



TBS Nine Point Plan Implementation



California Department of Mental Health

Level II Counties Webinar
July 29, 2009

Welcome! We will begin at 10:00 AM.

To dial in, please call (866) 812-0465, and enter code 107548.

Welcome & Introductions

- Panel Members
 - Richard Saletta, *Emily Q* Special Master
 - Sean Tracy, DMH, *Emily Q* Settlement Team
 - Sheila Baler, APS Healthcare, DMH Consultant
 - Bill Carter, CiMH, DMH Consultant

- *Emily Q* Settlement Team

- TBS Accountability, Communications, & Training (TACT) Task Group



Nine Point Plan



- Goals
 - Increase access and utilization of TBS for *Emily Q* class
 - Improve service delivery

- Presentation Includes
 - Overview of Nine Point Plan
 - Implementation Efforts 2009
 - Answers to your questions

Federal Court Perspective

- Special Master Richard Saletta
- For more information on Court Documents, please visit the [DMH TBS "Court Documents" web page](#).



Questions & Answers



- ❑ Questions will be answered following the Nine Point Plan implementation overview.
- ❑ Thank you to those who have submitted questions in advance.
- ❑ To submit new questions to be included in the Q&A portion of the webinar, please e-mail your questions to TBS@dmh.ca.gov.

Implementation Efforts

- 10 Level II Introductory Meetings
- 27 Level II Local Conversations



California Department of Mental Health Therapeutic Behavioral Services Local Meeting Schedule



County Mental Health Plan (MHP)	Introductory Meetings	Stakeholder Meetings	Decision-Maker Meetings
10 Level II Focus MHPs			
Alameda	April 29, 2009		
Butte	April 14, 2009		May 27, 2009
Kern	April 23, 2009	June 17, 2009	June 25, 2009
Los Angeles	Feb 20, 2009	April 20, 2009	June 30, 2009
Monterey	May 8, 2009		
San Bernardino	March 17, 2009	June 25, 2009	
San Diego	Mar 26, 2009*	June 4, 2009* (also held individual sub-forums for Family, Youth, and the Spanish-speaking community)	
San Joaquin	April 17, 2009	June 4, 2009	
Sonoma	Mar 24, 2009		
Tulare	April 24, 2009		
Other Level I and Level II MHPs			
Glenn	N/A – Level 1	April 13, 2009*	April 15, 2009*
Imperial	N/A – Level 1	April 23, 2009*	April 30, 2009*
San Benito	N/A – Level 1	April 23, 2009*	May 11, 2009*
Santa Barbara	N/A – High Perf.	May 19, 2009*	May 21, 2009*
Santa Cruz	N/A – Level II	May 21, 2009*	May 29, 2009*
Marin	N/A – Level II	May 2, 2009*	May 21, 2009*
Placer	N/A – Level 1	May 29, 2009*	May 6, 2009*

DMH Information Notice 08-38

- Updated TBS Information
- Posted December 22, 2008



December 22, 2008

DMH INFORMATION NOTICE NO.: 08-38

TO: LOCAL MENTAL HEALTH DIRECTORS
LOCAL MENTAL HEALTH PROGRAM CHIEFS
LOCAL MENTAL HEALTH ADMINISTRATORS
COUNTY ADMINISTRATIVE OFFICERS
CHAIRPERSONS, LOCAL MENTAL HEALTH BOARDS

SUBJECT: THERAPEUTIC BEHAVIORAL SERVICES

REFERENCE: UNITED STATES CENTRAL DISTRICT OF CALIFORNIA COURT
ORDERS OF NOVEMBER 14, 2008, AND OCTOBER 24, 2008,
INCLUDING THE NINE-POINT SETTLEMENT IMPLEMENTATION
PLAN.

This Department of Mental Health (DMH) Information Notice clarifies to Mental Health Plans (MHPs) and their providers the requirements to increase utilization of Therapeutic Behavioral Services (TBS).

On November 14, 2008 the federal court in *Emily Q. v. Bonta* adopted a Nine-Point Plan (Plan) to increase access and to improve delivery of TBS. It is anticipated that implementation of this Plan will lead to increased utilization and better outcomes for children/youth.

Implementation of this Information Notice and the Nine-Point Plan is scheduled to take effect on January 1, 2009.

