



# Welcome to Training: The Role of the Office of Human Rights for Individuals Living with a Serious Mental Illness

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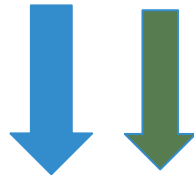
Please only join by phone or computer.

Please use the chat feature for questions or raise your hand.

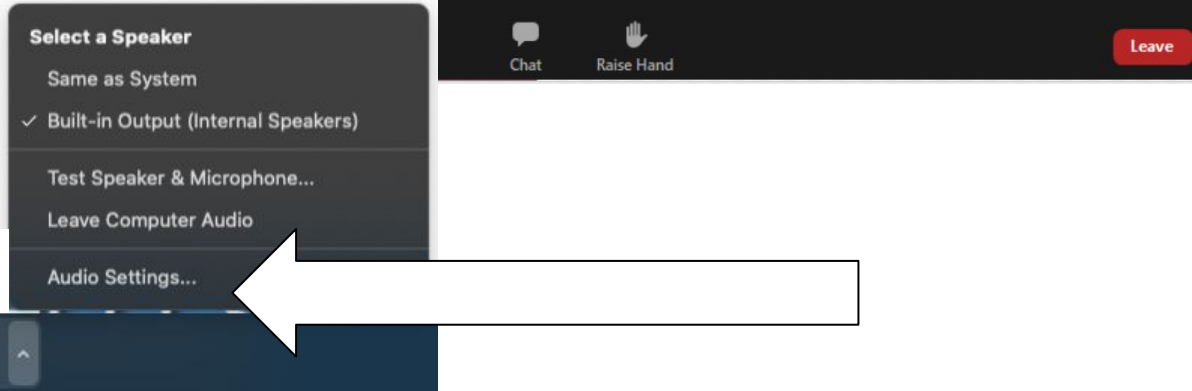
Thank you.

# Zoom Webinar Controls

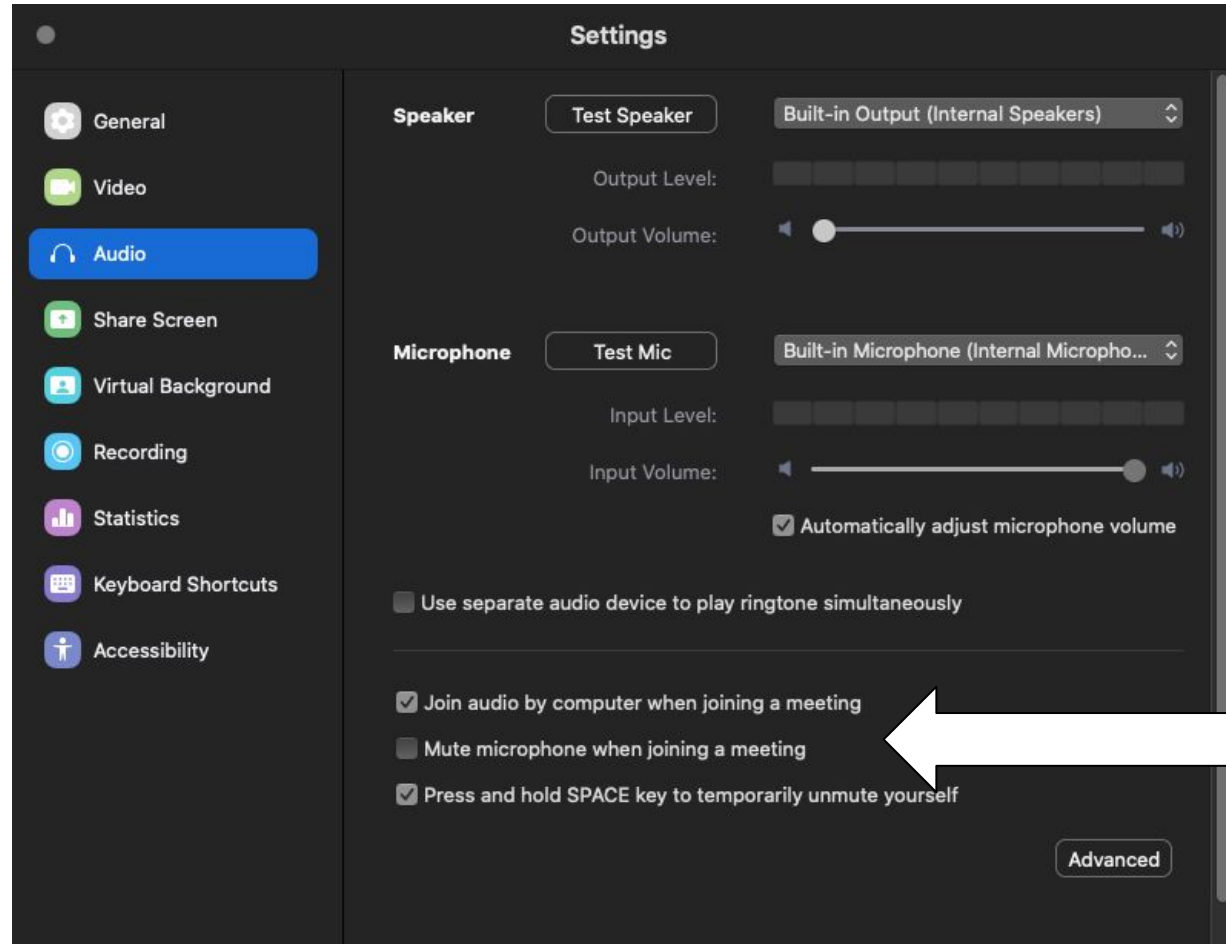
Navigating your bar on the bottom...



