

# **Southwest Michigan Behavioral Health**

## **Member Services**

### **Mental Health and Substance Use Service Providers**

#### **MI Health Link (MHL)**

#### **Overview**

The Member Services department at Southwest Michigan Behavioral Health (SWMBH) provides essential functions for Substance Use providers and works in collaboration with the Member Service Representatives from the eight affiliated counties to assure that all customers, family members and advocates know what their behavioral health and substance use benefits are, and how to access them in a way that they understand. We assure that customers know their grievance and appeal rights and how to have their concerns addressed in a timely and respectful manner. This department promotes services that are ethical and sensitive to diversity including but not limited to linguistic, cultural, religious, and ethnic differences. Additionally, we ensure that all other SWMBH cross-functional departments, as applicable, are involved in resolving concerns with accessibility, acceptability, impact and value.

Member Services incorporates member input into services and planning. SWMBH obtains input through many avenues, but namely through SWMBH's Customer Advisory Committee (CAC) and through member involvement on standing committees. The CAC is made up of members who represent the various populations served by SWMBH throughout the region. The CAC meets regularly and works to assure that members have input into the development of our policies and procedures, service delivery, access, budget, community engagement, and other aspects of SWMBH. Please see *SWMBH Customer Service Policy, 06.06 Customer Advisory Committee* as posted on the website if you have any further questions about the role of our CAC.

For MI Health Link members, the member services functions (complaints/appeals, language assistance, etc.) are managed at SWMBH. You can have members call 1-800-676-5814 for member service needs. A list of member service functions is listed in the next section. If you are not sure if a member has MI Health Link, you can call SWMBH at 1-800-676-5814.

#### **Member Service Representatives Duties Include:**

- Provide a welcoming environment and orientation to services and benefits available, and the provider network.
- Provide information about how to access behavioral health, substance use disorder, primary health, and other community resources.
- Assist members with understanding their rights with regarding choice of provider and participation in decision making about their health.
- Provide information about how to access Recipient Rights.
- Help individuals with problems and inquiries regarding benefits.
- Discuss with members the expectations regarding active participation in their case and treatment.
- Assist individuals with grievance and appeal processes including assistance with filling out paperwork when necessary.
- Oversee local and regional grievance and appeal processes.
- Track and report patterns of problems for the organization.
- Know how to access information concerning benefits, network providers, network policies and procedures, access to services, authorizations,

grievance/appeals process, interpreter service and transportation for members that are eligible.

- Assisting members in obtaining information on plan benefits, medications, educational materials, and other materials, needed in alternative formats.
- Processing members and their families Grievances and Appeals rapidly and completely following SWMBH policies and procedures
- Assuring that cultural and language needs are met when interacting with customers.
- Ensuring accommodation is provided for members with physical disabilities, hearing and vision impairments, Limited-English proficiency, and alternative forms of communication.
- Assist with obtaining advocates as necessary.
- Developing, distributing and tracking, member education and marketing materials.
- Member Service staff must be trained to welcome people to the public behavioral health and substance use system and to have a current working knowledge or know where in the organization detailed information can be obtained in at least the following:
  - The populations served (serious mental illness, serious emotional disturbance, developmentally disability, substance use disorder) and eligibility criteria for various benefit plans (e.g., Medicaid, Healthy Michigan Plan, MI Child, MI Health Link).
  - Service array (including substance use treatment services), medical necessity requirements and eligibility for and referral to specialty services, including Indian Healthcare Providers (IHCP)
  - Person-Centered planning
  - Self determination
  - Recovery and resiliency
  - Peer Specialists
  - Grievance and appeals, Fair hearings, local dispute resolution processes, and Recipient Rights
  - Limited English Proficiency and cultural competency
  - Information and referral about Medicaid-covered services within the PIHP as well as outside to Medicaid Health Plans, Fee for Service practitioners, and Michigan Department of Health and Human Services
  - The organization of the Public Mental Health System
  - Medicaid Managed Care Regulations relative to the customer services functions and beneficiary rights and protections
  - Community resources (e.g., advocacy organizations, housing options, schools, public health agencies)
  - Public Health Code (for substance use treatment recipients if not delegated to the substance abuse coordinating agency)

### **Provider Rights To Filing a Grievance or Appeal on a Member's Behalf**

Providers may not file a grievance, appeal, or fair hearing on behalf of a member unless they have written consent from the member to act as their authorized representative. If a member would like to name you as their representative, please call SWMBH at 1-800-676-5814 and we can send you the appointment of representative form to be signed by you and the member. SWMBH will process grievances, mental health local appeals, and Substance Use Disorder (SUD) local appeals for MI Health Link members. SWMBH may collaborate with community mental health (CMH) agencies to conduct investigations and

clinical reviews of services as needed; however, any letters related to grievances or appeals will be sent directly from SWMBH.

