## **Update on Mental Health Reform**

There is good news for service recipients and providers of mental health and substance abuse services. Stakeholder workgroups (see MedicAide, June, 2008) have identified several principles and standards of care that should be reflected in Medicaid policy. This information has been translated into proposed rule changes that will publish October 1, 2008, in the <a href="Legislative Administrative Bulletin">Legislative Administrative Bulletin</a>. The formal comment period is from October 1 through October 22, 2008. This is an opportunity for the public to make comments to the department regarding the text of the rules.

The proposed rules are intended to capture the following principles and standards of care:

- As part of mental health treatment, all participants should have the opportunity for their primary care physician to determine if their symptoms are of a physical origin so that the subsequent prescribed treatment matches their true healthcare need.
- Participants seeking enhanced mental health services should have the opportunity to undergo a thorough diagnostic assessment by a qualified professional in order to establish an accurate picture of what is going on with the participant mentally, and how this links to certain types and amounts of treatment.
- Participants should not undergo evaluation or assessment processes that are not
  clinically indicated. For participants whose treatment goes beyond twelve months, the
  participant should have the opportunity to be re-assessed to the extent that is
  clinically necessary. Participants should only be assessed for skill deficits when they
  are seeking skill training.
- Participants have the right to self-determine their treatment services, as in what support and treatment would reinforce their quest for healing, transformation, and recovery, so they can live meaningful lives in a community of their choice while striving to achieve their full potential. For child participants this includes the family's choices.
- Participants should have the opportunity for a team approach to their treatment needs to assure that a variety of professionals who represent different disciplines and the participants' natural supports work together to contribute to the overall plan of care.
- Participants should have the opportunity for their plans of care to be updated and
  reviewed in a timely manner, as needed, according to the standards of mental health
  treatment, ensuring that after an amount of time has passed, if the participant has not
  responded positively to their plan of care, that the situation is re-assessed and the plan
  of care is newly developed or modified accordingly.
- Participants should have the opportunity to obtain services delivered by professionals
  in settings that afford them the individual attention that their situation and condition
  warrants; for children, this means experiencing staffing patterns that match the needs
  of the child's developmental stage.
- Child participants should have parental involvement in their treatment to the greatest extent possible, as appropriate for the child's age, condition, and situation.
- All participants should be protected from the use of aversive or harmful techniques; if extraordinary intervention is warranted in order to protect the participant from harming himself or others, then the participant should have the opportunity for such intervention to be delivered by a professional specifically trained to do it. As a

follow-up to such intervention, the participant should have the opportunity to work on the behaviors that warranted the intervention so that there is a decreased probability that the need for intervention will occur again.

• Participants should have the opportunity to obtain treatment that matches the signs and symptoms of their healthcare need.

Some providers, by their own professional standards, have previously embraced these principles and standards of care in their agencies even though they are not required by rule. By putting this into rule we will obtain greater assurance that all mental health participants will have the opportunities afforded by these ideas. The actual policies that are needed to support the principles and standards of care listed above are a work in progress that is expected to span the next three years. If you have any questions regarding this, please contact (208) 364-1813.