

# YES Rights and Resolutions

COMPLAINTS AND APPEALS  
OCTOBER 1, 2021 - DECEMBER 31, 2021  
SFY 2022, Q2

QUALITY  
MANAGEMENT  
IMPROVEMENT AND  
ACCOUNTABILITY |  
MARCH 21, 2022

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YES Rights and Resolutions  
COMPLAINTS AND APPEALS  
OCTOBER 1, 2021 - DECEMBER 31, 2021 (SFY 2022, Q2)

The Youth Empowerment Services (YES) Quality Management Improvement and Accountability (QMIA) Council believes that complaints are a valuable source of information about the YES system of care and that each complaint received offers an opportunity to monitor and improve Idaho's behavioral health system for youth and families.

The YES system of care is made up of partners including the Divisions of Behavioral Health, Medicaid, and Family and Community Services (FACS), the State Department of Education (SDE). The YES partners complaints system are constructed to place youth and families at the center of their care. Each YES system partner has their own system for tracking complaints and contributes its complaint information individually to the Rights and Resolutions report. The tracking systems must follow each Division or Department's state and Federal obligations and therefore the reporting does differ for each entity. The QMIA Council is working with the YES partners to continue to improve the reporting so that an understanding of the complaints that are files are better understood and lend to the development of quality improvement projects.

### Overview of YES Complaints

A total of 46 YES complaints, and one appeal, have been received in SFY 2022 during Q1 and Q2.

*Table 1: YES Complaints Q1 and Q2*

	YES	Optum	EPSDT	MTM	Liberty	IDJC	FACS	SDE*	Total
Q1	7	6	0	8	0	5	0	-	26
Q2	0	4	0	10	1	5	0	-	20
SFY Q1 & Q2	7	10	0	18	1	10	0	-	46

\*SDE data will be shown separately as it is analyzed/presented by the school year

Beginning with the Rights and Resolutions report for State Fiscal Year (SFY) 2022 there are some new categories of complaints that are being included in the YES Rights and Resolution reports. New information in Q1 was included regarding EPSDT, Liberty and MTM. Beginning in Q2 the report will include a report on YES Centralized Complaints that come in from the YES Website and YES 1-855 number as a specific category (previously noted as DBH complaints) and complaints reported as DBH will be only complaints that are related to DBH Regional Clinics. As you will note in the sections below some of this new data was missing for Q2. There will be more information for Q3 in each category. One other category will be added in Q3, which is complaints that are filed as YES Inquiries.

YES Centralized Complaints, Q2:

Table 2- This category includes all complaints that are filed via the YES Website, YES 1-855#

This category of complaints is being added to the report as of Q2, however for Q2 there were no complaints via the website and data associated with phone calls was missing. The complaints in this section will be regarding YES services from any YES partner system.

Region	Date of Complaint	Type of Concern	Status as of Dec 31	Resolution	Timeliness to Resolution (days)
		YES Email – 0			
		YES Calls- Data missing			

Division of Behavioral Health (DBH)

Table 3: This category includes complaints about DBH Regional Clinics

This category of complaints is being added to the report as of as of Q2 however for Q2 there were no complaints via the website and data associated with phone calls was missing.

Region	Date of Complaint	Type of Concern	Status as of Dec 31	Resolution	Timeliness to Resolution (days)
		None			

Division of Medicaid (Medicaid)

Table 4: EPSDT

Region	Date of Complaint	Type of Concern	Status as of Dec 31	Resolution	Timeliness to Resolution (days)
		None			

Table 5: Optum complaints:

Type	Date of Complaint	Type of Concern	Status as of Dec 31	Resolution	Timeliness to Resolution (days)
Clinical	9/1/2021	Parent perception	Resolved, 10/12/2021	Unsubstantiated	41
Clinical	9/30/2021	Inadequate or inappropriate treatment intervention	Resolved, 11/3/2021	Unsubstantiated	34
Clinical	11/17/2021	Inadequate discharge plan	Resolved, 11/29/2021	Unsubstantiated	12
Clinical	12/9/2021	Inadequate or inappropriate treatment intervention	Resolved, 12/15/2021	Unsubstantiated	6

Table 6: Liberty complaints:

Type	Date of Complaint	Type of Concern	Status as of Dec 31	Resolution	Timeliness to Resolution (days)
	12/7/2021	Grandmother complained about paperwork required	Resolved, 12/17/2021	Liberty established process for providing receipts for in-person documentation delivery	10