- **Windows:** You can also use the **Alt+Y** keyboard shortcut to raise or lower your hand.
- **Mac:** You can also use the **Option+Y** keyboard shortcut to raise or lower your hand.



# Audio Settings



The screenshot shows the Zoom 'Settings' window with the 'Audio' tab selected. The left sidebar lists various settings categories: General, Video, Audio (highlighted), Share Screen, Virtual Background, Recording, Statistics, Keyboard Shortcuts, and Accessibility. The main content area is divided into 'Speaker' and 'Microphone' sections. The 'Speaker' section includes a 'Test Speaker' button, a dropdown menu for 'Built-in Output (Internal Speakers)', and sliders for 'Output Level' and 'Output Volume'. The 'Microphone' section includes a 'Test Mic' button, a dropdown menu for 'Built-in Microphone (Internal Micropho...', sliders for 'Input Level' and 'Input Volume', and a checked checkbox for 'Automatically adjust microphone volume'. Below these sections are three checkboxes: 'Use separate audio device to play ringtone simultaneously' (unchecked), 'Join audio by computer when joining a meeting' (checked), 'Mute microphone when joining a meeting' (unchecked), and 'Press and hold SPACE key to temporarily unmute yourself' (checked). A white arrow points to the 'Join audio by computer when joining a meeting' checkbox. An 'Advanced' button is located at the bottom right of the settings panel.

**Settings**

**Speaker** Test Speaker Built-in Output (Internal Speakers)

Output Level: [Progress Bar]

Output Volume: [Slider]

**Microphone** Test Mic Built-in Microphone (Internal Micropho...)

Input Level: [Progress Bar]

Input Volume: [Slider]

Automatically adjust microphone volume

Use separate audio device to play ringtone simultaneously

Join audio by computer when joining a meeting

Mute microphone when joining a meeting

Press and hold SPACE key to temporarily unmute yourself

Advanced

# Welcome!

## What to expect during the training:

- Information regarding the the Role of the Office of Human Rights for Individuals Living with a Serious Mental Illness (SMI),
- Real-time answers to related questions in the chat, and
- Links to relative sources.

## What to expect after the training:

- Concluding with Q&A session,
- Each participant will receive this presentation,
- Contact information for the OHR for questions on other topics, and
- Survey link.



# Frequently Asked Questions

**Who is in the audience?**

**Who can see my chats?**

**What if I don't want to talk during this meeting but would prefer to talk offline?**

**Why is this training based on AHCCCS policy and the Arizona Administrative Code?**

# Agenda

- ❑ Overview: The Division of Community Advocacy and Intergovernmental Relations (DCAIR)
- ❑ Overview: The Office of Human Rights (OHR)
- ❑ The Role of the Office of Human Rights
- ❑ Navigating the Rights of Individuals with a Serious Mental Illness
- ❑ Overview: The Office of Individual and Family Affairs (OIFA)
- ❑ Advocacy Resources
- ❑ Upcoming Forums and Training



\* [AHCCCS Acronyms Guide](#)



# The Role of the Office of Human Rights

Presented by:

The Office of Human Rights (OHR)

The Office of Individual and Family Affairs (OIFA)

AHCCCS/Division of Community Advocacy and Intergovernmental Relations (DCAIR)

May 23, 2023



## Overview

Division of Community Advocacy and  
Intergovernmental Relations (DCAIR)

Alex Demyan  
DCAIR Assistant Director



# DCAIR Departments

The Division of Community Advocacy and Intergovernmental Relations (DCAIR) is an AHCCCS division that houses functions that interface with our individuals, family individuals and other stakeholders. These areas are very important as they ensure the voice of the community is heard.

Office of Individual and Family Affairs (OIFA)

Peer and Family Support, and Individual Engagement

Office of Human Rights (OHR)

Advocacy for persons with a Serious Mental Illness

Federal Relations and Communications (FRAC)

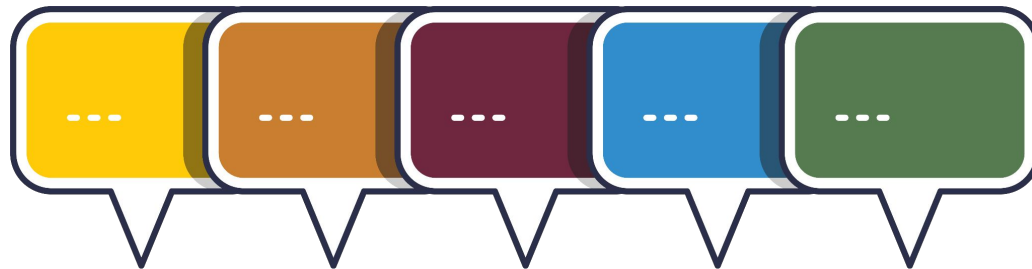
Waiver, State Plan, Tribal Relations, and Communications

# DCAIR Community Involvement

DCAIR routinely engages with our communities to educate, inform, and solicit feedback from individuals, families, providers, and stakeholders. We also facilitate or participate in workgroups & committees to address health care needs including:

- Behavioral Health Planning Council
- Arizona Council of Human Service Providers
- OIFA Advisory Council
- The State Medicaid Advisory Committee

See the [AHCCCS Community Events Calendar](#) for more public events.



# Sources for Feedback

- Public comments on policy,
- Calls received by the Advocate of the Day (AOD),
- Q&A with the community, and
- Other departments at AHCCCS like OIFA.