The points in the Plan below refine earlier orders, definitions, and policies. This Information Notice is the current iteration of the DMH on TBS, and replaces previous DMH Letters and Notices that address the specific subject of TBS.

DMH Information Notice 09-10



July 9, 2009

DMH INFORMATION NOTICE NO.: 09-10

TO: LOCAL MENTAL HEALTH DIRECTORS
LOCAL MENTAL HEALTH PROGRAM CHIEFS
LOCAL MENTAL HEALTH ADMINISTRATORS
COUNTY ADMINISTRATIVE OFFICERS
CHAIRPERSONS, LOCAL MENTAL HEALTH BOARDS

SUBJECT: THERAPEUTIC BEHAVIORAL SERVICES: EXIT PLAN FOR THE
EMILY Q. v BONTA CASE

REFERENCE: DMH INFORMATION NOTICE 08-38;
APRIL 23, 2009 FEDERAL COURT ORDER APPROVING EXIT
PLAN FOR THE *EMILY Q. v. BONTA* CASE: CRITERIA FOR
PERFORMANCE AND TERMINATION OF JURISDICTION

This Department of Mental Health (DMH) Information Notice clarifies to Mental Health Plans (MHPs) and their providers the requirements of the Federal Court (Court) exit criteria from the *Emily Q v. Bonta* Special Master proceedings. The exit criteria development is point nine of the Therapeutic Behavioral Services (TBS) Nine Point Plan. The goal of the Nine Point Plan is to increase access and utilization of TBS for the Emily Q class in California. For county responsibilities related to TBS and points one through eight of the Nine Point Plan, please refer to DMH Information Notice 08-38.

Implementation of the TBS Nine Point Plan and DMH Information Notice 08-38 began in January 2009. For copies of the Nine Point Plan, DMH Information Notice 08-38, and the Exit Plan, please refer to the DMH TBS web page (http://www.dmh.ca.gov/Services_and_Programs/Children_and_Youth/EPSTDT.asp).

As point nine of the Nine Point Plan, an Exit Plan was developed with specific measures that will lead to termination of Federal Court jurisdiction on December 31, 2010. It is likely, as information is gathered and experience is gained, that the Special Master may submit to the Court for approval, improvements, modifications, and clarifications to this exit plan that will increase the prospects for successful implementation of the Nine Point Plan.

- Overview of Court Order approving Exit Plan
- Focus on MHP responsibilities
- Posted July 9, 2009
- Enclosure: MHP Responsibilities Form

Questions & Answers



Q: When should I schedule my local TBS meetings?

- Please schedule as soon as possible.
- Level II MHPs must convene 2 stakeholder and 2 decision-maker meetings in 2009 and again in 2010.
- Submit MHP Responsibilities Form to DMH by August 1, 2009
- Available on [DMH TBS website](http://www.dmh.ca.gov)



Therapeutic Behavioral Services Nine Point Plan Implementation MHP Responsibilities for 2009

Purpose: The goal of the Court-ordered *Emily Q v. Bonta* Nine Point Plan implementation is to increase access and utilization of Therapeutic Behavioral Services (TBS) for the Emily Q class in California. As part of the TBS Nine Point Plan implementation, the California Department of Mental Health (DMH) has released Information Notice 08-38 outlining County Mental Health Plan (MHP) responsibilities for points one through eight of the Plan. Responsibilities corresponding to point nine are outlined in the [Court ordered Exit Plan](#).

This document will be submitted to DMH as an indicator of the MHPs' progress toward completing its tasks in accordance with the Nine Point Plan. This information will be used in the DMH report to the public and Federal Court in October 2009. For a list of Level I and Level II MHPs, please refer to DMH Information Notice 08-38. And for more information, please visit the DMH TBS web site: http://www.dmh.ca.gov/Services_and_Programs/Children_and_Youth/EPSTDT.asp. If you have any questions or concerns, please contact Sean Tracy, Chief, DMH Office of Strategic Planning & Policy (916) 651-1281, Sean.Tracy@dmh.ca.gov.

Directions: Please fill in the following table with the status of your efforts pertaining to these MHP responsibilities. Please submit the completed form to TBS@dmh.ca.gov by August 1, 2009.

