

MCHENRY COUNTY MENTAL HEALTH BOARD

POLICY NAME: GENERAL POLICY STATEMENTS

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DOCUMENT CREATOR: Karin Frisk (Compliance & Operations Manager) **DATE CREATED:** 03/23/2015

APPROVED BY: Leonetta Rizzi (Executive Director) per Board action **APPROVAL DATE:** 8/28/2018

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IV. A. Annual Review of General Policy Statements (REV)

Introduction:

The McHenry County Mental Health Board was established in accordance with the Community Mental Health Act (HB 708 as amended by HB 1524 and HB 1156), 405 ILCS 20/Section 0.1 et.seq. by the McHenry County Board of Supervisors pursuant to a public referendum. The purpose of the McHenry County Mental Health Board is to make provisions for and coordinate programs of mental health, including those with intellectual and developmental disabilities, substance use disorders, and traumatic brain injury for the citizens of McHenry County directly, or by contract with public and private entities which provide such facilities and services. The McHenry County Mental Health Board is charged with the responsibility for: (1) executing programs and maintaining services and facilities as authorized under the amount appropriated under the County Sales Tax for Mental Health services; (2) making rules and regulations concerning the rendition or operation of services and facilities which it directs, supervises or funds; (3) reviewing and evaluating community mental health services and facilities, including services and facilities for the treatment of alcoholism, addictions, and developmental disabilities; (4) developing a written three year plan for a program of community behavioral health services and facilities including programs for the those with intellectual and developmental disabilities, substance use disorders and traumatic brain injury; and (5) reviewing and commenting on all applications for grants by any person, corporation, or governmental unit providing services within the geographical area of the Board which provides mental health facilities and services, when such facilities and services are included in the Board's Three Year Plan.

The McHenry County Mental Health Board was also awarded an initial operations grant from the National Institute for Mental Health under the authority of P.L. 94-63 (Community Mental Health Center Act, as amended) in 1979. This grant authorized the expenditure of federal funds to improve the quality, extent, and scope of mental health services in McHenry County including substance abuse services, but excluding developmental disabilities services as mandated under the federal legislation. Under the provisions of the federal legislation, the McHenry County Mental Health Board utilized these funds specifically for costs related to central administration, planning, research, and evaluation, consultation/education, and training services and for the provisions of the essential mental health services mandated under the CMHC Act, as amended. The essential services were stipulated as follows: inpatient, outpatient, emergency, partial hospitalization (Day Treatment), specialized services for the elderly, specialized services for children, screening assistance to courts, follow-up care (After Care),

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transitional half-way house services, alcoholism and drug addiction. Vocational rehabilitation services were mandated under P.L. 94-63 but are not included under the new P.L. 96-598 effective 10/7/80.

Since the NIMH grant ended, the MHB has at various times continued to receive Illinois Department of Human Services, Division of Mental Health contracts that represent federal pass-through funding under the Community Block Grant Award for Crisis Services and Medicaid, non-Medicaid and SASS contract funding, which when received, continued to support the original purposes of the NIMH grant.

Additionally the Illinois Department of Human Services, Division of Mental Health was awarded a Substance Abuse and Mental Health Administration (SAMHSA) System of Care grant in collaboration with the McHenry County Mental Health Board to fund a System of Care for Children's Mental Health under an executed Cooperative Agreement. The Illinois Department of Children and Family Services; the Department of Human Services; and the Illinois Department of Education provided additional contracts and funding for specific programs and populations. The Illinois Department of Human Services, Division of Mental Health (DMH) grants, when received, may require the MHB to be certified in accordance with applicable rules.

The Mental Health Board utilized a network structure (Network Council) to coordinate and administer the provisions of these grants and contracts. Additionally, the MHB has at times received contracts from other State code departments to assist in the coordination and delivery of mental health services in McHenry County. To date, the Network Council remains active and represents the funded organizations of the MHB with a purpose to provide an organizational framework for coordination of care; share best practices; enhance the knowledge and accessibility of resources; review and implement Quality Improvement and Utilization Management functions; share resources, training and consultation; and interface with MHB administration regarding funding opportunities, policies and procedures related to funding, contracts, quality improvement, compliance, and access.

As a government entity funding eligible mental health services to Medicaid recipients when applicable, the Mental Health Board has at times entered into intergovernmental agreements with the Illinois Department of Human Services, Division of Mental Health and the Illinois Department of Healthcare and Family Services (the State Medicaid agency) to certify MHB funding for the purposes of Federal Funds Participation under Illinois Medicaid Rule 132.

Purpose of General Policy Statements:

The Mental Health Board is a 9 Member Board appointed by the McHenry County Board in accordance to 405 ILCS 20/Section 0.1 et.seq. This Board represents the authority for the administration of the McHenry County Mental Health Tax Levy, and other federal, state or local grants and contracts awarded to the McHenry County Mental Health Board. The Board represents the highest level of authority for the distribution and use of these funds within the amounts appropriated for this purpose, the promulgation of policy, the delegation of procedural and operating authority to designated individuals, the planning, monitoring, controlling, and evaluation of the operations of the MHB and the behavioral health system of care for the County that is funded through the MHB.

In accordance with the Act, these General Policy Statements are promulgated and periodically reviewed by the Board. Within the direction of these statements, the Board designates the Executive Director to

promulgate, authorize and distribute Rules and Procedures as necessary for the purpose of carrying out the responsibilities contained in the Act and to satisfy all applicable Federal, State, and local laws, rules, and regulations.