# Overview

## The Office of Human Rights (OHR)

John Pizzo, Advocate II

# The Office of Human Rights

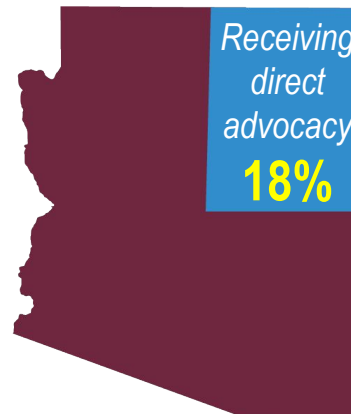
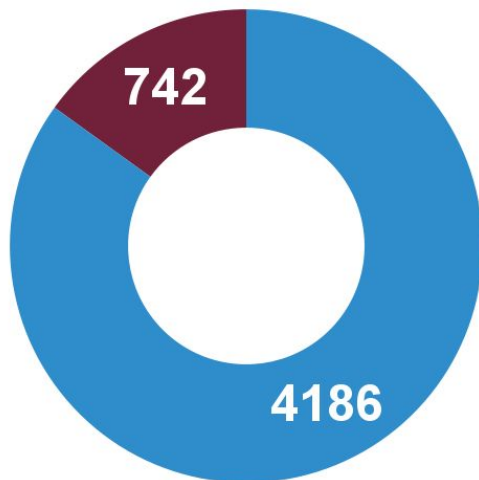
## Mission Statement

The OHR Provides advocacy to individuals living with a SMI to help them understand, protect and exercise their rights, facilitate self-advocacy through education, and obtain access to behavioral health services in the public behavioral health system in Arizona.

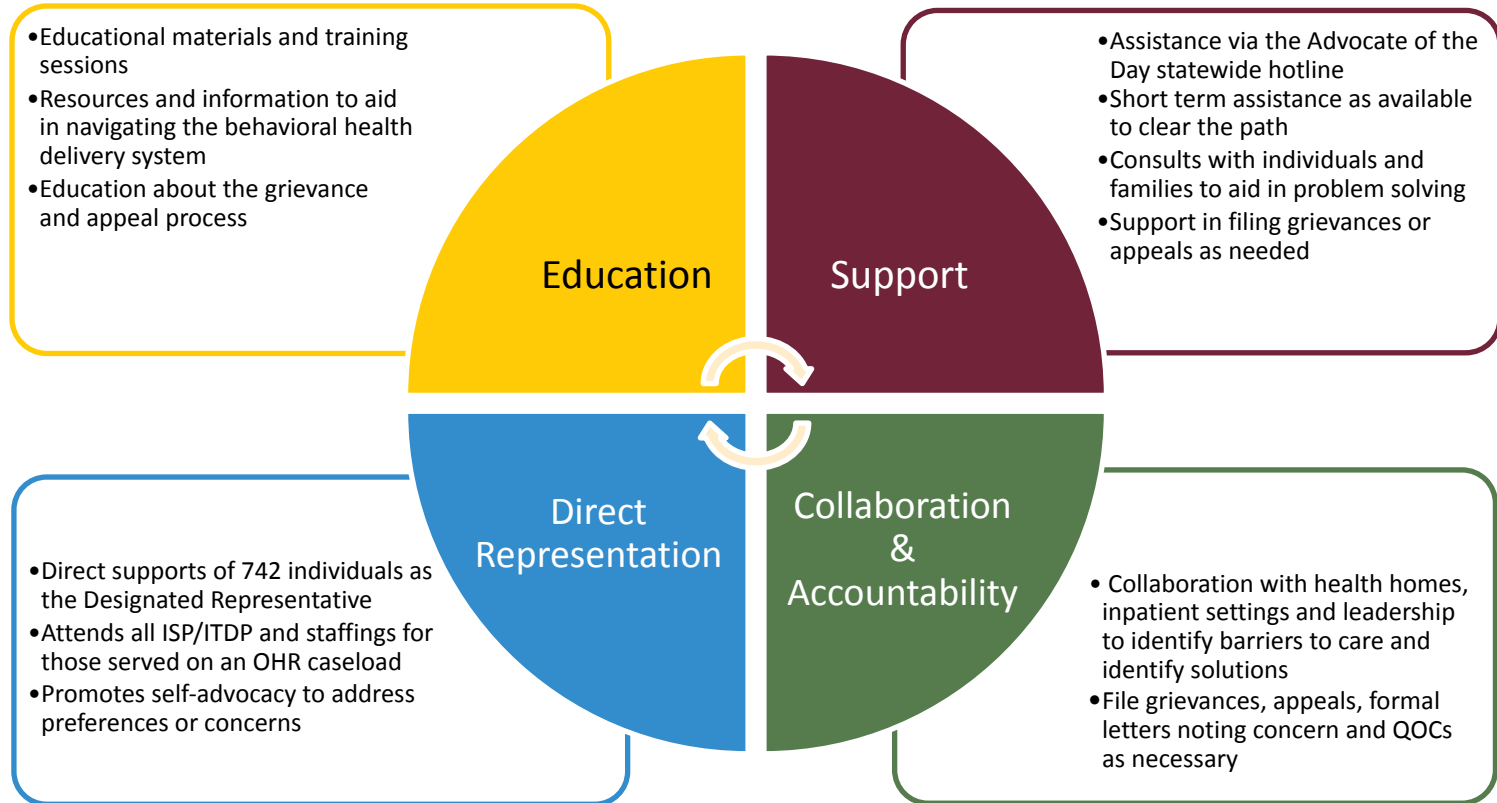


# Special Assistance Data as of May 1, 2023

- Total Special Assistance Members
- Served Directly by OHR



# OHR Advocacy at-a-Glance



# Community Education

8 community education session in the past year, engagement with over **1800 attendees** at these trainings:

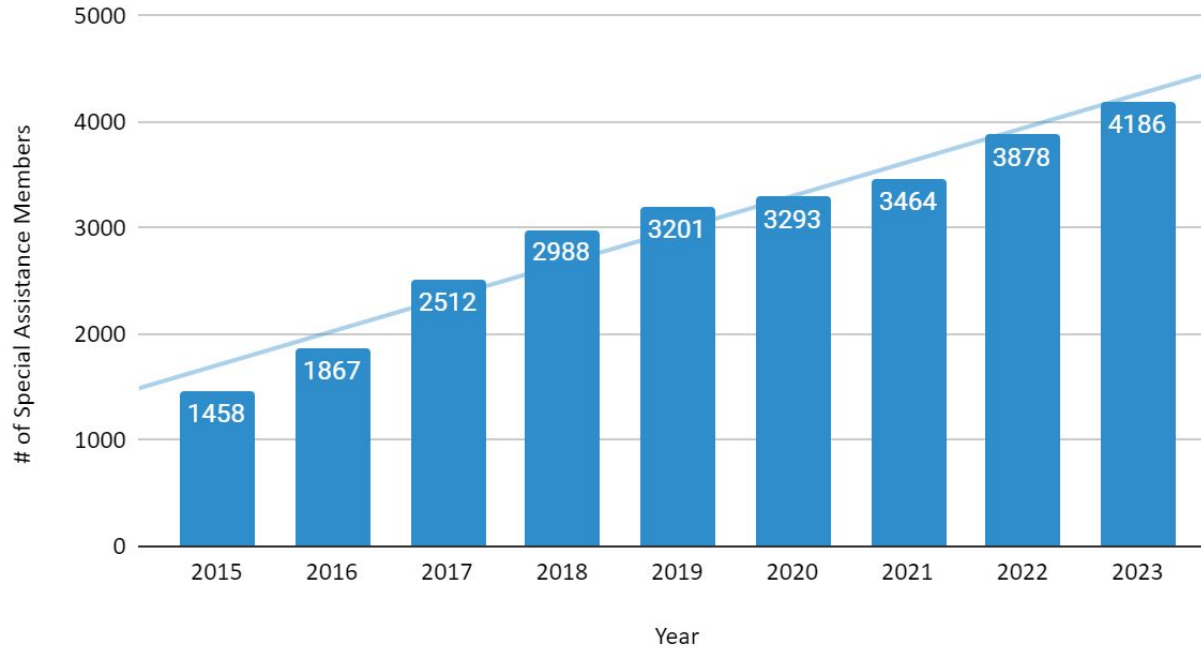
- Rights of Individuals living with a Serious Mental Illness,
- Court-ordered Evaluation and Court-ordered Treatment for Individuals Living with a Serious Mental Illness,
- The Individual Service Plan and Why it Matters for Individuals Living with a Serious Mental Illness,
- Inpatient Treatment and Discharge Planning for Individuals with a Serious Mental Illness,
- The Grievance and Appeals Process for Individuals Living with a Serious Mental Illness,
- The Power of Collaboration and Advocacy for Individuals Living with a Serious Mental Illness, and
- Why Assess for Special Assistance for Individuals Living with a Serious Mental Illness,
- Provider Case Management for Individuals living with a Serious Mental Illness

Previous OHR trainings are available [here](#).



# Education Results in Growth

## # of Special Assistance Growth Trend





# The Role of OHR

## Andrea Sitter, Advocate

# The Role of OHR

- OHR is established by [the Arizona Administrative Code](#) established OHR within AHCCCS, and employs advocates who assist alongside individuals determined to have a SMI with service planning, inpatient discharge planning, and resolving appeals and grievances.
- OHR primarily serves as the designated representative for individuals designated with a SMI and who meet the Special Assistance criteria.



Read from the AHCCCS Medical Policy Manual (AMPM) 320-R for [Special Assistance for individuals with a Serious Mental Illness.](#)

# Special Assistance



The support provided to an individual designated with a SMI who is unable to articulate treatment preferences and/or participate effectively in:

- The development of the Individual Service Plan (ISP),
- Inpatient Treatment, and Discharge Plan (ITDP),
- Grievance and/or appeal processes.

This is due to a cognitive or intellectual impairment and/or medical condition.

# Special Assistance Criteria

- SMI determination,
- Has a court appointed guardian or,
- Unable to do any of the following:
  - Communicate preferences for services,
  - Participate effectively in service planning (ISP) or inpatient treatment and discharge (ITDP) planning, or
  - Participate effectively in the appeal, grievance, and/or investigation processes.



It is important to distinguish **unable** from **unwilling** while determining if a person meets criteria for Special Assistance. Resources on Special Assistance criteria are available on our [website](#).

# Special Assistance Criteria

The description of the individual's limitations must be linked to one or more of the following categories:

1. Cognitive barrier/limitation
2. Language barrier
3. Medical issue
4. Intellectual capacity, or
5. Guardianship: individuals who are under a general (not limited) guardianship have been found to be “incapacitated” and automatically meet criteria.

Read more about Special Assistance criteria in the [AMPM 320-R](#).

