Department of Health and Human Service Office of Adult Mental Health Services

First Quarter State Fiscal Year 2012 (July, August, September 2012) Report on Compliance Plan Standards: Community November 1, 2012

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	Compliance Standard	Report/Update
I.1	Implementation of all the system development steps in October 2006 Plan	As of March 2010, all 119 original components of the system development portion of the Consent Decree Plan of October 2006 have been accomplished or deleted per amendment.
I.2	Certify that a system is in place for identifying unmet needs	See attached Cover: Unmet Needs November 2012 and Unmet Needs by CSN for FY'12 Q4 (April, May, June 2012)
I.3	Certify that a system is in place for Community Service Networks (CSNs) and related mechanisms to improve continuity of care	The Department's certification of August 19, 2009 was approved on October 7, 2009.
I.4	Certify that a system is in place for Consumer councils	The Department's certification of December 2, 2009 was approved on December 22, 2009.
1.5	Certify that a system is in place for new vocational services	The Department certification of September 17, 2011 was approved November 21, 2011.
I.6	Certify that a system is in place for realignment of housing and support services	All components of the Consent Decree Plan of October 2006 related to the Realignment of Housing and Support Services were completed as of July 2009. Certification was submitted March 10, 2010. The Certification Request was withdrawn May 14, 2010.
I.7	Certify that a system is in place for a Quality Management system that includes specific components as listed on pages 5 and 6 of the plan	Department of Health and Human Services Office of Adult Mental Health Services Quality Management Plan/Community Based Services (April 2008) has been implemented; a copy of plan was submitted with the May 1, 2008 Quarterly Report.
П.1	Provide documentation that unmet needs data and information (data source list page 4 of compliance plan) is used in planning for resource development and preparing budget requests	Unmet needs reports are posted on the OAMHS website on a quarterly basis in order to inform discussions and recommendations to the Department for meeting unmet needs. Budget submissions to the Governor and the Legislature are in part built on data regarding unmet needs. This is reflected in the financial documents submitted to DAFS.
II.2	Demonstrate reliability of unmet needs data based on evaluation	See Cover: Unmet Needs November 2012 and the Performance and Quality Improvement Standards: FY12 Quarter 4 April, May, and June 2012 for quality improvement efforts taken to improve the reliability of the 'other' and CI unmet resource data.

II.3	Submission of budget proposals for adult mental health services given to Governor, with pertinent supporting documentation showing requests for funding to address unmet needs (Amended language 9/29/09)	The Director of SAMHS provides the Court Master with an updated projection of needs and associated costs as part of his ongoing updates regarding Consent Decree Obligations.
II.4	Submission of the written presentation given to the legislative committees with jurisdiction over DHHS which must include the budget requests that were made by the Department to satisfy its obligations under the Consent Decree Plan and that were not included in the Governor's proposed budget, an explanation of support and importance of the requests and expression of support (Amended language 9/29/09)	See above.
11.5	Annual report of MaineCare Expenditures and grant funds expended broken down by service area	MaineCare and Grant Expenditure Report for FY11 has been completed and submitted as part of the May 2012 report.
III.1	Demonstrate utilizing QM System	See attached Cover: Unmet Needs November 2012 and the Performance and Quality Improvement Standards: November 2012 for examples of the Department Utilizing the QM system.
III.1a	Document through quarterly or annual reports the data collected and activities to assure reliability (including ability of EIS to produce accurate data)	This quarterly report documents significant data collection and review activities of the OAMHS quality management system.
III.1b	Document how QM data used to develop policy and system improvements	See compliance standards II.3 and II.4 above for examples of how quality management data was used to support budget requests for systems improvement.
IV.1	100% of agencies, based on contract and licensing reviews, have protocol/procedures in place for client notification of rights	Based on contract reviews done in the 3 rd quarter of FY'11, 100 % of the agencies reviewed in OAMHS Field Service Offices (Bangor, Augusta, and Portland) have protocols/procedures in place for client notification of rights, with documentation in provider files maintained within the regional offices. Licensing surveys: All agencies had protocols for documentation in client files regarding notification of rights. During this quarter, a complaint came into Licensing regarding a specific agency. A review was done, and a plan of correction has been requested. The agency now has a conditional license and is being carefully monitored.
IV.2	If results from the DIG Survey fall below levels established for Performance and Quality Improvement Standard 4.2, 90% of consumers report they were given information about their rights, the	The percentage for standard 4.2 from the 2011 DIG Survey was 89.4% (up from 88.6% in 2010), slightly below the standard of 90%. This data was shared with the CCSM after the last quarterly report in November.