Board Authority and Chain of Command:

The Board has the authority to promulgate policy, which govern themselves and the activities of the Mental Health Board. The Board delegates the responsibility for the day to day operations of the MHB to the Executive Director, who is responsible for promulgating Rules and Procedures and implements processes that ensure compliance with the responsibilities of the Act as described above. The Executive Director may delegate specific responsibilities for operations and compliance to designated management staff. The Board hires the Executive Director and has responsibility for the direction and performance evaluation of this position. The Executive Director is the designated agent for the McHenry County Mental Health Board.

The County of McHenry represents the “governmental body” as referenced in the Act. The primary responsibility for the relationship with the governmental body rests with the Mental Health Board. In cases where no policy is stated by the Mental Health Board, the Board will follow policy, rules and procedures as set by the County.

Reference: MHB Bylaws, Executive Director Job Description, Organizational Chart

General Policy Statements:

The Mental Health Board will operate in an ethical, legal, fair, and non-discriminatory manner in all functions utilizing evidenced based practice, current technologies, and best practices; incorporating consumer and public input within an environment of continuous performance improvement.

The Mental Health Board will provide a safe and secure environment in which their employees may fulfill their job responsibilities, engage in continuous performance improvement and participate in evaluation without fear of retaliation and promote the mission, vision and values of the McHenry Mental Health Board. Consumers of behavioral health services, the general public, and constituency will be served in a safe and secure environment, in compliance with confidentiality and privacy regulations and without fear of retribution or loss of service.

The Mental Health Board expects that its vendors, service providers, system partners, and all entities doing business with the Mental Health Board shall adhere to the principles, policies, values, and expectations of the Mental Health Board.

Reference: Personnel Policy, Purchasing Policy, Code of Ethics, Financial Management Procedures; County Budget Policy, Conflict of Interest Policy, Compliance Plan, 3 Year Plans and Annual Reports, Quality Improvement Plan, Agency Contracts, Client Rights, Research and IRB Guidelines

Scope of Authority and Responsibility:

According to 405 ILCS 20/Section 0.1 et. Seq. the MHB may enter into multiple-year contracts through intergovernmental agreements or intragovernmental agreements or both for the rendition or operation of services, facilities and educational programs. The board may arrange for the rendition of services and operation of facilities by other agencies of the governmental unit or county in which the governmental unit is located provided that those other agencies are authorized by the governing body to do so.

The Board may employ such personnel, including legal counsel as may be necessary to carry out the purposes of this Act and prescribe the duties of and establish salaries and provide other compensation for such personnel. The board may enter into multiple-year employment contracts as may be necessary for the recruitment and retention of personnel and the proper functioning of the board.

The Board may organize a not for profit corporation for the purposes of providing direct recipient services. The Board may organize a not for profit corporation for the purpose of raising money to be distributed by the board for providing community mental health services or other purposes not inconsistent with the Act.

The Board shall not operate any direct recipient services for more than a 2-year period when such services are being provided in the governmental unit, but shall encourage, by financial support, the development of private agencies to deliver such needed services, pursuant to regulations of the Board.

The Board may enter into multiple-year joint agreements with other governmental units located within the geographical area of the board. The Board may enter into multiple-year joint agreements with the Department of Human Services whereby the board will provide certain services, the costs of which shall be negotiated between the Department and the Board.

The Board may receive gifts from private sources for the purposes not inconsistent with the provision of the Act.

The Board may establish scholarship programs.

The Board may own, acquire, sell, rent or lease real property for purposes consistent with the Act and borrow money and issue debt instruments, mortgages, purchase-money mortgages and other security instruments with respect to the property and maintain, repair remodel or improve the property.

The Mental Health Board may develop, maintain and provide representation on Committees, Councils, Associations Task Forces, and Panels, which act as administrative, coordinating vehicles within the Behavioral Healthcare service system of McHenry County for the purposes of enhancing planning, evaluation, control, and consumer/ stakeholder input. The Executive Director is designated as the delegated agent for this responsibility and facilitation. The Executive Director is empowered to assign these responsibilities to designated staff as appropriate.

In order to carry out its responsibilities for management, control, audit and compliance, the Mental Health Board interfaces with County of McHenry and specific Code Departments of Illinois and U.S. Government.

The Board shall develop and disseminate a three year plan and annually prepare and disseminate an annual budget and report.

The Board must comply with the Local Government Prompt Payment Act and is subject to the Open Meetings Act.

Process for Establishing and Authorizing Policy and Procedures:

Policy Statements are promulgated and authorized by the Board. The Executive Director may request and draft Policy Statements to be considered by the Board.

Once approved, the Executive Director may promulgate rules, procedures and guidelines using the official format, memorandums to staff, and operating manuals. The Executive Director is responsible for the maintenance of Policy, Rules, Guidelines and Manuals retention and dissemination to staff. The Executive Director ensures that training and accessibility is provided to the staff of all Policies, Rules, and Procedures applicable to the accomplishment of their responsibilities. This may be designated to Management staff as appropriate.

In cases where manuals or procedures outline or note the specific responsibilities of Board members, Officers or the Board, the Executive Director will present this documentation for the Board's review and approval. Examples of this are Personnel policies and Purchasing Policy/Manual.

The Board General Policy Statements are reviewed on an annual basis. The Board has access to all Board policy, procedures, and manuals at all times.

Approved: 09/27/2018
Last Periodic Review: 07/26/2023
Next Periodic Review: 07/26/2024