&IC Section 5610(a); County Performance Contract]
- Written policies and procedures for selection, credentialing, re-credentialing, retention, and MHP oversight of its providers. [CFR, Title 42, Sections 438.214 (a-e)]
- Oversight of any functions and responsibilities delegated to any sub-contractor to ensure compliance with [CFR, Title 42, Section 438.230 (a)(b)]
- Written information provided to all providers and sub-contractors about the grievance system [CFR, Title 42, Section 438.414]

**ATTESTATION**

I hereby certify under penalty of perjury that the above list of items are in compliance with Federal and State requirements and are available and accessible to the Department of Mental Health upon request. I am aware that the above items may be requested at any time, including during an onsite review. I am also aware that a new attestation shall be completed and submitted to the DMH on an annual basis.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_