

DATE: July X, 2023

Behavioral Health Information Notice No: 23-0XX
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 CFR § 438.10](#); [BHIN 22-064](#); [BHIN 22-068](#); [BHIN 23-001](#); [Welf. & Inst. 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 BHPs 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 BHPs 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. The beneficiary handbook will be considered to be provided to the beneficiary if the BHP delivers the handbook as described below:

1. Direct Delivery

- a. A printed copy of the beneficiary handbook is mailed to the beneficiary's mailing address;
Or
- b. The BHP provides the beneficiary handbook by email after obtaining the beneficiary's agreement to receive it by email;

And

2. Website

- a. The BHP shall:
 - Post the beneficiary handbook on the BHP's website² in a manner that is readily accessible;³
 - Advise the beneficiary, in paper or electronic form, that the beneficiary handbook is available on the Internet and includes the applicable Internet address;
 - Inform beneficiaries the handbook is available in paper form without charge upon request and provides the handbook upon request within 5 business days; and
 - Provide beneficiaries with disabilities who cannot access this information online auxiliary aids and services upon request at no cost.

If counties offer both Specialty Mental Health Services and SUD services under DMC-ODS, the plans shall deliver both handbooks as described above. For 2024, the BHPs beneficiary handbook templates have been updated to align with Department of Health Care Services (DHCS) policies released between December 2022 through July 2023.

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.

These initiatives include the Medi-Cal Mobile Crisis Services Benefit (BHIN 22-064), Interoperability/ Patient Access Application Programming Interface (API) and Provider Directory API (BHIN 22-068), and Updated DMC-ODS Requirements for the Period of 2022 – 2026 (BHIN 23-001). BHPs must provide additional handbooks to beneficiaries upon request.

Templates for the MHP and DMC-ODS beneficiary handbooks (Enclosure 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 and Non-Discrimination Notice into the provided templates. 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, the effective date of the updated handbook, the types of new services such as, but not limited to Mobile Crisis, Patient Access and Provider Directory APIs, and include the Language Taglines (Enclosure 3) and Non-Discrimination Notice (Enclosure 4). The types of delivery options for the notice of significance change are described below:

1. Direct Delivery
 - a. Mails a printed notice to the beneficiary's mailing address;
 - Or*
 - b. Provides the notice by email after obtaining the beneficiary's agreement to receive it by email;

Or

2. Website
 - a. If the BHP chooses to post the 30-day notice on its website(s), the BHP shall:
 - Ensure that the online notice is readily accessible.

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)

- Advise beneficiaries in paper via mail or electronic form (after obtaining the beneficiary's agreement to receive it by email) that the information of any significant change(s) is available on the internet and include the applicable internet address.
- Provide beneficiaries with disabilities who cannot access this information online with provided auxiliary aids and services upon request at no cost.
- Provide the information by any other method that can reasonably be expected to result in the beneficiary receiving that information.

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. BHPs shall distribute notices of significant changes to beneficiaries on or before December 1, 2023. BHPs are also required to comply with compliance monitoring reviews conducted by DHCS. DHCS may impose a corrective action plan, as well as administrative and/or monetary sanctions for non-compliance.⁸ For additional 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,

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

⁸ [California Welfare and Institutions Code \(WIC\) § 14197.7](#)