

Effective Date: 11/21/2005  
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Review Date:

## North Sound Mental Health Administration

### Section 1000 – Administrative: Delegation of NSMHA Functions and Responsibilities

Authorizing Source: 42 CFR§438.230, MHD contract; NSMHA

Cancels: 1548.00

See Also:

Providers are required to 'comply with' this policy

Responsible Staff: Quality Manager

Approved by: Executive Director

Signature:

Date: 9/3/2008

### **POLICY #1018.00**

### **SUBJECT: DELEGATION OF NORTH SOUND MENTAL HEALTH ADMINISTRATION (NSMHA) FUNCTIONS AND RESPONSIBILITIES**

#### **PURPOSE**

To establish a mechanism to provide for the delegation of specific functions and responsibilities required of a Pre-paid inpatient health plan (PIHP).

#### **POLICY**

NSMHA contracts with the Mental Health Division (MHD) as a mental health prepaid health plan and as such complies with all applicable federal, state and local statutes and regulations for mental health prepaid health plans as well as all applicable federal and state statutes and regulations for a regional support network (RSN).

As a PIHP, NSMHA is required to meet minimum standards, including the assurance that specific functions are addressed either through delegation or through direct performance. Any functions which NSMHA proposes to delegate to a sub-contractor will be evaluated through a formal delegation plan, consistent with the requirements of 42 CFR§438.230, to ensure the contractor's ability to perform the delegated activities. All formal delegation plans are submitted to MHD for approval according to required timelines.

#### **PROCEDURE**

Delegation plans include:

1. An evaluation of the contractor's ability to perform delegated activities,
2. A detailed description of the proposed subcontracting arrangements, including:
3. Name, address, and telephone number of the sub-contractor(s),
4. Specific contracted services,
5. Compensation arrangement, and
6. Monitoring plan.

A copy of the existing or draft subcontract that specifies the activities and reporting responsibilities delegated and provides for revoking delegation or imposing other sanctions if the subcontractor's performance is not adequate. The Care Management functions cannot be delegated to a subcontracted community mental health agency (CMHA) within the NSMHA service area. No delegation or subcontract will replace the legal obligation of NSMHA to perform its responsibilities. NSMHA is fully responsible for all services provided whether those services are rendered by subcontractors or non-contracted providers.

NSMHA will develop and maintain written contracts that clearly recognize that legal responsibility for administration of service delivery system remains with NSMHA.

1. NSMHA retains responsibility to ensure that applicable standards of state and federal statutes and regulations and WACs are met, even when it delegates duties to providers.
2. NSMHA will monitor contracts and notify MHD of observations and information indicating that providers may not be in compliance with licensing or certification requirements. This monitoring will be addressed as part of the NSMHA annual administrative audit process. Additional reviews can also be performed and/or corrective action required based on concerns raised during the annual audit or as indicated.

NSMHA will terminate its contract with a provider if MHD notifies NSMHA of a provider's failure to attain or maintain licensure or certification, if applicable.

## **ATTACHMENTS**

1018.01 – Sample Delegation Plan Form