	Department: (i) consults with the Consumer Council System of Maine (CCSM); (ii) takes corrective action a determined necessary by CCSM; and (iii) develops that corrective action in consultation with CCSM. (Amended language 1/19/11)	The 2012 DIG Survey is currently being analyzed and will be included in the FY13 3 rd Quarter Consent Decree Report.
IV.3	Grievance Tracking data shows response to 90% of Level II grievances within 5 days or extension	Standard met Calendar Years 2006, 2007, 2008 and 2009; the 1 st and 3 rd quarters of calendar year (CY) 2010 (data not available for the 2 nd quarter); and the 2 nd , 3 rd and 4 th quarters of CY'11 (no Level II grievances reported in the 1 st quarter of CY 2011)
		The FY13 1 st quarter Consent Decree Report does not include Grievance Tracking data. It will be included in the next quarterly report.
IV.4	Grievance Tracking data shows that for 90% of Level III grievances written reply within 5 days or within 5 days extension if hearing is to be held or if parties concur.	Reporting began in the 1 st quarter of calendar year 2008. Standard met, when there was a level III grievance, at 100% through the 3 rd quarter of calendar year (CY) 2011 (data not available for the 2 nd quarter CY10). Standard not met in the 4 th quarter CY11 (1 level 3 grievance)
		The FY13 1 st quarter Consent Decree Report does not include Grievance Tracking data. It will be included in the next quarterly report.
IV.5	90% hospitalized class members assigned worker within 2 days of request - <u>must be</u> <u>met for 3 out of 4</u> quarters	See attached Performance and Quality Improvement Standards: November 2012, Standard 5-2.
IV.6	90% non-hospitalized class members assigned worker within 3 days of request - must be met for 3 out of 4 quarters	See attached Performance and Quality Improvement Standards: November 2012, Standard 5-3.
IV.7	95% of class members in hospital or community not assigned within 2 or 3 days, assigned within an additional 7 days - <u>must</u> be met for 3 out of 4 quarters	See attached Performance and Quality Improvement Standards: November 2012, Standard 5-4.
IV.8	90% of class members enrolled in CSS with initial ISP completed within 30 days of enrollment - <u>must be met for 3 out of 4 quarters</u>	The standard met since the 3 rd quarters of FY'08 See attached <i>Performance and Quality Improvement</i> Standards: November 2012, Standard 5-5
IV.9	90% of class members had their 90 day ISP review(s) completed within that time period - must be met for 3 out of 4 quarters	See attached Performance and Quality Improvement Standards: November 2012, Standard 5-6.
IV.10	QM system includes documentation that there is follow-up to require corrective actions when ISPs are more than 30 days overdue	Monitoring of overdue ISPs continues on a quarterly basis. As the data has been consistent over time and the feedback and interaction with providers had lessened greatly, reports are now created quarterly and available to providers upon request. Providers were notified of this change on May 18, 2011.

