

Title: ADVANCE DIRECTIVES AND MENTAL HEALTH DECLARATION	Policy #: 0051 Dept: QI
	Reviewed/Approved By: Quality & Compliance Committee
Adopted: 2/2015	Last Revision: 2/2016
Revision Dates: 6/2015	Review Frequency: Every two years
Sources: 42 CFR Part 422.128; 42 CFR 489489, Subpart I; OAR 410-120-1380; 42 CFR 438.6(i)(2); ORS 127.703; 42 CRF 489.102; 42 CFR 438.100(b)(2)(iv)	

Definitions:

Primary Health and OHMS as delegated by Primary Health collectively will be referred to as The CCO (Coordinated Care Organization).

Advance Directive means a written instruction, such as a living will or durable power of attorney for health care, recognized under State law (whether statutory or as recognized by the courts of the State), relating to the provision of health care when the individual is incapacitated.

Declaration of Mental Health Services: The Declaration for Mental Health Treatment is an advance directive that allows consumers to make choices about the mental health treatment they may want to receive at some future time when, and if, they are not capable of giving consent. It also lets a consumer appoint a friend or relative to make these choices for him or her. A completed Declaration form allows a doctor to treat a consumer even though the consumer cannot provide consent at that time.

Purpose:

The CCO must maintain a written policy and procedure as it applies to State and Contract regulations to assure that enrollees are informed about their rights to formulate their wishes through an Advance Directive and/or Declaration of Mental Health Treatment.

Policy regarding Declaration for Mental Health Treatment and Advance Directive for Options:

The CCO contracts with Options for Southern Oregon for its mental health services. Options provides written information to its adult OHP members about the Declaration for Mental Health Treatment regarding mental health treatment within 14 calendar days of the OHP Member’s initial date of service. Information is provided either orally or in written format and will take into consideration member special needs for culturally diverse and disabled populations.

If an OHP member in service with Options is interested in completing an Advance Directive providing instruction concerning a general health condition, their care manager or therapist will refer them to an Exceptional Needs Coordinator or will coordinate a meeting with the member’s primary care provider.



Options will provide written information to its adult OHP service recipients about establishing an Advance directive within 14 calendar days of the OHP Member's initial date of service with Options. Information shall be provided orally or in written format and will take into consideration member special needs for culturally diverse and disabled populations.

Policy regarding Advance Directives and Declaration for Mental Health Treatment for dental, substance abuse and physical health clinics:

If Advance Directive and/or Declaration for Mental Health Treatment paperwork is available in the clinics or offices, this information will be visually available for the member to access. If additional help is needed on filling out the paperwork, the staff will refer the member to the CCO or to the CCO's website.

The CCO is responsible for:

- Ensuring that written information is provided to enrollees or to the family or surrogate if the enrollee is incapacitated and that it is their right to formulate an advance directive and/or Declaration for Mental Health Treatment. The information on how and where to obtain these forms will be provided in the Member Handbook and on the website.
- Ensuring that members who have complaints concerning the advance directive and or Declaration for Mental Health Treatment have the address to the State survey and certification agency where they can file those complaints. This will be provided in the Member Handbook and on the website.
- Including, in the member handbook and/or website, as appropriate, a statement of limitation about any conscience-based limitations.
- Providing advance directive and Declaration for Mental Health Treatment education to staff on hire and as the policy is updated..
- Providing community education regarding advance directives and documents the education.
 - o This education may be provided directly or with other providers and organizations
 - o The materials should define what constitutes an advance directive emphasizing that an advance directive is designed to enhance an incapacitated individual's control over medical treatment
- Monitor the documentation in the member's medical/clinical record of whether or not the member has executed an advance directive.
 - o This will be done via a sample of the medical records
 - o Process improvement may be based on the agreed upon percent compliance.

Responsibility:

The operational process of monitoring compliance to this policy will fall upon the CCO's Quality Improvement Department. Outcomes will be reported to the Quality and Compliance Committee and any concerns shall be reported to the Board of Directors.