Table 7: MTM complaints

Region	Date of Complaint	Type of Concern	Status as of Dec 31	Resolution	Timeliness to Resolution (days)
7	10/15/2021	Provider No Show Pick-up	11/13/2021	Substantiated - Transportation provider has been educated to accommodate all trip requests as scheduled and to immediately notify MTM and the member of any issue which would result in the member arriving late or missing the appointment.	20 business days
7	10/26/2021	Provider No Show Pick-up	11/19/2021	Substantiated - Transportation provider has been educated	18 business days
7	10/26/2021	Provider No Show Pick-up	11/19/2021	Substantiated - Transportation provider has been educated	18 business days

Youth (continued from page 4)

Region	Date of Complaint	Type of Concern	Status as of Dec 31	Resolution	Timeliness to Resolution (days)
7	10/26/2021	Provider No Show Pick-up	11/19/2021	Substantiated - Transportation provider has been educated	18 business days
3	11/04/2021	Parental Consent Form	12/3/2021	Unsubstantiated - Per state guidelines, MTM is authorized to use the parental consent form in order for a minor to be approved to travel alone. There is no indication that the form was received before 11/02/2021.	20 business days
1	11/05/2021	Trip Request	12/3/2021	Substantiated - Quality Resolutions has forwarded the trip information to the escalations department for a review of their procedures as well as the member's service area to ensure all trips are able to be set with a provider	19 business days
7	11/11/2021	Trip Request	12/9/2021	Substantiated - Education was provided to the transportation provider	19 business days
7	11/11/2021	Provider Service/ Behavior	12/8/2021	Substantiated - Transportation provider has been educated	18 business days
7	11/11/2021	Trip Request	12/9/2021	Substantiated - Quality resolutions educated the escalations department for a review of their procedures as well as the member's service area to ensure all trips are able to be set with a provider..	19 business days
7	12/15/2021	Provider No Show Pick-up	1/4/2022	Substantiated - Transportation provider has been educated	13 business days
7	10/15/2021	Provider No Show Pick-up	11/13/2021	Substantiated - Transportation provider has been educated	20 business days

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

There were five youth and no family complaints during the 2nd quarter of SFY 2022. Of the complaints received by IDJC staff, all complaints were resolved in six (6) calendar days or less.

Table 8 & 9 : IDJC Complaint Detail, SFY 2022, Q2

Families					
<i>Family members of YES class members whose complaint/concern was directed to the Superintendent</i>					
Region	Date of Complaint	Type of Concern	Status as of Dec 31	Resolution	Timeliness to Resolution (days)
No complaints received this quarter.					

Youth					
<i>YES class members whose complaint/concern was formally received by IDJC staff</i>					
Region	Date of Complaint	Type of Concern	Status as of Dec 31	Resolution	Timeliness to Resolution (days)
2	10/13/21	Youth complained that his rights were violated.	Resolved	Unit manager spoke with youth.	1 day
3	10/25/21	His peer was cussing and called him derogatory names.	Resolved	Unit manager discussed how the group and staff will continue to hold this peer accountable for his aggravating comments.	5 days
3	12/08/21	States he was supposed to be scheduled for counseling but has not had any sessions.	Resolved	The clinical supervisor spoke to the clinician and he will start counseling.	6 days
3	12/22/21	States that staff don't get paid enough and that is why they are leaving.	Resolved	Unit Manager met with juvenile and explained to him that there was no violation of his rights and that staff have the right to move on to higher paying jobs.	1 day
3	12/30/21	States that her freedom of speech is being violated.	Resolved	Processed the juveniles rights and responsibilities and safety and security with the juvenile.	4 days

Idaho State Department of Education (SDE)

The Department of Education provides several “Dispute Resolution Processes” in the districts to help families resolve complaints, including Mediation, Facilitation, State Complaints, and Due Process Hearings. Facilitation and Mediation are voluntary processes structured to increase understanding and reach resolution before a conflict develops into a formal dispute. State Complaints can be filed by any individual or organization alleging any violation of the Individuals with Disabilities Act IDEA, including an alleged failure to comply with a previous due process hearing decision. Due Process Hearings involves an allegation or a series of allegations by either a parent/adult student or the district on issues relating to the identification, evaluation, educational placement, and the provision of free, appropriate public education (FAPE.)

Data about SDE complaints is updated annually. Complaints below are not all related to YES Class Members.

Table 10: SDE Complaint Detail, 2020 – 2021- updated for Q2. Noted: Overall counts remained the same, but some of the subcategories under Mediation and Resolution sessions were updated after definitions were clarified.