# Who Can Assess for Special Assistance

Per [the Arizona Administrative Code](#) and [AHCCCS Medical Policy Manual 320-R](#) the following may determine an individual to be in need of Special Assistance:



- Qualified Clinician
- Case Manager
- Clinical Team
- Tribal Regional Behavioral Health Authority
- Regional Behavioral Health Agreement
- Program Director of a subcontracted provider
- AHCCCS Deputy Director
- Administrative Hearing Officer

# When to Assess for Special Assistance

At a minimum, and ongoing, basis, member's designated with a Serious Mental Illness must be assessed for Special Assistance criteria and shall occur at the following stages:

- Assessment and annual updates,
- Development of, or update to the service plan,
- Admission to a psychiatric inpatient facility,
- Development of or update to an ITDP,
- Initiation of the grievance or investigation processes
- Filing of an appeal, and
- Existence of circumstances and/or other contributing factors which may be a basis for a grievance, an investigation, or an appeal.







# What the Role Does Not Include

Darlene Barnwell, Advocate

# What the Criteria is Not

Per AMPM 320-R, criteria shall not consider an individual who:

- Needs things explained in more basic terms,
- Is able but not willing to participate in treatment, service planning, ITDP, the appeal, grievance or investigation processes,
- Can speak and advocate for themselves but interpersonal issues make coordination of care and treatment planning challenging,
- Needs more regular and effective engagement from the treatment team, or
- Has a special need, (e.g. unable to read or write, needs an interpreter).



# What OHR Does Not Do



- Drive service options,
- Make decisions or consent for the individual,
- Provide or secure services or any case management responsibilities, nor
- Offer legal advice.

Read more about the AHCCCS policy for [Case Manager Requirements](#)



# The Role of the Person Meeting Needs

Autumn Ross, Advocate

# Designated Representative vs. Health Care Decision Maker



**Health Care Decision Maker (HCDM)** - Some treatment planning decisions are made on behalf of individuals if they have a HCDM, which is defined as: An individual who is authorized to make health care treatment decisions and is sometimes filled by guardians. Refer to [AHCCCS Contract and Policy Dictionary](#).



**Designated Representative (DR)** - An individual, parent, guardian, relative, advocate, friend, or other individual, designated orally or in writing by a individual or guardian who, upon the request of the individual, assists the individual in protecting the individual's rights and voicing the individual's service needs. Refer to [the Arizona Administrative Code](#). A DR may also be referred to as a “natural support” or Advocate.

HCDM, also known as guardians, differ from the DR due to their legal authority to make treatment decisions. The DR serves as a “loud speaker” to echo the individual's voice until such time they no longer meet criteria.

# Who can meet Special Assistance needs?

- Permanent guardians
- Natural supports
- OHR Advocate



# The Role of the Person Meeting Needs

Requires ongoing involvement with the individual and clinical team to support informed choice, protection of rights and development of self-advocacy, and shall align with the individual's decisions. The role includes:

- Knowing the resources available,
- Collaborating with the clinical team to ensure service delivery when discussing options or changes,
- Attending discharge planning and ITDP meetings when the individual is in an inpatient psychiatric setting,
- Maintaining regular contact with the clinical team,
- Assisting in the SMI grievance/investigation and appeals process.

# When an OHR Advocate is Assigned

- Support with the SMI appeal and/or grievance processes,
- Education on SMI rights,
- Ongoing support in the development on self-advocacy skills while navigating the public behavioral health system.



In accordance with the [Arizona Administrative Code R9-21](#)



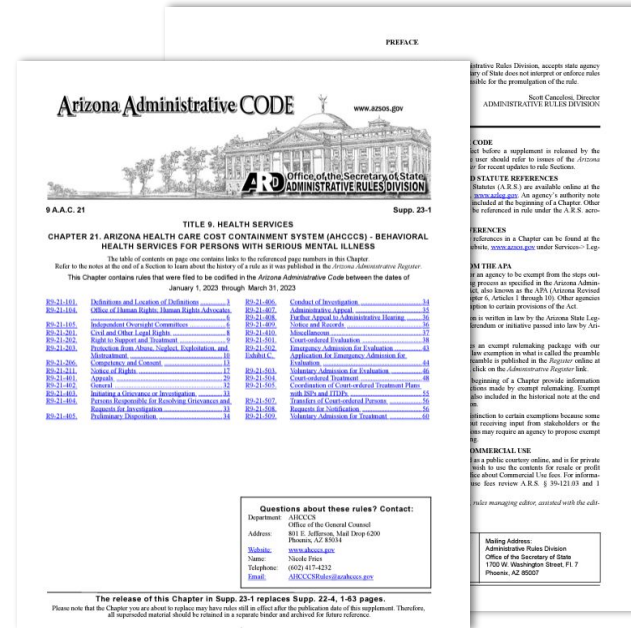


# OHR's Oversight of Special Assistance Requirements

Ethan Gonzalez, Advocate

# Required by the Arizona Administrative Code

- In the public behavioral health system in Arizona, individuals living with an SMI have specific rights, including civil rights and other legal rights, in accordance with the Arizona Administrative Code for the [Rights for Individuals Living with a Serious Mental Illness](#).
- Assessing for Special Assistance is a right and requirement as specified in R9-21-301-C.1.A from the Arizona Administrative Code.



# Required by AHCCCS Policy

- The [AHCCCS Medical Policy Manual \(AMPM\)](#) provides information to Contractors and Providers regarding services that are covered within the AHCCCS program.
- [AMPM 320-R](#) is where to find the policy on Special Assistance for individuals living with a SMI.

