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North Sound Mental Health Administration

Section 1500 – Clinical: Second Opinion

Authorizing Source: PIHP & SMH Contracts; WAC 388-865-0355

Cancels:

See Also:

Providers must have a “policy consistent with” this policy

Responsible Staff: Quality Manager

Approved by: Executive Director

Date: 4/7/2010

Signature:

POLICY #1520.00

SUBJECT: SECOND OPINION

PURPOSE

The purpose of this policy is to outline the process for requesting and providing a second opinion, regarding some aspect of outpatient services, for a NSMHA (North Sound Mental Health Administration) consumer from a qualified mental health care professional.

POLICY

At any time during the course of outpatient mental health treatment, the principals to treatment (e.g., consumer, custodial parents of children and adolescents, others with legal custody, NSMHA, a NSMHA-contracted Community Mental Health Agency [CMHA], or primary Mental Health Care Provider [MHCP]) may submit a request for a second opinion regarding any outpatient clinical decision to NSMHA either verbally or in writing. If other parties (family member, primary medical health provider) desire a second opinion, the request is made through the MHCP. NSMHA-contracted CMHA staff and Ombuds are available to assist consumers, custodial parents and legal guardians in accessing a timely second opinion.

Second opinions may be requested for many reasons, including situations in which:

1. There is a question regarding medical necessity;
2. There is a question regarding the reasonableness or necessity of recommended interventions and/or medications;
3. There is a question regarding a diagnosis or plan of care;
4. The clinical indications for a diagnosis are not clear or a diagnosis is in doubt due to conflicting test results;
5. The treatment interventions in progress are not improving the condition of the consumer within an appropriate period of time given the diagnosis and plan of care.

A consumer is entitled to one second opinion, per issue, per year. If the consumer is not satisfied with the second opinion outcome, any additional opinion requests on the same issue in the same year must be submitted to NSMHA’s Medical Director to determine if an additional opinion is warranted. Unless approved by NSMHA’s Medical Director, the consumer will not be entitled to a subsequent opinion until twelve months have passed since the second (most recent) opinion was rendered. If the consumer is not satisfied with the Medical Director’s decision, the consumer may file a grievance. If the consumer record contains more than one clinical assessment about the issue in question, the most recent document will be considered a second opinion if:

1. It was conducted by a Mental Health Professional (MHP) within NSMHA’s network in the same job class as the former MHP (same job class means MHPs who have the required credentials to perform the same functions. For example, ARNPs and psychiatrists are both credentialed to perform medication prescribing functions and, therefore, are in the same job class); and
2. It was completed within the last 12 months.

Second opinions may only be rendered by MHPs qualified to review and treat the mental health condition in question. Ideally the second opinion is furnished by an MHP with an equal or higher degree as the MHP who yielded the original opinion. However, another option is to seek the second opinion from an MHP in the same job class (see above description).

Requests for referrals to CMHAs outside NSMHA's network for second opinions will be considered only in the event that the services requested are not available within the contracted network of CMHAs. If a CMHA is not currently available within the network, NSMHA must provide or pay for a second opinion provided by a CMHA outside the network at no cost to the consumer. The CMHA providing the second opinion must be currently contracted with a Regional Support Network (RSN) to provide mental health services to consumers.

Disclosure: A consultative second opinion may not result in the consumer's desired outcome. When the NSMHA Quality Manager/designee is preparing to schedule the second opinion, he/she will inform the consumer that the second opinion report will be given to the CMHA which rendered the first opinion unless the consumer specifically requests otherwise. However, a request by the consumer not to share the second opinion with the first CMHA limits NSMHA's ability to fully facilitate the process and, consequently, may impact the desired outcome of the second opinion.

PROCEDURES

Notifying Consumers of Second Opinion Rights

NSMHA CMHAs are responsible for informing consumers and those with legal custody of their right to a second opinion at the time of the intake assessment (through provision of the Washington State Medicaid Benefit Booklet), and any time that the consumer or legal guardian expresses dissatisfaction with a particular clinical decision.

Requesting a Second Opinion

1. With agreement from the consumer, a NSMHA CMHA may arrange a second opinion for a consumer within the same agency. When the decision is made to proceed with CMHA arrangement of the second opinion, the CMHA must notify the NSMHA Quality Manager/designee of the consumer's name, consumer's identification number and reason for the second opinion.
2. Upon receipt of all other second opinion requests the CMHA, Ombuds or NSMHA staff will notify the NSMHA Quality Manager/designee who will review the request and arrange the second opinion.
3. All second opinions shall be offered to occur as expeditiously as the consumer's mental health condition requires and no later than 30 calendar days from the request unless the consumer requests to postpone the second opinion to a date later than 30 days.

Second Opinion Outcomes & Dispositions

1. When the MHP giving the second opinion renders the opinion, he/she will contact the first MHP in person or by phone to discuss the rationale.
2. After the second opinion is rendered and distributed to all parties there are different ways to proceed with any recommended treatments, diagnostic tests and/or services that are available within NSMHA's network and are medically necessary*:
 - a. The original CMHA decides to follow the second opinion consultation recommendation(s) and the consumer continues with that CMHA;
 - b. The consumer requests a transfer to another CMHA (see NSMHA Policy #1510 Intra-Network Consumer Transfers and Coordination of Care).
 - c. If, after discussion of the second opinion consultation, the consumer wishes to continue services with the first CMHA, but the first CMHA does not agree with the second opinion consultation recommendation(s), the consumer may still file a provider or NSMHA level grievance.

*The fact that the MHP furnishing the second opinion recommends a particular treatment, diagnostic test, or service does not necessarily mean that the recommended intervention is medically necessary or a NSMHA covered service. In addition, there are some NSMHA services that have additional procedures to follow after a recommendation for the service is made.

3. If the medically necessary, covered treatment, diagnostic test, or service is unavailable within NSMHA's network and an equivalent network service or package of services does not meet the needs of the consumer, then that treatment, diagnostic test or service will be arranged (with the consumer's agreement) by the original CMHA in accordance with NSMHA Policy #1522.00 Out of Network Referrals.

Documentation & Distribution of Second Opinion Outcomes

All second opinions will be documented in a consultation report, which the CMHA providing the second opinion shall make available to the consumer, NSMHA, and the CMHA which provided the original opinion.

1. The MHP conducting the second opinion consultation shall determine whether or not the consumer will be mailed the report, or if an alternative method is appropriate. The CMHA providing the second opinion consultation shall mail the consumer a copy of the report or arrange an alternative method of conveying the report information to the consumer within five business days of the consultation.
2. The second opinion consultation report will be sent to NSMHA within five business days of the consultation.
3. NSMHA will mail a copy of the report within two business days of receipt to the initial CMHA unless the consumer specifically requests of NSMHA that the report not go to them.

ATTACHMENTS

None