		Providers are notified when reports are run. Some do request copies. Feedback has been minimal.
IV.11	Data collected once a year shows that no > 5% of class members enrolled in CS did not have their ISP reviewed before the next annual review	Once-a-year report (completed January 2012) showed that 4.9% of class members enrolled in CS did not have their ISP reviewed before the next annual review. Those not completed appear to be data errors between APS Healthcare and EIS and provider error in discharging clients and updating ISP dates.
IV.12	Certify in quarterly reports that DHHS is meeting its obligation re: quarterly mailings	On May 14, 2010, the court approved a Stipulated Order that requires mailings to be done only semi-annually in 2010, moving to annually in 2011 and thereafter, as long as the number of unverified addresses remains at or below 15%. The most recent mailing was sent in early December 2011. Percentage of unverified addresses remains below 15%.
IV.13	In 90% of ISPs reviewed, all domains were assessed in treatment planning - <u>must be met for 3 out of 4 quarters</u>	Standard met since the beginning of FY'10 with the exception of 3rd quarter of FY12. See Section 9 Class Member Treatment Planning Review, Question 2A
IV.14	In 90% of ISPs reviewed, treatment goals reflect strengths of the consumer - <u>must be</u> <u>met for 3 out of 4 quarters</u>	Standard has been met continuously since the first quarter of FY'08. See attached <i>Performance and Quality Improvement Standards: November 2012</i> , Standard 7-1a and <i>Class Member Treatment Planning Review</i> , Question 2B
IV.15	90% of ISPs reviewed have a crisis plan or documentation as to why one wasn't developed - <i>must be met for 3 out of 4 quarters</i>	Standard met since the beginning of FY'09 See attached <i>Performance and Quality Improvement Standards: November 2012</i> , Standard 7-1c (does the consumer have a crisis plan) and <i>Class Member Treatment Planning Review</i> , Question 2F
IV.16	QM system documents that OAMHS requires corrective action by the provider agency when document review reveals not all domains assessed	See Section 9 Class Member Treatment Planning Review, Question 6.a.1 that addresses plans of correction.
IV.17	In 90% of ISPs reviewed, interim plans developed when resource needs not available within expected response times - must be met for 3 out of 4 quarters	Standard met the 1 st and 2 nd quarters of FY'12, not met 3 rd Quarter FY12, and met 4 th Quarter FY12. Met 1 st quarter FY13 See attached <i>Performance and Quality Improvement Standards: November 2012</i> , Standard 8-2 and <i>Class Member Treatment Plan Review</i> , Question 3F.

IV.18	90% of ISPs review included service agreement/treatment plan - <u>must be met for</u> 3 out of 4 quarters	See attached Performance and Quality Improvement Standards: November 2012, Standard 9-1 and Class Member Treatment Plan Review, Questions 4B & C.
IV.19	90% of ACT/ICI/CI providers statewide meet prescribed case load ratios - <i>must be met for 3 out of 4 quarters</i> Note: As of 7/1/08, ICI is no longer a service provided by DHHS.	Community Integration standard met since the 2 nd quarter FY'08. ACT – standard met for the 2 nd , 3 rd and 4 th quarters FY'10; the 1 st , 2 nd and 4 th quarters FY'11; all 4 quarters of FY'12, and Quarter 1 of FY13. See attached <i>Performance and Quality Improvement Standards: November 2012</i> , Standard 10.1 and 10-2
IV.19	90% of ICMs with class member caseloads meet prescribed case load ratios - <u>must be</u> <u>met for 3 out of 4 quarters</u>	ICMs' work is focused on community forensic and outreach services. Individual ICMs no longer carry caseloads. Should this change in the future, OAMHS will resume reporting on caseload ratios.
IV.20	90% of OES workers with class member public wards - meet prescribed caseloads must be met for 3 out of 4 quarters	See attached Performance and Quality Improvement Standards: November 2012, Standard 10-5.
IV.21	Independent review of the ISP process finds that ISPs met a reasonable level of compliance as defined in Attachment B of the Compliance Plan	
IV.22	5% or fewer class members have ISP-identified unmet residential support - <u>must</u> <u>be met for 3 out of 4 quarters</u> and	Standard met for the 4 th quarter FY'08; the 1 st , 3 rd and 4 th quarters of FY'09; all quarters of FY'10 and FY'11; and all 4 quarters of FY'12. See attached <i>Performance and Quality Improvement Standards: November 2012</i> , Standard 12-1
IV.23	EITHER quarterly unmet residential support needs for one year for qualified (qualified for state financial support) nonclass members do not exceed by 15 percentage points those of class members OR if exceeded for one or more quarters, OAMHS produces documentation sufficient to explain cause and to show that cause is not related to class status and	Unmet residential supports do not exceed 15 percentage points of Class Members. Data is normally reported in July. This report was produced in October this year but, in order to ensure data continuity, it uses only data that would have been reported in July. Reporting for this standard will be done again in July 2013. See attached report Consent Decree Compliance Standards IV.23 and IV.43
IV.24	Meet RPC discharge standards (below); or if not met document reasons and demonstrate that failure not due to lack of residential support services • 70% RPC clients who remained ready for discharge were transitioned out within 7 days of determination	Standard met since the beginning of FY'08 See attached <i>Performance and Quality Improvement Standards: November 2012</i> , Standards 12-2, 12-3 and 12-4

