

# Due Process Workgroup Charter

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## Overview

The Due Process Workgroup will focus on building and strengthening a cross system collaborative complaint and due process system for the child mental health serving systems that meets the needs for children, youth and families based on requirements from the Jeff D Settlement Agreement.

The Due Process Workgroup will be composed of representatives from each of the child serving systems: Division of Behavioral Health (DBH), Family and Community Services (FACS), Division of Medicaid, Idaho Department of Juvenile Corrections (IDJC), and the State Department of Education (SDE). In addition representatives of youth and families, community providers, and other involved stakeholders may be invited to attend the Due Process Workgroup, or participate in a focus group.

## Workgroup Purpose

The Due Process Workgroup will create a recommendation for a system that is effective and efficient and supports improvement of client and family outcomes that will be operational by Oct 2018. The recommendation will be reviewed by the QMIA Council, the Interagency Governance Team (IGT), and taken to the IBHC for final approval.

## Due Process Workgroup Goals

The goals of the Due Process Workgroup are to craft a plan for child mental health serving systems to:

- Develop, adopt, and consistently use a complaint process, as part of the Practice Model approach.
- Provide written notices of action when the circumstances require it.
- Provide written notices of action that comply with the criteria.
- Provide informational materials regarding the circumstances in which Class Members have a right to receive a written notice of action and request a fair hearing on their respective websites.
- Make recommendations for modifications to contracts necessary to establish the complaint and due process protocols.
- Develop, adopt, and use a process to monitor and periodically report on compliance with the complaint and due process protocols.
- Collect and report data on written notices of action, complaints, and fair hearing requests and outcomes.

## **Roles & Responsibilities**

The Due Process Workgroup roles and responsibilities include:

- Legal Council
- Policy
- QA
- Automation

## **Length and Scope of Membership**

Members of the Due process Workgroup working for the DBH, FACS, Medicaid, IDJC, and SDE are designated by the lead Administrator of each involved agency. Other members of the workgroup, such as representatives from regions, inpatient services or inpatient authorization systems will be invited to participate as needed. Parent and youth representatives will also be invited to participate. Youth and parent focus groups will be utilized to assess the proposed process from the family's perspective.

## **Accountability**

The Due Process Workgroup is accountable to the IGT and QMIA Council for developing recommendation that will allow the child serving systems to meet timelines associated with initiating the new systems

## **Authority and Decision Making**

The Due Process Workgroup has the authority to generate a recommendation for a cross system complaints and due process system. The Due Process Workgroup will deliver the proposed methodology and timelines to the QMIA Council for review. Once approved, the Due Process Workgroup will deliver the proposed process to the Interagency Governance Team (IGT). Any changes that are made to the process must be reviewed by the Due Process Workgroup to ensure that no changes have impacted adherence to statute or rule. Final approval of the process will be approved by the Director of each agency.

## **Meeting Schedules**

Due Process Workgroup meetings will be held at least monthly. The schedule and duration of the meetings will be determined by the membership.

## **Meeting Format**

The general format for each meeting will be to review the status of action items from previous meetings, provide updated information, and address agenda items prepared by or brought to the group.

- Agenda items will be solicited and a meeting agenda will be emailed out in advance of the meeting.
- Voting will be based on majority or consensus.

- The meetings will be documented by Administrative Support staff and distributed to meeting participants for feedback and finalization. Final copies will be posted on the YES internal SharePoint site and be distributed to all members.

### Version History

Version	Date	Name	Comments
1.0	1/20/17	Candace Falsetti	Final