Section A: Written, Signed Complaints		
Item #	Item description	2020-2021
1	Total number of written signed complaints filed.	30
1.1	Complaints with reports issued.	24
1.1.a	Reports with findings of noncompliance.	21
1.1.b	Reports within timelines.	24
1.1.c	Reports within extended timelines.	0
1.2	Complaints pending.	0
1.2.a	Complaints pending a due process hearing.	0
1.3	Complaints withdrawn or dismissed.	6
Section B: Mediation Requests		
Item #	Item description	2020-2021
2	Total number of mediation requests received through all dispute resolution processes.	20
2.1	Mediations held.	15
2.1.a	Mediations held related to due process complaints.	5
2.1.a.i	Mediation agreements related to due process complaints.	4
2.1.b	Mediations held not related to due process complaints.	10
2.1.b.i	Mediation agreements not related to due process complaints.	8
2.2	Mediations pending.	0
2.3	Mediations withdrawn or not held.	5
Section C: Due Process Complaints		
Item #	Item description	2020-2021
3	Total number of due process complaints filed.	7



3.1	Resolution meetings.	0
3.1.a	Written settlement agreements reached through resolution meetings.	0
3.2	Hearings fully adjudicated.	3
3.2.a	Decisions within timeline (include expedited).	0
3.2.b	Decisions within extended timeline.	3
3.3	Due process complaints pending.	0
3.4	Due process complaints withdrawn or dismissed (including resolved without a hearing).	4
<b>Section D: Expedited Due Process Complaints (Related to Disciplinary Decision)</b>		
Item #	Item description	2020-2021
4	Total number of expedited due process complaints filed.	0
4.1	Expedited resolution meetings.	0
4.1.a	Expedited written settlement agreements.	0
4.2	Expedited hearings fully adjudicated.	0
4.2.a	Change of placement ordered.	0
4.3	Expedited due process complaints pending.	0
4.4	Expedited due process complaints withdrawn or dismissed.	0

Appeals:

Appeals are formal requests for a review of decisions made about eligibility for services

DBH:

No Appeals for Q2

Medicaid:

Table 11: EPSDT

Description	Case Status	Receipt Method	Member Age	Member Eligibility Category	Date Resolved	Decision Summary	Number of Days to Resolve	Number of Days Pending
Appeal due to denial of PRTF	Closed	Email	12	KB and YES	10/28/2021	Withdrawn	13	NA
Appeal due to denial of PRTF	In Progress	Email	13		Hearing has not occurred	Go to Hearing	NA	NA

Table12: Optum

Month	CC		44		N/A	
	Member Appeals Received	Member Appeals Closed	Member Appeals Received	Member Appeals Closed	Member Appeals Received	Member Appeals Closed
Oct-21	0	0	0	0	0	0
Nov-21	0	0	1	1	0	0
Dec-21	0	0	0	0	0	0

Liberty:

No Appeals for Q2

## Quality Management Improvement and Accountability (QMIA)

The Quality Management Improvement and Accountability (QMIA) Council brings together DBH, Medicaid, FACS, IDJC, and SDE to collaborate in YES quality monitoring.

### 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. Below is a summary of issue that have been discussed by the Q-FAS.

#### Summary of Barriers to Care

Area	Noted issues
Access to care	Services not available within reasonable distance Services not coordinated between MH and DD Waitlist for Respite and Family Support Partners Respite process through Medicaid too demanding due to need for updated CANS
Clinical care	Repeating the CANS with multiple providers is traumatic Diagnosis not accurate Therapist not knowledgeable of de-escalation techniques Stigmatization and blaming attitudes towards families Families need more information about services ( e.g., Case Management)
Outpatient services	No service providers in the area where family needs care Services needed were not available, so families are referred to the services that are available Not enough expertise in services for high needs kids (e.g., Trust Based Relationships, Family Preservation) Some services only available through other systems: e.g., DD, Judicial Families having to find services themselves based on just a list of providers- and even the lists at times are too old to be useful
Crisis services	Access to immediate care had to go through detention Safety Plans not developed with family or not effective
24 hour services: Hospitals/Residential	Not enough local beds Length of time for EPSDT determination Support needed by families during the EPSDT process, and after while waiting for placement Medication changes wo input from family Family not involved in discharge planning Family threatened with charges of abandonment or neglect Children with high needs and repeat admissions may be denied access Child not in hospital long enough for meds to take effect Care in local residential facilities does not provide specialized care that is needed

Area	Noted issues
School issues	Too long to get an IEP School makes choices that don't match needs of the child Safety Plans from schools not developed with family input
Other family concerns	Too many appointments and other children with needs Need one case manager/TCC type person Information on how access care not available Transportation not available DBH Gas vouchers only at specific gas stations