



YES Rights and Resolutions

COMPLAINTS AND APPEALS

JULY 1, 2020 - SEPTEMBER 30, 2020 (1ST QTR SFY 2021)

Quality Management Improvement and Accountability | Data and Reports

January 21, 2021

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DRAFT YES Rights and Resolutions
 COMPLAINTS AND APPEALS
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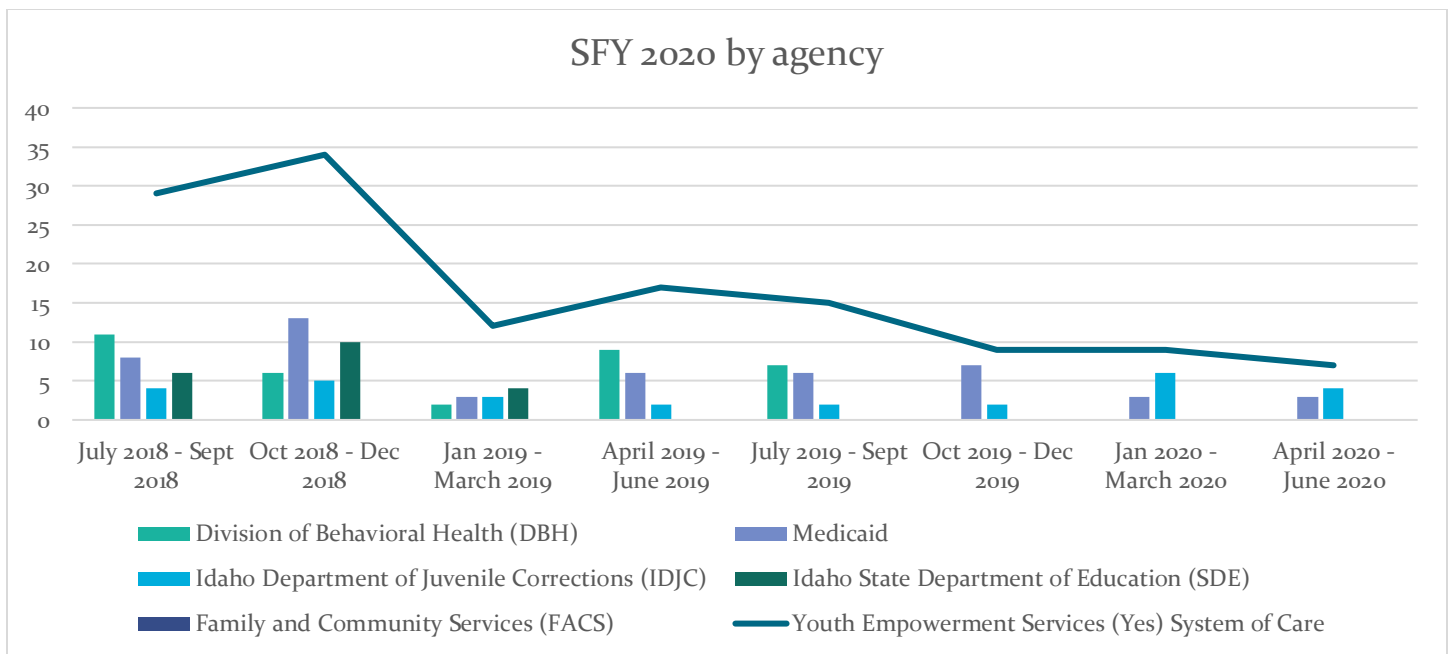
The Youth Empowerment Services (YES) Quality Management Improvement and Accountability (QMIA) Council believes that each complaint received offers an opportunity to improve the system for youth and families. The complaints system is one of several mechanisms constructed within YES to place youth and families at the center of their care.

This is the YES Rights and Resolutions report for the 1st quarter of State Fiscal Year (SFY) 2021. The purpose of this report is to monitor youth and family concerns or complaints relating to informing, access, service appropriateness, service effectiveness, and quality. Each YES Partner Agency contributes its complaint information individually, each with a shared purpose of quality management and system improvement. The report includes an overview of SFY 2020.

Overview of SFY 2020

The number of complaints trended down throughout the YES system of care system since July 2018. A total of 125 YES complaints have been tracked over the last 21 months. The summary of complaints that have been tracked thus far shows an average of approximately 18 complaints per quarter and an overall decrease over time. Details appear in Figure 1.

Figure 1: YES Complaints Across Time



Note: It is possible that the COVID-19 pandemic of 2020 (starting in Q3 which translates to Jan- March 2020) has likely affected access to care, although there has not been a corresponding increase in complaints related to access. It may be relevant that in response to the resulting emergency declaration, the Idaho Division of Behavioral Health (DBH) partnered with the Idaho Office of Emergency Management (IOEM), the Federal Emergency Management Agency (FEMA) and Substance Abuse and Mental Health Services Administration (SAMHSA) to provide crisis counseling by phone and text, which may field complaints.

