

Reference to Add to Presentation

MOU Tip Sheet for MCO and County Service Coordination 4/7/16

Collaboration with County APS

- Communication between counties and MCOs is critical. A written agreement should be established prior to utilizing any services that obligates payment from one of the parties.
- County will provide MCO any available court related documents such as guardianship and/or protective Placement orders for individuals enrolled in the MCO.
- MCO will notify County if a member who is under guardianship moves from one county to another county. This notification should occur prior to the move and an intercounty agreement should be considered.
- MCO will notify County anytime a member under protective placement/services moves to a different residence. Notification will occur within 10 days of the change or sooner if possible.
- Adult Protective Service may encompass guardianship determination, protective placement, and other activities guided by Wisconsin Statutes 46.90 and Chapters 51, 54, and 55.
 1. Language listing responsibility of County responsibility related to APS
 2. Language regarding MCO responsibility related to APS
 3. Communication/Collaboration and joint action by both parties, including coordination of necessary services to maintain member health and safety.

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is P.P.

Collaboration with County Systems

County Crisis Program will provide crisis planning and stabilization services per DHS 34. If a member from out-of-county is placed in the county, the MCO will promptly notify both counties, and collaboration between the county of responsibility and the county of placement will be encouraged to support local crisis planning efforts.

MCO Interdisciplinary Care Teams and MCO contracted providers will provide county mental health programs with behavioral health and community safety related planning documents, and regular updates to those documents, in order to collaborate and coordinate MCO contracted and county mental health services.

MCO and contracted providers will defer to County Crisis programs rather than developing crisis plans independently. The MCO and their contracted providers may work together to develop safety/diversion plans when needed, but the county crisis program will take the lead role in developing a crisis plan in accord with DHS 34.

Residency and Out-of-County placements

MCO will notify county mental health system prior to or promptly after placing a member in the county if that person may be at risk of experiencing a mental health crisis or at risk of utilizing emergency services.

If the MCO places a member out-of-county, the MCO will inform the county of financial responsibility of the placement, and provide updates as requested.

MCO will keep records on members' known history of residency and legal status, and provide that information to the county of placement if requested.

Exchanges of Information, and Business Associate Agreements

The MCO is able to share confidential treatment information with the county human services mental health system without a written informed consent to coordinate services, in accordance with state law, **Wis. Stats. § 46.284 (7).***

MCO and County will also enter into a Business Associates Agreement to further support the necessary exchange of information to coordinate care in accordance with HIPAA.

Re-enrollment

MCO will continue to engage member and support the continuity of care for a member even in the event of a dis-enrollment due to loss of Medicaid eligibility following an emergency detention or admission to an IMD or a detention facility.

Cooperation in IMD Discharge Planning

In the event of an IMD admission, at either a state mental health institute or other mental health inpatient facility, discharge planning will be jointly coordinated between the MCO, and the county of responsibility (also known as the county of residency) in order to achieve an appropriate and timely return to the community for the person. DHS oversight staff are also involved to assist with multidisciplinary team calls to facilitate discharge planning.

*** Confidentiality for MCO and County Exchange of Information citations:**

County social services – Wis. Stats. § 46.22 (1) (dm) *Exchange of information; long-term care.* Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a), a subunit of a county department of social services or tribal agency acting under this subsection may exchange confidential information about a client, without the informed consent of the client, with any other subunit of the same county department of social services or tribal agency, with a resource center, a care management organization, or a long-term care district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a) 1g., or with a person providing services to the client under a purchase of services contract with the county department of social services or tribal agency or with a resource center, a care management organization, or a long-term care district, if necessary to enable an employee or service provider to perform his or her duties, or to enable the county department of social services or tribal agency to coordinate the delivery of services to the client. An agency that releases information under this paragraph shall document that a request for information was received and what information was provided.

County department of human services – Wis. Stats. § 46.23 (3) (e) *Exchange of information; long-term care.* Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a), a subunit of a county department of human services or tribal agency acting under this section may exchange confidential information about a client, without the informed consent of the client, with any other subunit of the same

county department of human services or tribal agency, with a resource center, a care management organization, or a long-term care district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a) 1g., or with a person providing services to the client under a purchase of services contract with the county department of human services or tribal agency or with a resource center, a care management organization, or a long-term care district, if necessary to enable an employee or service provider to perform his or her duties, or to enable the county department of human services or tribal agency to coordinate the delivery of services to the client. An agency that releases information under this paragraph shall document that a request for information was received and what information was provided.

Care management organizations – Wis. Stats. § 46.284 (7) CONFIDENTIALITY; EXCHANGE OF INFORMATION. No record, as defined in s. 19.32 (2), of a care management organization that contains personally identifiable information, as defined in s. 19.62 (5), concerning an individual who receives services from the care management organization may be disclosed by the care management organization without the individual's informed consent, except as follows:

(a) A care management organization may provide information as required to comply with s. 16.009 (2) (p) or 49.45 (4) or as necessary for the department to administer the program under ss. 46.2805 to 46.2895.

(b) Notwithstanding ss. 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a care management organization acting under this section may exchange confidential information about a client, as defined in s. 46.287 (1), without the informed consent of the client, under s. 46.21 (2m) (c), 46.215 (1m), 46.22 (1) (dm), 46.23 (3) (e), 46.283 (7), 46.2895 (10), 51.42 (3) (e) or 51.437 (4r) (b) in the county of the care management organization, if necessary to enable the care management organization to perform its duties or to coordinate the delivery of services to the client.

County department of community programs – Wis. Stats. § 51.42 (3) (e) Exchange of information. Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a), any subunit of a county department of community programs or tribal agency acting under this section may exchange confidential information about a client, without the informed consent of the client, with any other subunit of the same county department of community programs or tribal agency, with a resource center, a care management organization, or a long-term care district, or with any person providing services to the client under a purchase of services contract with the county department of community programs or tribal agency or with a resource center, care management organization, or long-term care district, if necessary to enable an employee or service provider to perform his or her duties, or to enable the county department of community programs or tribal agency to coordinate the delivery of services to the client. Any agency releasing information under this paragraph shall document that a request was received and what information was provided.