

DEPARTMENT OF MENTAL HEALTH

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July 3, 1998

DMH INFORMATION NOTICE NO.: 98-09

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

SUBJECT: MINOR CONSENT FOR SENSITIVE SERVICES

This letter is to inform mental health plans (MHPS) that effective July 1, 1998, claims for specialty mental health services to beneficiaries whose eligibility is based on minor consent for sensitive service should not be submitted through the Short-Doyle/Medi-Cal (SD/MC) claims processing system. If the state budget for this program is approved, state funding in the amount of \$7,720,000 will be distributed to MHPs in lump sum payments for assuming the responsibility for these services. It is the intent of the Department of Mental Health (DMH) to distribute the same total amount in future years.

Background

California Family Code provides that a minor may, without parental consent, receive a number of sensitive services including outpatient mental health treatment and counseling for children 12 years and older. The minor must be mature enough to participate in the treatment of either: 1) being in danger of causing harm to self or others; or 2) being an alleged victim of incest or child abuse. State law provides that persons under 21 years may apply for minor consent services through Medi-Cal without their parents' consent or knowledge. The parents' income and property are not considered in the eligibility determination for these minor consent services. Minor consent services are not eligible for federal funding since the income and resources of the minor's parent/guardian are not considered in establishing eligibility.

Change

Effective July 1, 1998 specialty mental health services provided MHPs will no longer be eligible for reimbursement through the SD/MC claiming system. MHPs will continue to be responsible for the provision of these services as specified in Title 9 California Code of Regulations, Chapter 11, Subchapter 1, Sections 18 10.330 and 18 10.345. The state will transfer a fixed amount of funding to the MHPs based on the historic federal sharing ratio to compensate for providing those services rather than make payment of the state share through the claims processing system. While these funds are intended to cover provision of minor consent outpatient mental health treatment and counseling, counties have complete discretion on where and when to use these funds for mental health purposes, similar to other managed care funding from the state.

Questions

For questions regarding minor consent policy, please contact Wendy Walker-Davis at (916) 653-7647. For questions regarding the allocation methodology, please contact Eddie Gabriel at (9 16) 654-3263. Any other questions should be referred to your Technical Assistance and Training staff as listed below:

Jack Tannenbaum (Superior)
(9 16) 224-4724

Anne Tracy (Southern)
(916) 654-2643

Dee Lemonds (Central)
(916) 654-3001

Ruth Walz (Bay)
(707) 252-3 168

Sincerely,


GARY M. PETTIGREW
Deputy Director
Systems of Care

cc: California Mental Health Planning Council
Chief, Technical Assistance and Training