

DATE: September 14, 2023

Behavioral Health Information Notice No: 23-048
Supersedes BHIN No: [22-060](#) effective January 1, 2024

TO: 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 Association of Social Rehabilitation Agencies
California Consortium of Addiction Programs and Professionals
California Council of Community Behavioral Health Agencies
California Hospital Association
California Opioid Maintenance Providers
California State Association of Counties
Coalition of Alcohol and Drug Associations
County Behavioral Health Directors
County Behavioral Health Directors Association of California
County Drug & Alcohol Administrators

SUBJECT: Annual Update – Mental Health Plan and Drug Medi-Cal Organized Delivery System Beneficiary Handbook Requirements and Templates

PURPOSE: This Behavioral Health Information Notice (BHIN) informs county Mental Health Plans (MHPs) and Drug Medi-Cal Organized Delivery System (DMC-ODS) counties of the updated requirements related to the beneficiary handbooks for the 2024 calendar year.

REFERENCE: [42 Code of Federal Regulations \(CFR\) § 438.10](#); [BHIN 22-064](#); [BHIN 22-068](#); [Welfare & Institutions Code § 14184.102\(d\)](#)

BACKGROUND:

MHPs and DMC-ODS counties (hereafter referred to as “Behavioral Health Plans” (BHPs)) are required to distribute beneficiary handbooks under the 2016 Medicaid and Children’s Health Insurance Program Managed Care Final Rule (Final Rule)¹, which aimed to align the Medicaid managed care regulations with requirements for other major sources of coverage. The 2016 Final Rule stipulates the requirements for the format, content, and distribution of beneficiary handbooks. The updated BHP’s beneficiary handbook templates for the calendar year 2024 are included as enclosures to this information notice.

¹ Title 42, CFR, Section 438.10



To the extent that there is a conflict between the BHP's contract or Intergovernmental Agreement terms and this BHIN, the policy contained within this BHIN supersedes the contract terms.

POLICY:

Beneficiary Handbook Templates

In accordance with 42 CFR § 438.10, BHPs must provide each beneficiary with a handbook at the time the beneficiary first accesses services.

Beneficiary Handbook Delivery Method

At a minimum, the beneficiary handbook will be considered to be provided to the beneficiary if the BHP delivers the handbook as required below:

1. Direct Delivery
 - a. A printed copy of the beneficiary handbook is mailed to the beneficiary's mailing address.
Or
 - b. A printed copy of the beneficiary handbook is directly offered during in-person interactions.
Or
 - c. The BHP provides the beneficiary handbook via an electronic format (e.g., email, or text message that includes a hyperlink to the handbook from the BHP's website) after obtaining the beneficiary's agreement to receive it electronically.

And

2. Website
 - a. The BHP shall:
 - Post the beneficiary handbook on the primary BHP's website homepage² in a manner that is readily accessible.³
 - Advise the beneficiary in paper or electronic format (e.g., email, or text message that includes a hyperlink to the handbook on the BHP's website), that the beneficiary handbook is available on the Internet and includes the applicable Internet address (e.g., this can be completed via the 30-day notification letter).

² Title 42 CFR part 438.10

³ Readily accessible means electronic information and services which comply with current accessibility standards including sections 504 and 508 of the Rehabilitation Act of 1973 and W3C's Web Content Accessibility Guidelines 2.0 AA and successor versions.

- Inform beneficiaries the handbook is available in paper form without charge upon request and provide the handbook upon request within 5 business days; and
- Provide beneficiaries with disabilities who cannot access this information online with auxiliary aids and services upon request at no cost.

BHPs must provide additional handbooks to beneficiaries upon request. If counties offer both Specialty Mental Health Services and Substance Use Disorder services under DMC-ODS, the plans shall deliver both handbooks as described above. For 2024, the BHP beneficiary handbook templates have been updated to align with DHCS policies released between December 2022 through August 2023.