County MHP: _____
 Date: _____
 MHP Contact (name, title, phone, e-mail): _____

MHP Responsibility	Completion Date	Status
Read and evaluate the Nine Point Plan and Exit Plan	Upon Release 2009	Completed? Y/N: _____
Notify DMH of MHP point of contact for TBS efforts	August 1, 2009	Has the MHP notified DMH of TBS contact? Y/N: _____
Identification of key leaders and stakeholders to support this process	August 1, 2009	Completed? Y/N: _____
27 Level II MHP dates set for 2 Local Stakeholder Meetings to be scheduled in 2009	August 1, 2009	Meeting Dates (Level II MHPs Only): _____
27 Level II MHP dates set for 2 Local Decision-Maker Meetings to be scheduled in 2009	August 1, 2009	Meeting Dates (Level II MHPs Only): _____
29 Level I MHP dates set for 1 Local Stakeholder Meetings to be scheduled in 2009	August 1, 2009	Meeting Dates (Level I MHPs Only): _____
29 Level I MHP dates set for 1 Local Decision-Maker Meetings to be scheduled in 2009	August 1, 2009	Meeting Dates (Level I MHPs Only): _____

Q: Where is my data dashboard?

- Available at on the DMH TBS Website, [TBS Data page](#)
- Posted Statewide data in March 2009
- Posted 10 Level II Focus MHPs in May 2009
- Remaining Level II MHPs to be posted in August 2009
- Level I MHPs to be posted in September 2009

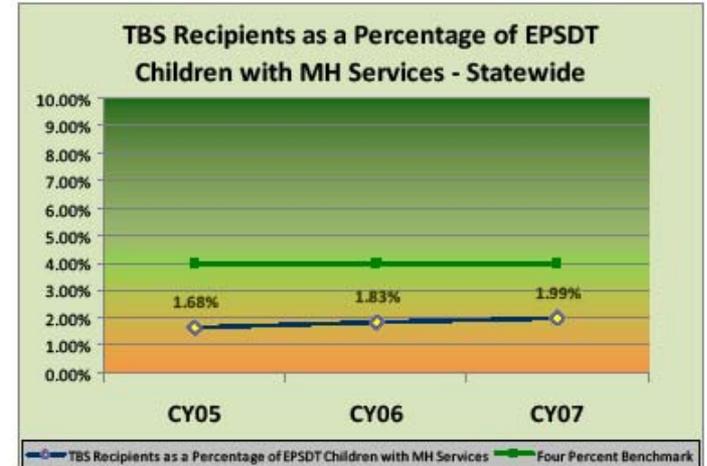


Figure 1.1

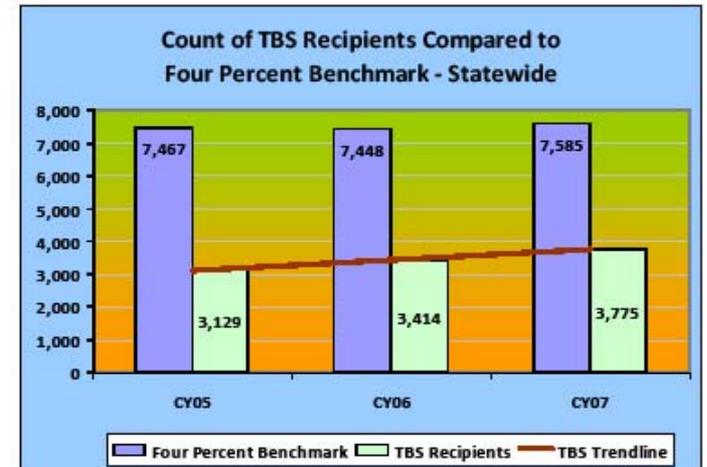


Figure 1.2

Q: What is the 4% Benchmark?

- "... the Court establishes a TBS utilization benchmark for the Level II and exempted MHPs of 4%
- "...calculated by the number of children in an MHP receiving TBS divided by the number of children in that MHP who are receiving EPSDT Mental Health services in a given year.
- "This TBS utilization benchmark will apply to the 27 large- and medium-sized MHPs, which represent all 22 Level II MHPs plus the 5 exempted MHPs;
- "...together, these 27 MHPs serve approximately 92% of the children who receive EPSDT Mental Health services in the State of California."



Q: I use services that are like TBS, can these be counted toward my 4%?