HOME AHCCCS INFO MEMBERS/APPLICANTS PLANS/PROVIDERS AMERICAN INDIANS RESOURCES FRAUD PREVENTION CRISIS?

Home Plans & Providers Contractor Guides & Manuals AMPM This Page

▼ Oversight of Health Plans AHCCCS Medical Policy Manual (AMPM)

▼ Governmental Oversight

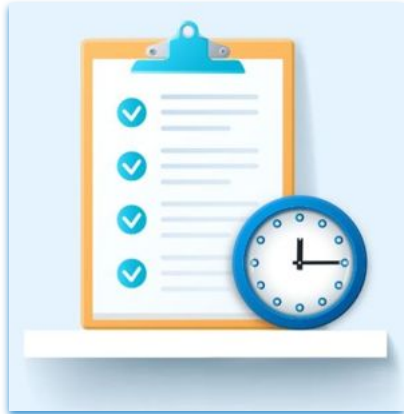
Information Regarding COVID-19

APPLICANTS PLANS/PROVIDERS AMERICAN INDIANS RESOURCES FRAUD PREVENTION CRISIS?

To view AMPM Policies, select Policy from the AMPM Table of Contents below.

|  |   |
|--|---|
| Approved Policies not Yet Effective  | ▼ |
| Chapter 100 - Manual Overview  | ▼ |
| Chapter 200 - Behavioral Health Practice Tools   | ▼ |
| Chapter 300 - Medical Policy for Covered Services  | ▼ |
| Chapter 400 - Medical Policy for Maternal and Child Health   | ▼ |
| Chapter 500 - Care Coordination Requirements   | ▼ |
| Chapter 600 - Provider Qualifications and Provider Requirements  | ▼ |
| Chapter 700 - School Based Claiming Program/Direct Services Claiming   | ▼ |
| Chapter 800 - Fee-For-Service Quality and Utilization Management   | ▼ |
| Chapter 900 - Quality Management and Performance Improvement Program   | ▼ |
| Chapter 1000 - Medical Management (MM)   | ▼ |
| Chapter 1100 - Federal Emergency Services (FES) Program  | ▼ |
| Chapter 1200 - ALTCS Services and Setting for Members who are Elderly and/or Have Physical Disabilities and/or Have Developmental Disabilities | ▼ |
| Chapter 1300 - Member Directed Options   | ▼ |
| Chapter 1600 - ALTCS Case Management   | ▼ |
| Appendices   | ▼ |
| AMPM Revision Memos  | ▼ |

# Assessments and Notifications



- All individuals with a SMI designation must be assessed for Special Assistance.
- When an individual is identified as meeting criteria for Special Assistance, notification to the OHR is required within five business days.

[AHCCCS Medical Policy: Special Assistance for individuals with a SMI: AMPM 320-R](#)

# Reassessment Process

Re-assessments are to be completed on an ongoing basis, but minimally at the following stages:

- Development and review of the ISP,
- Admit or discharge to/from an inpatient psychiatric setting,
- ITDP, and
- Investigation, grievance or appeal process,
- Upon a formal request.



A person who meets criteria for Special Assistance at one time may no longer need the extra support upon a re-assessment. When a individual is clinically assessed as no longer meeting criteria, the team must submit the Part C of the notification to OHR.

# Coordination and Communication

- Maintain open communication with the person assigned to meet Special Assistance needs. Minimally, this involves providing timely notification to the individual providing Special Assistance to ensure involvement in the following in accordance with the [Arizona Administrative Code](#).
  - Service plan
  - ITDP planning
  - Appeal process
  - Investigation or grievance



# Records and Updates

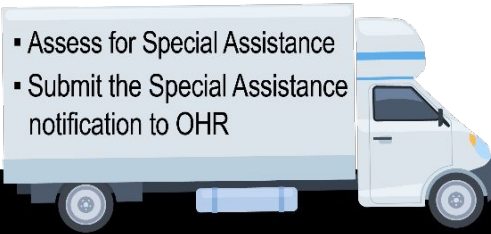
- Provide records 10 business days following a records request by the assigned person meeting needs.
- Update OHR of all demographic updates within 5 business days of a change for any of the following:
  - Residence information
  - Provider information
  - Clinical information
  - Guardian /Advocate information

\*[AHCCCS Policy: Medical Records and Communication](#)

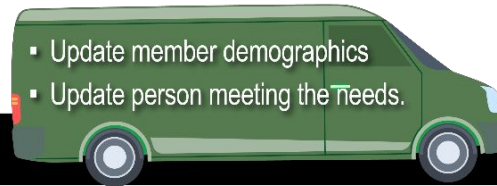


# Required Notification Process

Part A



Part B



Part C



[AHCCCS QM OHR Portal User Guide](#)





# Navigating the Rights of Individuals Living with a Serious Mental Illness

Denard Stewart, Advocate

# Navigating SMI Rights

There are several ways individuals can protect their SMI rights:

- Informal approach (provider),
- Complaint,
- Appeal, and/or
- Grievance.

Staff **cannot** retaliate against a person for self-advocating and/or using the processes in place to address problems.

R9-21-203.A.8

One-pager on SMI complaints, appeals, and grievances is available [here](#).

# SMI Grievance and Appeal Process

Formal actions that can be taken when a individual needs to resolve an issue in accordance with [the Arizona Administrative Code R9-21-401 and 403](#).

**SMI Grievance:** filed when there is an allegation that a individual living with an SMI has had their rights violated. This process is in accordance with [AHCCCS Contractor Operations Manual \(ACOM\) 446](#) for grievances and investigations.