IV.25	80% within 30 days 90% within 45 days (with certain exceptions by agreement of parties and court master) 10% or fewer class members have ISP-identified upper peads for housing.	Standard met for quarters 3 and 4 FY'09 and 1 st , 2 nd and 3 rd quarters of FY'10. Percentage for the 4 th quarter
	identified unmet needs for housing resources - <u>must be met for 3 out of 4</u> <u>quarters</u> and	FY'10 was 10.8%, just above the standard. Standard met for all quarters FY'11 and all 4 quarters of FY'12. See attached <i>Performance and Quality Improvement Standards: November 2012</i> , Standard 14-1
IV.26	Meet RPC discharge standards (below); if not met, document that failure to meet is not due to lack of housing resources. • 70% RPC clients who remained ready for discharge were transitioned out within 7 days of determination • 80% within 30 days • 90% within 45 days (with certain exceptions by agreement of parties and court master)	Standard 14-4 met since the beginning of FY'09, except for Q3 FY'10. Standard 14-5 met for the 2 nd , 3 rd and 4 th quarters FY'09; the 2 nd and 4 th quarters of FY'10; all quarters of FY'11; and all 4 quarters of FY'12; and 1 st quarter of FY13. Standard 14-6 met for the 2 nd and 4 th quarters FY'09; the 2 nd and 4 th quarters FY'10; all of FY'11; and 4 quarters of FY'12, and 1 st quarter of FY13 See attached <i>Performance and Quality Improvement Standards: November 2012</i> , Standard 14-4, 14-5 & 14-6
IV.27	Certify that class members residing in homes > 8 beds have given informed consent in accordance with approved protocol	Standard met 2007, 2008, 2009 and 2010 (annual review). OAMHS submitted an amendment request to the court master to modify this requirement on November 23, 2011. The court master approved OAMHS' request to hold the 2011 annual review in abeyance pending a decision on the amendment request. Results reported in <i>Performance and Quality Improvement Standards: July 2010 Report</i> , Standard 15-1
IV.28	90% of class member admissions to community involuntary inpatient units are within the CSN or county listed in attachment C to the Compliance Plan	In FY'10: 1 st quarter 88.2% (15 of 17); 2 nd quarter 81.8% (9 of 11); 3 rd quarter 82.4% (14 of 17); and 4 th quarter 90.9% (20 of 22). In FY'11: 88% (22 of 25) in the 1 st quarter; 75% (9 of 12) in the 2 nd quarter; 78.9% (15 of 19) in the 3 rd quarter and 80% (12 of 15) in the 4 th quarter. In FY12: 76.2% (16 of 21) in the 1 st quarter 63.6% (14 of 22) in the 2 nd quarter 77.8% (7 of 9) in the 3 rd quarter 73.9% (14 of 19) in the 4 th quarter