Templates for the MHP and DMC-ODS beneficiary handbooks (Enclosures 1 and 2, respectively) are included as enclosures to this BHIN. These beneficiary handbook templates contain information that will assist the BHP in developing handbooks that clearly describe for the beneficiary how to effectively access services and list all federally required informing elements for beneficiary handbooks⁴. DHCS has incorporated the Language Taglines (e.g., Enclosure 3) and Non-Discrimination Notice (e.g., Enclosure 4) into the provided templates (e.g., Enclosures 1 and 2). BHPs will need to edit the templates and add their county-specific information accordingly.

Notice of Significant Change(s)

The BHP must also give each beneficiary notice of any significant change^{5,6} to the information contained in the beneficiary handbook(s) at least 30 days before the intended effective date of the change.⁷ Notices of significant change shall include an issuance date of the notice, the effective date of the updated handbook, the following types of new services such as, but not limited to:

1. Mobile Crisis, and
2. Patient Access and Provider Directory APIs.

In addition, the Language Taglines (Enclosure 3) and Non-Discrimination Notice (Enclosure 4) shall be included in the Notice of Significant Change.

⁴ Title 42, CFR, Part 438.10 (g)

⁵ A change is considered significant when there is an increase or decrease in the amount or types of services that are available, or if there is an increase or decrease in the number of network providers, or if there is any other change that would impact the benefits available through the Plan.

⁶ Subsection (f) of section 1810.360 of Title 9 of the California Code of Regulations is superseded.

⁷ Title 42, CFR, Part 438.10(g)(4)

Notice of Significant Change Delivery Method

At a minimum, the types of delivery options for the notice of significance change are required below:

1. Direct Delivery

- a. Mail a printed notice to the beneficiary's mailing address.

Or

- b. Provides the notice in an electronic format (e.g., email, or text message that includes a hyperlink to the notice) after obtaining the beneficiary's agreement to receive it electronically.

Or

2. Website

- c. If the BHP chooses to post the 30-day notice on its website(s), the BHP shall:
- Provide beneficiaries the notice in paper via mail or electronic format (e.g., email, or text message that includes a hyperlink to the notice on the BHP's website)⁸ information on how to access the 30-day notice on the BHP's website homepage.
 - Ensure that the online notice is readily accessible on the BHP's website homepage.
 - Provide beneficiaries with disabilities who cannot access this information online with provided auxiliary aids and services upon request at no cost.

COMPLIANCE:

Effective January 1, 2024, BHPs shall implement the beneficiary handbook policies established above, ensure compliance with this policy, and provide updated handbooks to beneficiaries. Before implementation, BHPs may reach out to their County/Provider Operations and Monitoring Branch (CPOMB) County Liaison for technical assistance to ensure compliance with the policies established above.

BHPs shall distribute the Notice of Significant Change to beneficiaries on or before December 1, 2023. BHPs are also required to comply with compliance monitoring reviews conducted by DHCS. BHPs must provide a copy of the final 30-day Notice and Beneficiary Handbook(s) to the DHCS CPOMB via the MOVEit secure file transfer protocol by January 19, 2024. DHCS may impose a corrective action plan, as well as administrative and/or monetary sanctions for non-compliance.⁹ For additional

⁸ After obtaining the beneficiary's agreement to receive it electronically.

⁹ [California Welfare and Institutions Code \(WIC\) § 14197.7](#)

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information regarding administrative and monetary sanctions, see BHIN [22-045](#), and any subsequent iterations on this topic.

Please contact countysupport@dhcs.ca.gov for questions regarding this BHIN or its enclosures.

Sincerely,

Original signed by

Michele Wong, Chief
Medi-Cal Behavioral Health–Oversight and Monitoring Division

Enclosures (4):

Enclosure 1 – MHP Beneficiary Handbook Template

Enclosure 2 – DMC-ODS Beneficiary Handbook Template

Enclosure 3 – Language Taglines

Enclosure 4 – Non-Discrimination Notice