□ TBS-Equivalent Services Guidelines

□ MHPs submit services for consideration

□ Determined by Special Master

□ May be counted toward 4% benchmark



Therapeutic Behavioral Services (TBS) Equivalent/Alternative Certification Guidelines

Purpose: This is designed to assist county Mental Health Plans (MHP) in identifying their proposed services to be considered for certification as a "TBS-equivalent/alternative service" as outlined in the *Emily Q v. Bonta* Exit Plan (April 23, 2009). The Special Master is charged with the review, evaluation, and certification of these services and shall have sole discretion in determining whether these additional programs and services meet the TBS-like criteria. This process is an effort to reasonably account for all mental health services provided by the county MHP that are considered "TBS-like" services. These services will be used as a supplemental utilization rate that will assist counties in attaining the targeted 4% benchmark by June 30, 2012.

Class Eligibility: The TBS-like services must serve the *Emily Q* class. Class eligibility is defined as all current and future beneficiaries of full-scope Medi-Cal below the age of 21 in California who are placed in a Rate Classification Level (RCL) facility of 12 or above and/or a locked treatment facility for the treatment of mental health needs; are being considered for placement in these facilities; or have undergone at least one emergency psychiatric hospitalization related to their current presenting disability within the preceding 24 months.

Elements that must exist to be considered a TBS-Equivalent Service:

- Has a time limit focused on specific target goal attainment;
- Has individual treatment planning created with client, family, and treatment team (behavioral health staff, mental health representative, relatives, school personnel, parent partner, therapeutic aid, etc.);
- Establishes clearly defined measurable behaviors that are used to substantiate progress;
- Provides functional analysis of behaviors to understand needs the client is attempting to address in order to teach health replacement behaviors and decrease negative labeling;
- Focuses on one to two behaviors at a time; and
- Has an intensive intervention schedule, with an emphasis on addressing parent/caregiver education and involvement whenever possible.

If you have services that you believe are TBS-equivalent, that would assist your MHP in reaching the 4% benchmark, please contact the *Emily Q v. Bonta* Special Master Rick Saletta at rsalpham@sbcglobal.net.

For technical assistance or information regarding TBS or the *Emily Q v. Bonta* Court Orders, please visit http://www.dmh.ca.gov/Services_and_Programs/Children_and_Youth/EPSDT.asp.

Q: Who should I invite to my local TBS meetings?

- Sample county invitations/fliers on the [DMH TBS “Local Meeting Tools” web page](#).
- Appendix C of the Nine Point Plan lists invitees.
 - Stakeholder Meetings
 - Decision-Maker Meetings
- Please submit a list of attendees (including their organizations) when you submit Local TBS Meeting Report to DMH.

Q: How do I submit my Local TBS Meeting Report to DMH?