Second opinions are based on the Mental Health Code [330.1409 (4) and 330.1705] and are specifically for mental health members when they initially apply for eligibility for services or when being screened for psychiatric hospitalization. You, as the provider, may not file a second opinion request on behalf of a member. Second opinions may only be requested by the member, parents of a minor, or a legal guardian. If a member requests a second opinion it must be provided by a qualified health care professional within the network or arranged for the ability of the member to obtain one out of network if necessary. This will be done at no cost to a MI Health Link member. SUD members do not have the right to a second opinion but can follow the appeal process.

For more information on the requirements, timeframes, and process for grievances, appeals, and second opinions please see *SWMBH MI Health Link Member Service Policies 6.7 Medicare Member Grievance Policy and 6.8 Adverse Benefit Determination Appeal Policy* as posted on the website. It is expected this policy will be adhered to as applicable to your agency and members. If you need more information or if you need someone to assist your members in resolving a grievance or filing an appeal or second opinion, please call SWMBH at 1-800-676-5814 and ask for member services.

### **Advocating for Members**

Southwest Michigan Behavioral Health does not prohibit health care professionals from advising or advocating on behalf of their member for the following:

- The member's health status, medical care or treatment options, including any alternative treatment that may be self-administered.
- Any information the member needs in order to decide among relevant treatment options
- The risks, benefits, and consequences of treatment or non-treatment.
- The member's right to participate in decisions regarding his or her health care, including the right to refuse treatment, and to express preferences about future treatment decisions.

### **Advance Directives**

Our members have the right under Michigan law, to make decisions about their medical care, including the right to accept or refuse medical or surgical treatment, as well as the right to make an advance directive. SWMBH does not have any moral objections and will not create any limitations, to implementing an advance directive. As a provider in our network, we ask you to please share with members written information on advance directives. This information must be continuously updated to reflect changes in state law as soon as possible but no later than 90 days after it becomes effective. As a provider, you may not provide legal or medical advice or service if a member expresses a desire to execute an advance directive. You may not discriminate or condition the provision of treatment based on whether the individual has executed an advance directive. If members have any complaints concerning non-compliance with advance directives, they may file that complaint with the member services department at SWMBH. Please see *SWMBH MI Health Link Member Service Policy 6.1 Advance Directives* as posted on the website if you have any further questions.

## **Limited English Proficiency (LEP)**

SWMBH is committed to making itself understood by members who do not read, hear or speak English very well. Our goal is to provide materials and services in a language/format the member can understand. This could include the use of bi-lingual staff members at your provider location, qualified interpreters, including American Sign Language, written information in a language they understand, Braille, or video/audio material, etc.

LEP services will be provided at **NO COST** to our members. Member services will coordinate any accommodations with customers that they need to understand materials. This will be done for individuals with cognitive or physical impairments. Member Services will provide individuals or their family's information on how to request an accommodation. Our goal is the full participation of all members in their treatment.

If you plan to produce and provide written materials for members, please make sure that all are written in plain language. Materials should strive for a 6<sup>th</sup> grade reading level (i.e., in some cases, it is necessary to include medications, diagnosis and conditions that do not meet the 6<sup>th</sup> grade level). Materials should not have false, confusing, and/or misleading information. Written materials provided to members must use a font size no smaller than 12 point.

Taglines in the top 15 languages spoken by individuals with LEP in Michigan will be posted in significant publications to members and in conspicuous locations where your agency interacts with the public. Example taglines are posted on the SWMBH website and include a large print tagline (no smaller than 16-point font) detailing how to access aids and translation services. For smaller publications (postcards, tri-fold brochures), taglines on the top 2 languages must be posted in visible font size.

To obtain an interpreter, or receive information in alternative formats, please contact SWMBH Member Services at 1-800-676-5814. Please see *SWMBH MI Health Link Member Service Policy, 06.04 Limited English Proficiency* as posted on the website if you have any further questions.

