



Division of Community Advocacy and Intergovernmental Relations

Office of Human Rights

Office of Human Rights (OHR) Mission Statement

Providing advocacy to members determined to have a Serious Mental Illness (SMI) to help them understand, protect and exercise their rights and facilitating self-advocacy through education regarding access to covered services offered through the publicly funded behavioral health system in Arizona.

What Is OHR?

OHR is the State Advocacy Office Established by the Arizona Administrative Code (A.A.C.), R9-21-104

OHR is a part of AHCCCS/Division of Community Advocacy and Intergovernmental Relations (DCAIR) along with:

- Office of Individual and Family Affairs (OIFA)
- Office of Federal Relations and Communications
- Federal Relations Administrator
- State Plan and Health Policy Manager
- Waiver Manager
- Tribal Liaison
- Public Information Officer
- Graphic Designer

The DCAIR team works with multiple community stakeholders, committees and counsels to ensure member and community voice is considered in the AHCCCS mission and priorities.

- Committees, Councils and Workgroups
 - Behavioral Health Planning Council
 - OIFA Advisory Council
 - Independent Oversight Committees
 - Arizona Council of Human Service Providers
 - The State Medicaid Advisory Committee
 - ALTCS Advisory Council

How Does A Person Receive OHR Assistance?

For members who need Special Assistance:

- It is the responsibility of every member of the clinical team to assess members that have an SMI determination for Special Assistance criteria during any Individual Service Planning (ISP), Inpatient Treatment & Discharge Planning (ITDP), grievance or appeal process and when conditions exist that may result in an SMI appeal or grievance process. Once a clinical determination is made that a member meets criteria the team will send notification to the assigned Health Plan and the OHR.
 - Whether someone who meets criteria is assigned an OHR advocate or a natural support designated representative advocate is determined by OHR after the notification is submitted.
 - For members who meet Special Assistance criteria due to guardianship, the guardian is assigned as the advocate and may reach out to OHR for technical assistance at any time.
- For all other members/guardians or other designated representatives requesting technical assistance:
 - A letter, phone call or email to any of the three OHR offices will result in connecting with an advocate for resources and support.
 - Case managers, social workers and any other member of a clinical team is able assist members and families connect with an OHR advocate.

Whom Do We Serve?

Adults determined to have a Serious Mental Illness (SMI) and identified as Special Assistance who are enrolled in and receiving services from the publicly funded behavioral health system (advocate assignment).

OHR also provides technical assistance to any enrolled SMI designated member, guardian of an SMI designated member or any designated representative or natural support requesting assistance on behalf of an enrolled member.

What is Special Assistance?

Special Assistance: A support intended to enhance SMI designated members ability to participate in the selection of covered services and protect his/her rights as defined in the Arizona Administrative Code. (A.A.C. R9-21-100 et. seq.).

Special Assistance is a clinical determination made by a qualified clinician. The Special Assistance designation is reserved for enrolled SMI designated members who are unable to articulate treatment preferences and/or participate effectively in the development of the ISP, ITDP, grievance and/or appeal processes due to a cognitive or intellectual impairment, a medical condition (including severe psychiatric symptoms) or a language barrier (that cannot be resolved through an interpreter). SMI designated members that have a court appointed guardian automatically meet criteria for Special Assistance.

AHCCCS contracted Health Plans and providers are required to include the person providing Special Assistance in various parts of member's treatment

What Assistance Do We Provide?

OHR provides - *free of charge* – for Special Assistance members assigned to an OHR advocate (if there is not a natural support designated representative or court appointed guardian):

- Preparation for and assistance at member Individual Service Plan (ISP) meetings, and when inpatient, Inpatient Treatment & Discharge Plan (ITDP) meetings.
- Follow-up on implementation of services – which can include informal intervention, or use of appeal and/or grievance processes.
- On-going involvement with the member and clinical team to support informed choice, protection of rights and development of self-advocacy, to the greatest extent possible.

OHR Advocate Role

The OHR advocate assigned to a Special Assistance member will:

- Participate as **a member of the clinical team**, in formal member related meetings (service planning, discharge planning, monthly staffing's, residential staffing's, etc.).
- Meet informally with members and involved guardians or family members (when applicable) to learn member preferences, needs and to observe how services are being implemented.
- Communicate regularly with the clinical team (primarily case manager/service providers) in person, by phone or via secure email with a focus on ensuring implementation of services
- Communicate with provider supervisors as well as T/RBHA or health plan staff when needed.
- Assists members in resolving complaints or concerns informally (provider level collaboration) or more formally (SMI grievance, appeal or request for investigation processes).

What Is Technical Assistance?

OHR provides information and educational resources to members and other interested parties, like providers and guardians, including but not limited to:

- Education to support and encourage self-advocacy: through brochures, guides and live educational workshops in the community.
- 1:1 guidance/assistance with filing a complaint, SMI grievance (involving rights violations) or SMI appeal (involving access to covered services).
- Resources permitting, participation or assistance with discharge planning from psychiatric inpatient facility.

DID YOU KNOW?

An advocate is one who “pleads the cause of another.” (*Webster’s Dictionary*)

With respect to OHR, this means that the advocate speaks on the member’s behalf to promote the member’s interests on any specific issue.

The Arizona Administrative Code (A.A.C.) requires AHCCCS contracted Health Plans and subcontracted providers to:

- Cooperate with OHR;
- Provide access to sites and members (including providing space to meet privately);
- Provide access to records and other information, including access to staff when applicable.

Other OHR Duties

In addition to direct member advocacy, OHR performs many other functions, some of which are oversight-related, including but not limited to:

- Maintaining a list of all members determined to be in need of Special Assistance
- Tracking the provision of assistance in the identified areas and providing an advocate to represent members, as needed.
- Identifying, tracking, and addressing systemic issues within the scope of SMI Rights and Services as outlined in A.A.C.
- Reviewing Incident/Accident/Death (IAD) and Seclusion & Restraint (S&R) reports to identify and address any rights violations or systemic issues.
- Providing input from advocacy perspective within AHCCCS
- Coordination with other behavioral/mental health advocacy agencies

What OHR Does Not Do

OHR is **not** a law firm, so its staff **cannot** give legal advice nor represent members as an attorney/law firm does.

OHR **cannot** secure services/entitlements outside of the public behavioral health system.

OHR **cannot** provide clinical services: case management, crisis, therapy, medications, transportation, etc.

OHR Contact Information

Phoenix Office

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