1st Quarter Summary, SFY 2021

In the 1st quarter of SFY 2021, there were ten (10) YES-related complaints across all YES partners, and zero (0) appeals across the system.

- * Of those ten (10) complaints, seven (7) were submitted by youth, two (2) by parents, and one (1) other.
- * Issues were identified in the following categories: Service, Access and Clinical [services].

Table 1: Total Complaints and Appeals in 1st quarter, State Fiscal Year 2021

	Division of Behavioral Health \ (DBH)	Division of Medicaid ¹	Division of Medicaid Member Appeals	Department of Juvenile Corrections (IDJC)	Family and Community Services (FACS)	State Department of Education (SDE) ²	Total
1st Q	0	3	0	7	0	-	10

Division of Behavioral Health (DBH)

DBH received no YES complaints or appeals in the 1st quarter of SFY 2021.

DBH has seen a decrease in complaints and continues to work with Medicaid and system partners to create a centralized complaint system. This process has been challenged by resource availability, staff changes, and the emergence of a global pandemic – COVID-19.

Family and Community Services (FACS)

There were no YES-related complaints reported through FACS in the 1st quarter of SFY 2021.

¹ Includes information from Optum Idaho, the Medicaid Idaho Behavioral Health Plan.

² Complaints reported by the SDE are not necessarily complaints related to mental health services as their federally required reporting system does not filter complaints based on the child's disability.

Division of Medicaid

The Division of Medicaid received three (3) total YES complaints. One (1) each related to Service, Access and Clinical [services]. Two (2) were substantiated. The amount of time to resolve complaints ranged from eight (8) business days to twenty-two (22) business days. Details appear in Table 2.

Table 2: Medicaid Complaint Detail, Quarter 1, SFY 2021

Date	Region	Type of Complaint	Description	Status of Complaint	Decision Summary	Days to Resolution
07/14/2020	5	Provider Against Provider	Ethical Violation	Closed	Substantiated - Referred to Peer Review Committee	22 business days
07/30/2020	7	Member Representative Against Provider	Untimely follow up - Provider	Closed	Substantiated - Meeting scheduled between provider and complainant	4 business days
08/12/2020	6	Member Representative Against Provider	Non-Quality of Care Breach of Patient Confidentiality	Closed	Unsubstantiated	8 business days

The Division of Medicaid received no Member Appeals in the 1st quarter of 2021.

Idaho Department of Juvenile Corrections (IDJC) (YES Class Families/Youth)

The IDJC received seven (7) youth and no family complaints during the 1st quarter of SFY 2021. Of the YES class members whose complaint/concern was formally received by IDJC staff, all of the complaints were resolved in fifteen (15) calendar days or less, and three (3) of the seven (7) were resolved in five (5) calendar days or fewer.

Table 3: IDJC Complaint Detail, Quarter 1, SFY 2021

Date	Region	Type of Concern	Status*	Resolution	Days to Resolution
07/07/20	2	Youth stated that he is not receiving the program he needs.	Resolved	Staff helped the youth understand that he is in a program that best meets his needs.	9
07/14/20	3	Youth stated staff is very rude and uncaring.	Resolved	Staff met with youth and explained staff's role when helping facilitate group process. Juvenile reported that she felt the situation was resolved.	15
08/07/20	3	Youth stated that the group would not let him call his case manager because he had already called recently.	Resolved	Supervisor met with the youth and stated he would speak with staff and the group about the right to call if needed and appropriate.	10
8/11/20	1	Youth reported an allegation of sexual abuse from a peer.	Resolved	Separated group members, reinforced zero tolerance policy, & monitored for retaliation.	15
08/14/20	3	Youth stated his rights are being violated because he has not been placed in a group yet.	Resolved	Staff met with the youth and explained that groups are on quarantine due to COVID-19, and explained what quarantine meant.	4
08/26/20	3	Youth stated she put a med kite in for pain in her ribs & it wasn't addressed.	Resolved	Youth saw medical provider as soon as possible.	5
08/29/20	3	Youth stated he does not feel safe in the group with his peer.	Resolved	Supervisor met with the youth and talked about how threats from peers can happen in the group process, and that staff will continue to try and help that peer respond to treatment.	5

* (as of Sept 30)

Idaho State Department of Education (SDE)

This worksheet contains four tables representing four years of dispute resolution data for school years 2016-2017, 2017-2018, 2018-2019, and 2019-2020.