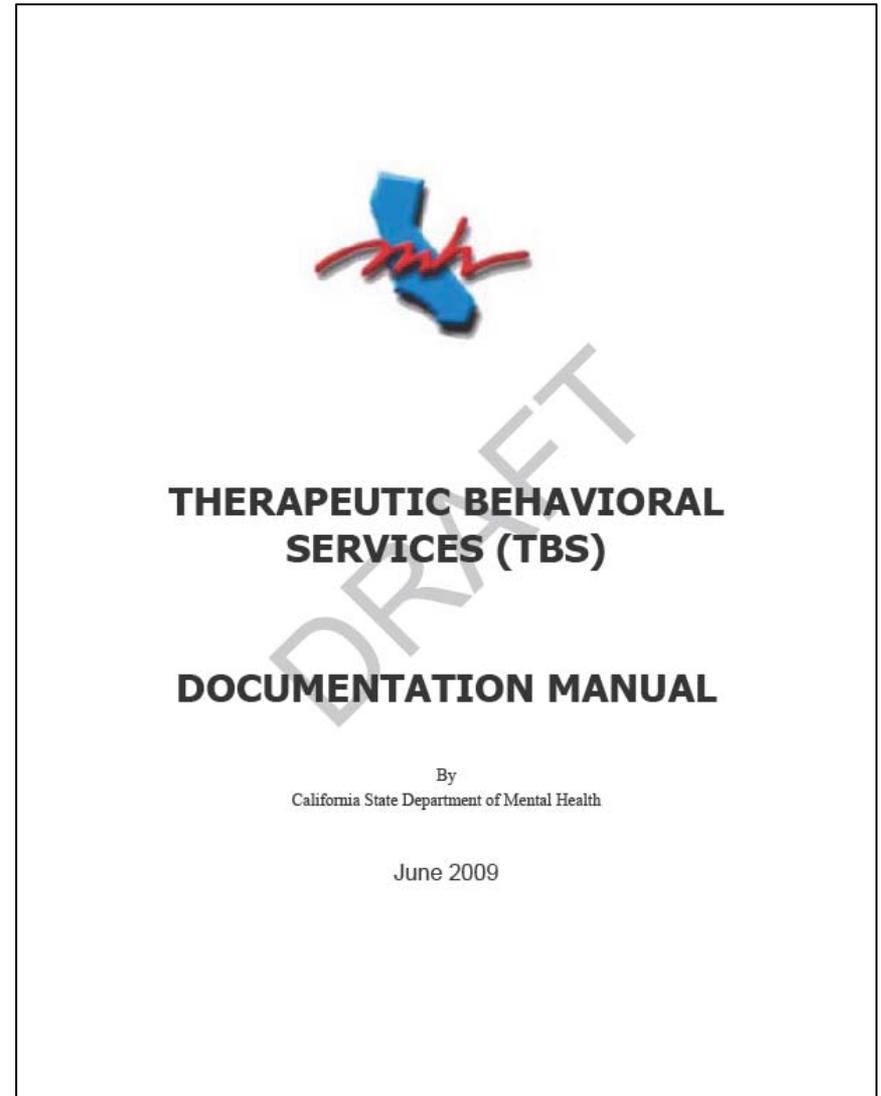
- After discussing the four questions at your meeting, record the major themes.
 1. Are the children and youth in the county who are *Emily Q* class members and who would benefit from TBS, getting TBS?
 2. Are the children and youth who get TBS experiencing the intended benefits?
 3. What alternatives to TBS are being provided in the county?
 4. What can be done to improve the use of TBS and/or alternative behavioral support services in the county?

Q: How do I submit my Local TBS Meeting Report to DMH? (cont'd)

- The form is available on the DMH TBS website, [Local Meeting Tools](#) page in PDF and Word format.
- Submit report to DMH after each local meeting by e-mailing to TBS@dmh.ca.gov.
- Don't forget to include the list of attendees, along with their organizations.

Q: Will the documentation manual be used by the State compliance team?

- ❑ Program Compliance involved in manual development.
- ❑ DMH held training for compliance review team.
- ❑ Posted on DMH TBS website, [Manuals page](#) June 30, 2009
- ❑ Public Review Period
- ❑ Version 2.0 will be posted August 2009



TBS Documentation Manual Contents

- Eligibility
- Documentation Standards
 - Assessment
 - Plans of Care/Client Plans
 - 30-day Unplanned TBS Contact
 - Progress Notes
- Appendices
 - TBS Flowchart and Checklist
 - Medical Necessity Criteria
 - Factors to Consider: Common Causes for Disallowances and Possible Solutions

Q: How can we receive training on the TBS Manual?

□ TBS Training Needs Survey

- Survey located on [DMH TBS Webpage](#)
- Allows TBS training to be developed so that it meets your needs

□ Send requests to TBS@dmh.ca.gov.

□ Local Training Events

- Kern/Tulare
- E-Newsletter
- Subscribe to DMH TBS website



How is the State improving coordination of care?

- Best Practices/Coordination of Care Manual

- Current DMH Efforts
 - Leaders from a variety of State & Local Agencies including CPOC, CASA, Education, and Child Welfare.
 - TBS Accountability, Communications, and Training (TACT) Task Group
 - Target September/October 2009

- Nine Point Plan, Point 5: Create TBS Coordination of Care Process
 - Local Partners: Child Welfare Services, Probation, Juvenile Court, etc.
 - Local TBS Meeting assistance from DMH contractors

Questions & Answers

- Please submit additional questions to TBS@dmh.ca.gov
- Or contact the conference call operator
- FAQs are available on the [DMH TBS Website](#)

Remember our Common Goals

- Increase access and utilization of TBS for *Emily Q* class



- Improve service delivery



- Successful Nine Point Plan implementation will eliminate any need of sanctions.
- DMH and MHPs can be relieved of Court jurisdiction in December 2010.

Thank You!

- For more information, please contact us at TBS@dmh.ca.gov
- To receive important TBS updates, please subscribe to the [DMH TBS listserv](#).