		See attached Performance and Quality Improvement Standards: November 2012, Standard 16-1 and Community Hospital Utilization Review – Class Members 4 th Quarter of Fiscal Year 2012.
IV.29	Contracts with hospitals require compliance with all legal requirements for involuntary clients and with obligations to obtain ISPs and involve CSWs in treatment and discharge planning	See IV.30 below
IV.30	Evaluates compliance with all legal requirements for involuntary clients and with obligations to obtain ISPs and involve CSWs in treatment and discharge planning during contract reviews and imposes sanctions for non-compliance through contract reviews and licensing	All involuntary hospital contracts are in place.
IV.31	UR Nurses review all involuntary admissions funded by DHHS, take corrective action when they identify deficiencies and send notices of any violations to the licensing division and to the hospital	OAMHS reviews emergency involuntary admissions at the following hospitals: MaineGeneral Medical Center, Spring Harbor, St. Mary's, Mid-Coast Hospital, Southern Maine Medical Center, PenBay Medical Center, Maine Medical Center/P6 and Acadia. See Standard IV.33 below regarding corrective actions.
IV.32	Licensing reviews of hospitals include an evaluation of compliance with patient rights and require a plan of correction to address any deficiencies.	12 Complaints Received 8 Complaints investigated 1 substantiated 1 Plan of correction sought 0 Rights of Recipients Violations
IV.33	 90% of the time corrective action was taken when blue papers were not completed in accordance with terms 90% of the time corrective action was taken when 24 hour certifications were not completed in accordance with terms 90% of the time corrective action was taken when patient rights were not maintained 	Standards met for FY'08, FY'09, FY'10 and FY'11; Standards met for all 4 quarters of FY'12. See attached <i>Performance and Quality Improvement Standards: November 2012</i> , Standards 17-2a, 17-3a and 17-4a and <i>Community Hospital Utilization Review – Class Members 3rd Quarter of Fiscal Year 2012</i> .
IV.34	QM system documents that if hospitals have fallen below the performance standard for any of the following, OAMHS made the information public through CSNs, addressed in contract reviews with hospitals and CSS providers, and took appropriate corrective action to enforce responsibilities obtaining ISPs (90%) creating treatment and discharge plan consistent with ISPs (90%) involving CIWs in treatment and	The report displaying data by hospital for community hospitals accepting emergency involuntary clients is shared quarterly by posting reports on the CSN section of the Office's website. Standard 18.2 Met FY12 3 rd and 4 th quarter. Standard 18.3 Met FY12 3 rd and 4 th quarter. See attached report <i>Community Hospital Utilization Review Performance Standard 18-1, 2, 3 by Hospital: Class Members Fourth Quarter of Fiscal Year 2012.</i>

	discharge planning (90%)	
IV.35	No more than 20-25% of face-to-face crisis contacts result in hospitalization – <u>must be</u>	In FY'10, standard met for the 1^{st} quarter: slightly above for the 2^{nd} (25.7%), 3^{rd} (25.7%) and 4^{th} (26.1%) quarters.
	met for 3 out of 4 quarters	In FY'11, standard met for the 1 st quarter, with the 2 nd (25.6%), 3 rd (26.2%) and 4 th (26.4%) quarters' results being slightly above the standard.
		In FY'12, standard met for the all 4 quarters.
		See attached Performance and Quality Improvement Standards: November 2012, Standard 19-1 and Adult Mental Health Quarterly Crisis Report Fourth Quarter, State Fiscal Year 2012 Summary Report.
IV.36	90% of crisis phone calls requiring face-to-face assessments are responded to within an average of 30 minutes from the end of the phone call – <i>must be met for 3 out of 4 quarters</i>	Starting with July 2008 reporting from providers, OAMHS collects data on the total number of minutes for the response time (calculated from the determination of need for face to face contact or when the individual is ready and able to be seen to when the individual is actually seen) and figures an average.
		Average statewide calls requiring face to face assessments are responded to within an average of 30 minutes from the end of the phone call was Met for all 4 Quarters in FY12.
		See attached Adult Mental Health Quarterly Crisis Report Fourth Quarter, State Fiscal Year 2012 Summary Report.
IV.37		Standard has been met since the 2 nd quarter of FY'08.
	resolution for the consumer within 8 hours of initiation of the face-to-face assessment – must be met for 3 out of 4 quarters	See attached Adult Mental Health Quarterly Crisis Report Fourth Quarter, State Fiscal Year 2012 Summary Report.
IV.38	90% of all face-to-face contacts in which the client has a CI worker, the worker is notified of the crisis – <i>must be met for 3 out of 4 quarters</i>	Standard has been met since the 1 st quarter of FY'08. See attached <i>Performance and Quality Improvement Standards: November 2012</i> , Standard 19-4 and <i>Adult Mental Health Quarterly Crisis Report Fourth Quarter, State Fiscal Year 2012 Summary Report.</i>
IV.39	Compliance Standard deleted 1/19/2011.	
IV.40	Department has implemented the components of the CD plan related to vocational services	As of quarter 3 FY'10, the Department has implemented all components of the CD Plan related to Vocational Services.