Section A: Written, Signed Complaints

Item #	Item description	2016-2017	2017-2018	2018-2019	2019-2020
1	Total number of written signed complaints filed.	28	41	29	30
1.1	Complaints with reports issued.	22	35	23	27
1.1.a	Reports with findings of noncompliance.	16	20	16	22
1.1.b	Reports within timelines.	22	35	23	27
1.1.c	Reports within extended timelines.	0	0	0	0
1.2	Complaints pending.	0	0	0	0
1.2.a	Complaints pending a due process hearing.	0	0	0	0
1.3	Complaints withdrawn or dismissed.	6	6	6	3

Section B: Mediation Requests

Item #	Item description	2016-2017	2017-2018	2018-2019	2019-2020
2	Total number of mediation requests received through all dispute resolution processes.	19	18	9	14
2.1	Mediations held.	9	13	2	14
2.1.a	Mediations held related to due process complaints.	1	1	0	1
2.1.a.i	Mediation agreements related to due process complaints.	1	1	0	1
2.1.b	Mediations held not related to due process complaints.	8	12	0	13
2.1.b.i	Mediation agreements not related to due process complaints.	6	12	2	13
2.2	Mediations pending.	0	0	0	0
2.3	Mediations withdrawn or not held.	10	5	7	0

Section C: Due Process Complaints

Item #	Item description	2016-2017	2017-2018	2018-2019	2019-2020
3	Total number of due process complaints filed.	5	3	5	5
3.1	Resolution meetings.	4	3	2	2
3.1.a	Written settlement agreements reached through resolution meetings.	2	2	0	2
3.2	Hearings fully adjudicated.	2	1	2	1
3.2.a	Decisions within timeline (include expedited).	0	0	1	1
3.2.b	Decisions within extended timeline.	2	1	1	0
3.3	Due process complaints pending.	0	0	3	0
3.4	Due process complaints withdrawn or dismissed (including resolved without a hearing).	3	2	0	4

Section D: Expedited Due Process Complaints (Related to Disciplinary Decision)

Item #	Item description	2016-2017	2017-2018	2018-2019	2019-2020
4	Total number of expedited due process complaints filed.	1	1	0	2
4.1	Expedited resolution meetings.	0	1	0	1
4.1.a	Expedited written settlement agreements.	0	1	0	1
4.2	Expedited hearings fully adjudicated.	0	0	0	0
4.2.a	Change of placement ordered.	0	0	0	0
4.3	Expedited due process complaints pending.	0	0	0	0
4.4	Expedited due process complaints withdrawn or dismissed.	1	1	0	2

Quality Management Improvement and Accountability

The Quality Management Improvement and Accountability (QMIA) Council brings together DBH, Medicaid, FACS, IDJC, and SDE to collaborate in YES quality monitoring. Publishing a Quarterly Report is a critical aspect of YES quality monitoring, presenting data collected by the YES partners, about the children, youth, and families accessing mental care in Idaho primarily through the Medicaid/Optum Network or the DBH Children's Mental Health (CMH) Regional clinics.

One of the roles of the QMIA Council is to develop a plan to establish the centralized complaints process. An update on the status is noted below.

In addition, the QMIA Council has implemented the QMIA Family Advisory Subcommittee (Q-FAS) which is a group of family representatives and YES partners that discuss current concerns that family advocates are hearing about from families that call them for assistance and support. An update on the reports from the Q-FAS are also noted below.

Establishing Centralized Complaints

Status as of July 29, 2020:

- Published one number for complaints (DBH number) on informational brochures.
- Added links to the YES website for Concerns and Complaints process and form.
- Developed collaborative process between DBH and Medicaid for sharing complaints field via the Complaints form and SharePoint
- Set up QMIA- Family Advisory Subcommittee (Q-FAS) to discuss family concerns and complaints
- Created link on YES website for Family stories
- Publishing YES report on complaints and appeals called YES Rights and Resolutions quarterly

Plan for Q3 and Q4 SFY 2021

- QMIA Council to review all formal complaints for trends and identification of YES quality issues
- Assess YES partners current complaint management processes
- Establish best practices for complaints management
- DBH lead work with YES partners to:
 1. Finalize option for centralized tracking
 2. Finalize option for "impartial" process to address complaints
 3. Develop work plan to implement centralized tracking and impartial processes
 4. Implement work plan

The QMIA Family Advisory Subcommittee (Q-FAS)

The Q-FAS presents an opportunity to gather and learn from family's stories. Q-FAS solicits family members' and family advocates' first-hand input on families' experiences accessing and utilizing YES services. The feedback received about successes, challenges and barriers to care is used to identify areas that need increased focus and to prioritize quality improvement projects. This subcommittee helps to guide YES partners work, providing children, youth, and families in Idaho access to appropriate and effective mental health care.

A new section of the Quarterly Rights and Resolution report will be to report issues raised by the Q-FAS. While these issues may not be associated with actual data, it is believed that the issues should be noted and tracked as part of the QMIA structure. At the December meeting of the Q-FAS, family advocates discussed concerns about the time between approval for Early and Periodic Screening, Diagnostic and Treatment (EPSDT) services and other high intensity care, such as Wraparound, and the actual start of services. It was noted that for some individuals/families, this can be weeks or even months and families may have few to no resources to help them during this wait time. The QMIA Council is looking into ways this could be tracked, monitored, and/or alleviated.