## **Cultural Competency**

Supports and services provided by our mental health and substance use treatment providers shall demonstrate commitment to linguistic and cultural competence that ensures meaningful participation for members. This includes respecting and honoring the member's preferences related to cultural values, beliefs, and practices that may affect their treatment. For example, we should use preferred names and pronouns verbally and in writing. We should also respect member's cultural/religious needs related to appointment days/times. We need to assure cultural competency and access to services for all members, including those with limited English proficiency and diverse cultural and ethnic backgrounds. Limited English proficiency is a national effort, required in our contract with the Michigan Department of Health and Human Services, as well as the Federal Managed Care Regulations.

Far beyond being just a set of contractual requirements, the delivery of culturally competent care is associated with better outcomes for persons with mental illnesses, severe emotional disturbances, substance use disorders and developmental disabilities. To assist you in acquiring appropriate knowledge about culturally competent practice, and to provide support for your efforts to document the degree of cultural competence among your staff, we have identified several sources to reference as cited below in Web Based Resources.

## **Member Rights and Responsibilities**

SWMBH ensures that members are afforded the treatment rights provided by federal and state statutes and regulations and in accordance with Southwest Michigan Behavioral Health policies. SWMBH intends to comply with Title VI of the Civil Rights Act of 1964 as implemented by regulations at 45 CFR part 80; Section 504 of the Rehabilitation Act of 1973; The Age Discrimination Act of 1975 as implemented by regulations at 45 CFR part 91; Titles II and III of the Americans with Disabilities ACT; Section 542 of the Public Health Service Act (pertaining to non-discrimination against Substance Abusers) and Title 45, Part 46 of the Code of Federal Regulations, pertaining to research involving human subjects. In an effort to ensure these rights, SWMBH and its' providers will make every practical effort to advise members of their rights during treatment, and to assist in the understanding of those rights as needed. All members will be provided information regarding enrollee rights and responsibilities through the MI Health Link Handbook. This is offered at the initiation of services, annually thereafter, or at their request.

Members may also obtain information about their rights through the MDHHS publication: "Your Rights When Receiving Mental Health Services in Michigan" which can be found at: [https://www.michigan.gov/mdhhs/0,5885,7-339-71550\\_2941\\_4868\\_4901-16988--,00.html](https://www.michigan.gov/mdhhs/0,5885,7-339-71550_2941_4868_4901-16988--,00.html)

You can also find information in the Code of Federal Regulations 42CFR 438.100 at: [https://www.ecfr.gov/cgi-bin/text-idx?SID=205050c2e539d03f52f238444bf913c4&mc=true&node=se42.4.438\\_1100&rgn=div8](https://www.ecfr.gov/cgi-bin/text-idx?SID=205050c2e539d03f52f238444bf913c4&mc=true&node=se42.4.438_1100&rgn=div8)

For Substance Use Services, they can find information about rights while getting substance use services at: [https://www.michigan.gov/lara/0,4601,7-154-89334\\_63294\\_30419\\_79925---,00.html](https://www.michigan.gov/lara/0,4601,7-154-89334_63294_30419_79925---,00.html)

SWMBH is committed to reporting any observed violations and referring any member complaints to the appropriate agency for resolution. Please see *SWMBH MI Health Link Member Service Policy, 06.02 Enrollee Rights and Responsibilities* as posted on our website if you have any further questions.

## **Web Based Resources**

### **United States Department of Health and Human Service Substance Abuse and Mental Health Service Administration**

*This website has many cultural/ethnicity topics*  
[www.mentalhealth.org](http://www.mentalhealth.org)

### **Office of Minority Health**

*Mission is to improve and protect the health of racial and ethnic minority populations through the development of health policies and programs that will eliminate health disparities.*

<https://minorityhealth.hhs.gov>

### **Diversity RX**

*A comprehensive clearinghouse of information on model programs, policies and legal issues related to cross cultural health*

[www.diversityrx.org](http://www.diversityrx.org)

### **National Center for Cultural Competence**

Georgetown University for Child and Human Development and the University  
Center for Excellence in Developmental Disabilities

*Mission is to increase the capacity of health care and mental health care programs to design, implement, and evaluate culturally and linguistically competent service delivery systems to address growing diversity, persistent disparities, and to promote health and mental health equity.*

<https://nccc.georgetown.edu>

Please see the Southwest Michigan Behavioral Health MI Health Link handbook or website [www.swmbh.org](http://www.swmbh.org) for more web-based resources.

## **Member Service Representatives**

We expect that member services will operate 8 hours daily, Monday through Friday, except for holidays. Member services should respond to calls within one business day.

### **Southwest Michigan Behavioral Health**

Member Services

5250 Lovers Lane, Suite 200

Portage, MI 49002

Member Services Toll Free: 1-800-676-5814 (TTY: 711)