IV.41	QM system shows that the Department conducts further review and takes appropriate corrective action if PS 26.3 data shows that the number of consumers under age 62 and employed in supportive or competitive employment falls below 10%. (Amended language 1/19/11)	2011 Adult Health and Well-Being Survey: 13.8% of consumers in supported and competitive employment (full or part time). The Director of the Office of Quality Improvement and staff from Office of Adult Mental Health quality management presented results from the 2011 Health and Wellness Survey to the Consumer Counsel of Maine August 17, 2012. The Department has requested feedback on recommendations from the Consumer Counsel on how they would like to see the data utilized.
IV.42	5% or fewer class members have unmet needs for mental health treatment services – must be met for 3 out of 4 quarters and	See attached <i>Performance and Quality Improvement</i> Standards: November 2012, Standard 21-1
IV.43	EITHER quarterly unmet mental health treatment needs for one year for qualified non-class members do not exceed by 15 percentage points those of class members OR if exceeded for one or more quarters, OAMHS produces documentation sufficient to explain cause and to show that cause is not related to class status	Unmet mental health treatment needs do not exceed 15 percentage points of Class Members. Data is normally reported in July. This report was produced in October this year but, in order to ensure data continuity, it uses only data that would have been reported in July. Reporting for this standard will be done again in July 2013. See attached report Consent Decree Compliance Standards IV.23 and IV.43
IV.44	QM documentation shows that the Department conducts further review and takes appropriate corrective action if results from the DIG survey fall below the levels identified in Standard # 22-1 (the domain average of positive responses to the statements in the Perception of Access Domain is at or above 85%) (Amended language 1/19/11) and	2011 Adult Health and Well-Being Survey: 77% domain average of positive responses. The Director of the Office of Quality Improvement and staff from Office of Adult Mental Health quality management presented results from the 2011 Health and Wellness Survey to the Consumer Counsel of Maine August 17, 2012. The Department has requested feedback on recommendations from the Consumer Counsel on how they would like to see the data utilized. The 2012 Adult Health and Well-being Survey is expected to be complete and submitted with the next quarterly report.
IV.45	Meet RPC discharge standards (below); if not met, document that failure to meet is not due to lack of mental health treatment services in the community • 70% RPC clients who remained ready for discharge were transitioned out within 7	Standard met since the beginning of FY'08 See attached <i>Performance and Quality Improvement</i> Standards: November 2012, Standards 21-2, 21-3 and 21-4

	days of determination	
	• 80% within 30 days	
	• 90% within 45 days (with certain	
	exceptions by agreement of parties and	
	court master)	
IV.46	OAMHS lists in quarterly reports the	See attached Performance and Quality Improvement
	programs sponsored that are designed to	Standards: November 2012, Standard 30
	improve quality of life and community	
	inclusion, including support of peer centers,	
	social clubs, community connections	
	training, wellness programs and leadership	
	and advocacy training programs – list must	
	cover prescribed topics and audiences that	
	fit parameters of ¶105.	
IV.47	10% or fewer class members have ISP-	Standard mat for all avortors of EV/200 EV/200 EV/210
17.47	identified unmet needs for transportation to	Standard met for all quarters of FY'08, FY'09, FY'10 and FY'11. Standard met all 4 quarters for FY'12.
	access mental health services – <i>must be met</i>	and F1 11. Standard met an 4 quarters for F1 12.
	for 3 out of 4 quarters	See attached Performance and Quality Improvement
	Jor 5 out of 4 quarters	Standards: November 2012, Standard 28
		Standards. November 2012, Standard 28
IV.48	Provide documentation in quarterly reports	See attached Performance and Quality Improvement
1,,,,	of funding, developing, recruiting, and	Standards: November 2012, Standard 23-1 and 23-2
	supporting an array of family support	Statical as: 1707cmoci 2012, Statical a 25 1 and 25 2
	services that include specific services listed	
	on page 16 of the Compliance Plan	
IV.49	Certify that all contracts with providers	100% of contracts include this requirement.
	include a requirement to refer family	Documentation is maintained by the regional offices.
	members to family support services, and	
	produce documentation that contract	
	reviews include evaluation of compliance	
	with this requirement.	
IV.50	Lists in quarterly reports the number and	See attached Performance and Quality Improvement
	types of mental health informational	Standards: November 2012, Standard 34.1 and
	workshops, forums and presentations geared	attached Public Education Report April-June 2012.
	to general public that are designed to reduce	
	myths/stigma and foster community	
	integration (cover prescribed list and fit	
	audience parameters)	