**SMI Appeal:** filed when a individual disagrees with decisions regarding eligibility for behavioral health services, including TXIX services, fees and waivers; assessments and further evaluations; and services and treatment plans. This process is in accordance with [AHCCCS Contractor Operations Manual \(ACOM\) 444](#) for the notice and appeal requirements.

The image shows two overlapping forms from AHCCCS. The top form is titled "MEMBER/APPLICANT INFORMATION" and contains fields for NAME (LAST, FIRST, MIDDLE INITIAL), DATE, ADDRESS, CITY, STATE, ZIP CODE, PHONE, and DATE OF BIRTH. Below these fields is a section for "NAME OF INDIVIDUAL FILING FORM (IF DIFFERENT FROM ABOVE)" with similar fields. The bottom form is titled "DESCRIPTION OF APPEAL OR GRIEVANCE" and contains a large text area for describing the issue. The forms are part of the AHCCCS Contractor Operations Manual, Policy 446, Attachment A - AHCCCS APPEAL OR SERVICES MENTAL ILLNESS GRIEVANCE FORM.



# Overview

## The Office of Individual and Family Affairs (OIFA)

Jamie Green

OIFA Healthcare Advocacy Coordinator

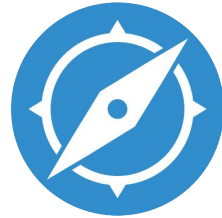
# OIFA Mission

The Office of Individual and Family Affairs promotes **recovery, resiliency, and wellness** for individuals whose lives have been impacted by mental health and/or substance use challenges.



# Office of Individual and Family Affairs (OIFA)

The AHCCCS Office of Individual and Family Affairs (OIFA) takes pride in helping individuals and family individuals in the public health care system. OIFA is dedicated to three core areas:



Our actions, initiatives, and successes drive us toward our core goals.

# individual Voice and Education Events

AHCCCS Community Forums

Community Policy Workgroup

AHCCCS Hot Topics

Jacob's Law Training

Healthcare System Navigation

View the calendar of events at: <https://www.azahcccs.gov/shared/AHCCCSalendar.html>

# Ending Stigma

- Stigma shapes how we perceive mental illness and mental health. Stigma may influence who people interact or socialize with.
- Negative public perceptions hamper access to housing, employment, and health care.
- This discrimination can seriously affect a person's willingness to seek or continue treatment for mental illness.
- Stigma erodes a person's self-esteem and sense of dignity so that shame prevents them from seeking help.







# Advocacy Resources

Denard Stewart, Advocate

# Advocate of the Day



OHR operates a single statewide phone line during business hours to provide technical assistance to anyone living with a Serious Mental Illness. Technical assistance could include:

**2022  
Calls**



- Providing education and resources for behavioral health services in Arizona,
- Helping a person understand their rights as an individual living with a Serious Mental Illness,
- Helping an individual to understand their treatment options, and
- Educating about the grievance and/or appeal process.

**1-800-421-2124**

# Health Plans, ACC-RBHA and TRBHA Contacts

| Health Plans, ACC-RBHA or TRBHA     | Customer Service | Webpage                                     |
|-------------------------------------|------------------|---|
| Banner – University Family Care LTC | 1-833-318-4146   | <a href="#">Banner UFC</a>                  |
| Mercy Care LTC                      | 1-800-624-3879   | <a href="#">Mercy Care LTC</a>              |
| Care1st Arizona                     | 1-866-560-4042   | <a href="#">Care1st Arizona</a>             |
| Mercy Care RBHA                     | 1-800-564-5465   | <a href="#">Mercy Care RBHA</a>             |
| AHCCCS American Indian HP           | 1-800-654-8713   | <a href="#">American Indians-AIHP</a>       |
| United Healthcare LTC               | 1-800-293-3740   | <a href="#">UHC LTC</a>                     |
| Arizona Complete Health             | 1-888-788-4408   | <a href="#">AZ Complete Health</a>          |
| Gila River TRBHA                    | 1-520-562-3321   | <a href="#">Gila River TRBHA</a>            |
| Pascua Yaqui TRBHA                  | 1-520-879-6060   | <a href="#">Pascua Yaqui TRBHA</a>          |
| Navajo Nation TRBHA                 | 1-928 871-6000   | <a href="#">Navajo Nation TRBHA</a>         |
| White Mountain Apache TRBHA         | 1-928-338-4811   | <a href="#">White Mountain Apache TRBHA</a> |

# Resources: Rule and Statutes

## **Arizona Administrative Code:**

[Rights for individuals Living with a Serious Mental Illness-Arizona Administrative Code \(R9-21\)](#)

## **Arizona Revised Statutes:**

[Court Ordered Evaluation and Treatment- A.R.S. Articles 4 & 5, 520-544](#)

[Confidential Records-A.R.S. 36-509](#)

[Guardianship of Incapacitated Adults- Title 14, Chapter 5, Article 3](#)



# Resources: Policies and Manuals

## AHCCCS Medical Policy Manual (AMPM)

[Discharge Planning - AMPM 1020/Utilization Management](#)

[Special Assistance for individuals with a SMI - AMPM 320-R](#)

[Behavioral Health Covered Services- AMPM 310-B](#)

[Medical Records and Communication - AMPM 940](#)

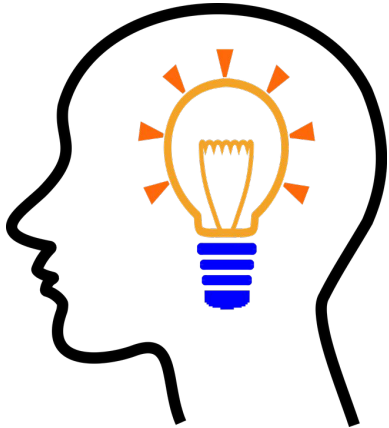
[Case Manager Requirements - AMPM 570](#)

