



State of California—Health and Human Services Agency
Department of Health Care Services



EDMUND G. BROWN JR.
GOVERNOR

October 23, 2018

MHSUDS INFORMATION NOTICE NO.: 18-049

[Superseded by BHIN 20-022](#)

TO: COUNTY BEHAVIORAL HEALTH DIRECTORS
COUNTY DRUG & ALCOHOL ADMINISTRATORS
COUNTY BEHAVIORAL HEALTH DIRECTORS ASSOCIATION OF CALIFORNIA
CALIFORNIA COUNCIL OF COMMUNITY BEHAVIORAL HEALTH AGENCIES
COALITION OF ALCOHOL AND DRUG ASSOCIATIONS
CALIFORNIA ASSOCIATION OF ALCOHOL & DRUG PROGRAM EXECUTIVES, INC.
CALIFORNIA ALLIANCE OF CHILD AND FAMILY SERVICES
CALIFORNIA OPIOID MAINTENANCE PROVIDERS
CALIFORNIA STATE ASSOCIATION OF COUNTIES
COUNTY WELFARE DIRECTORS
LOCAL MENTAL HEALTH BOARDS
LOCAL MENTAL HEALTH ADMINISTRATORS
GROUP HOME PROVIDERS

SUBJECT: DELEGATION OF MENTAL HEALTH PROGRAM APPROVAL TASK OF SHORT-TERM RESIDENTIAL THERAPEUTIC PROGRAMS

REFERENCES: [MHSUDS Information Notice No. 17-016](#)

EXPIRES: Retain until rescinded

The purpose of this Information Notice (IN) is to provide County Mental Health Plans (MHPs) with information regarding the delegation of the mental health program approval task requirements for all Short-Term Residential Therapeutic Programs (STRTPs) within the county's borders.

Welfare and Institutions Code (W&I) Section 4096.5 subdivision (g) grants DHCS authority to delegate to county MHPs approval, oversight, enforcement, due process and other responsibilities over the mental health programs at the STRTPs within its borders.

A delegate MHP will process and make approval determinations for all applications for STRTP mental health programs within its borders, whether or not the delegate has a contract with the STRTP to serve the delegate's Medi-Cal beneficiaries. MHP delegates cannot process or approve a mental health program application from a STRTP located outside of its borders. The delegate MHP decision must be based upon the mental health program's compliance or noncompliance with the applicable statutes, regulations, and policy guidance.

Delegation of Approval Task

This IN briefly describes the procedures for a county to request that the Department delegate to the MHP the mental health program approval task of STRTPs within the county's borders. For detailed information regarding delegation of mental health program approval task requirements, please refer to STRTP Interim Regulations, Section 25, attached as Enclosure 1.

At any time, a county may request that the Department delegate the mental health program approval task of STRTPs within the county's borders to the MHP.¹

A county may request that the Department delegate the mental health program approval task to its MHP by completing and sending the "Delegation of Approval Task" form (Enclosure 2), to the Department by certified mail or by email to STRTP@dhcs.ca.gov.

If the Department approves the county's request for the delegation of the mental health program approval task, the Department will issue a written Notice of Approval delegating the county MHP the authority for approval, oversight, enforcement, due process and other responsibilities over the mental health programs at the STRTPs within its borders as spelled out in the Interim STRTP Regulations, including Section 25, Delegation of Approval Task.

For counties requesting delegation authority the department will work with the counties and will provide technical assistance and training, which includes, but is not limited to conducting joint onsite reviews with the counties and providing template letters and forms that can be used to carry out the delegation of approval tasks.

While a county may request that the Department delegate the mental health program approval task at any time, each MHP should complete and submit the enclosed

¹ For counties acting jointly pursuant to W&I Section 14712, the request for the mental health program approval task shall be for the STRTPs within the borders of the MHP counties acting jointly. At present, the only counties approved to act jointly under a single MHP are Sutter/Yuba and Placer/Sierra.

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“Delegation of Approval Task” form (Enclosure 2) to DHCS within ten (10) business days of receipt of this letter indicating whether your county, at this time, seeks and accepts delegation of the mental health program approval responsibilities as described in W&I Section 4096.5 and 11462.01 and the Interim STRTP Regulations, including Section 25, Delegation of Approval Task. If the STRTP is county owned or operated, DHCS will retain exclusive authority for the mental health program approval.

Please submit your completed form and any supportive documentation to the Department by email to STRTP@dhcs.ca.gov or by certified mail to:

Licensing & Certification Branch
Mental Health Services Division
Department of Health Care Services, MS 2800
P.O. Box 997413
Sacramento, CA 95899-7413

This IN supersedes all prior communications between the Department and MHPs concerning delegation of the STRTP mental health program approval task. If you have any questions regarding this IN, please contact the Mental Health Services Division, Licensing and Certification STRTP Unit at (916) 323-1864 or by email at STRTP@dhcs.ca.gov.

Sincerely,

Original signed by

Brenda Grealish, Acting Deputy Director
Mental Health & Substance Use Disorder Services

Enclosures