## AHCCCS Contractor Operations Manual (ACOM)

[SMI Appeals-ACOM 444](#)

[SMI Grievance and Investigations-ACOM 446](#)

[SMI Grievance/Appeal Form](#)



# Additional Advocacy Resources

[AHCCCS OHR Web page](#)

[AHCCCS OIFA Web page](#)

[AHCCCS Related Acronyms](#)

[AHCCCS Contract and Policy Dictionary](#)

[AHCCCS Community Events Calendar](#)





AHCCCS Website  
[www.azahcccs.gov](http://www.azahcccs.gov)

# Navigating the AHCCCS Website



## News & Updates

A listing of current AHCCCS News & Updates.



## Calendar

A list of upcoming events at AHCCCS



## Having a Crisis?

A list of resources to assist you with getting the help you need



## Apply Now

Apply for AHCCCS Benefits at Health-e-Arizona Plus



## Contact Us

A list of contacts at AHCCCS

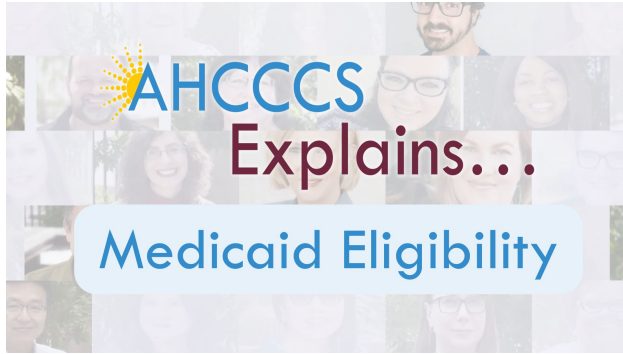


## Public Notices

View demonstration projects, notices, meeting/hearing dates and provide comments



# Learn about AHCCCS' Medicaid Program on YouTube!



Watch our Playlist:

[Meet Arizona's Innovative Medicaid Program](#)



# Upcoming Forums and Trainings

Ywchari Manos, Advocate

# Upcoming AHCCCS Advocacy Training

Register for upcoming trainings by clicking on the name of the course.



|      |  |
|------|--|
| 6/21 | <a href="#"><u>The Grievance and Appeals Process for Individuals Living with a Serious Mental Illness</u></a>  |
| 7/19 | <a href="#"><u>Covered Behavioral Health Services for Individuals Living with a Serious Mental Illness</u></a> |

# Upcoming Forums and Events

## Jacob's Law Training

Thurs., 6/15, 10:00 a.m. - 12:00 p.m. [Register in Advance](#)

## AHCCCS Hot Topics: To Be Determined

Mon., 6/19, 11:00 a.m. - 11:30 p.m. [Register in Advance](#)

## OHR/OIFA: The Grievance and Appeals Process

Wed., 6/21, 10:00 a.m. - 11:30 a.m. [Register in Advance](#)

## OIFA Health Care Navigation: Funding Sources and Oversight

Tues., 6/27, 12:00 p.m. - 12:30 p.m. [Register in Advance](#)

# Follow & Support AHCCCS on Social Media

facebook

twitter

 Instagram

LinkedIn

 YouTube

Handle:

[@AHCCCSgov](https://www.facebook.com/AHCCCSgov)

Handle:

[@AHCCCSgov](https://twitter.com/AHCCCSgov)

Handle:

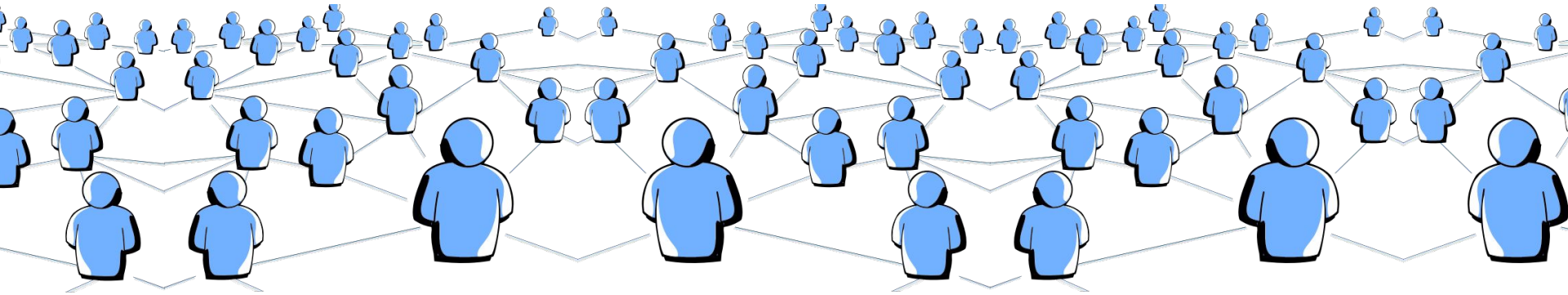
[@AHCCCSGov](https://www.instagram.com/AHCCCSGov)

Handle:

[@AHCCCS](https://www.linkedin.com/company/AHCCCS)

Channel:

[AHCCCSgov](https://www.youtube.com/channel/AHCCCSgov)





# *Please take the survey.*

Surveys help us better tailor meetings to your needs.



Questions?



Thank you