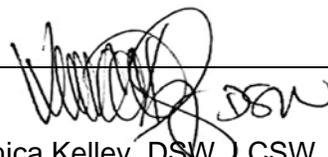


# San Bernardino County Department of Behavioral Health

## Network Adequacy Monitoring Policy



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**Effective Date** 04/02/2019  
**Approval Date** 04/02/2019

### Policy

In accordance with state and federal regulations and contractual requirements with the California Department of Health Care Services (DHCS), the Department of Behavioral Health (DBH) as the Mental Health Plan (MHP) and Drug Medi-Cal Organized Delivery System (DMC-ODS) shall maintain and monitor its network to comply with network adequacy standards.

### Network Adequacy Monitoring Standards

In order to meet network adequacy standards, DBH as the MHP/DMC-ODS shall offer an appropriate range of services adequate for the anticipated number of clients in San Bernardino County (County), and shall maintain a network of providers, operating within the scope of practice under State law, which is sufficient in number and mix, and geographic distribution to meet the needs of the anticipated number of clients in the service areas. Therefore, DBH shall monitor its Contract Agencies and/or Fee-For-Service (FFS) providers for the following :

- Completion of the Network Adequacy Certification Tool (NACT), on which DHCS bases its certification that DBH has complied with DHCS' requirements for availability and access to services, including the adequacy of the provider network:
  - The MHP will be monitored on a quarterly basis
  - The DMC-ODS Plan will be monitored on an annual basis
- Submission of the NACT to DBH on a schedule to be determined by DBH
- Clarification and correction of the NACT as necessary
- Compliance with the network data submission requirements as a condition of receiving payment under a Medi-Cal managed care program, in accordance with the Medicaid Managed Care Final Rule.

### Non-Compliance with Submission Requirements

There is no flexibility with the DBH established submission deadlines as DHCS must certify MHPs and DMC-ODS throughout the state by July 1 of each fiscal year. If DBH is out of compliance with the submission requirements, including completeness, accuracy, and timeliness or lack of the submission, DBH will be subject to fines, sanctions and penalties.

If a DBH Contract Agency or FFS provider fails to submit its NACT, the agency or provider may be subject to corrective action or sanctions, as indicated in DBH policy and/or contract or signed agreement.

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# San Bernardino County Department of Behavioral Health

## Network Adequacy Monitoring Policy, Continued

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### Non-Compliance with Network Adequacy Standards

If DBH is out of compliance with any of the federal network adequacy requirements, DHCS may issue a conditional pass designation, meaning the county is out of compliance with one or more of the federal network adequacy requirements and subject to corrective action. DHCS will notify and require DBH to submit a Plan of Correction to DHCS within an established timeframe. Other requirements may include, but are not limited to, the following:

- Ensuring clients are informed and have access to out of network providers;
- Training of applicable staff to ensure clients are aware of and trained in processing appointments including out of network access;
- Demonstrating action steps it will immediately implement to ensure it complies with the standards by the deadline imposed by DHCS, and
- DHCS will monitor DBH's corrective actions and may require updated information on a prescribed timeframe until such time it is able to meet the applicable standards

**Important Note:** If DBH requires the assistance of DBH Contract Agency and/or FFS provider in completing the Plan of Correction, DBH will immediately provide notification to the agency or provider to take immediate action in order to facilitate the Plan of Correction.

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### Approval of Services from Out of Network Provider(s)

If it is determined that DBH does not meet network adequacy requirements and its provider network is unable to provide timely access to necessary services within the applicable time and distance standards:

- DBH shall allow clients to receive services from out of network provider(s);
  - DBH shall reimburse the out of network provider(s) in a timely manner, and
  - DBH shall permit out of network access until DBH's provider network is able to provide the services in accordance with the standards.
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### Related Policy or Procedure

DBH Standard Practice Manual:

- Network Adequacy Monitoring Procedure ([QM6043-1](#))
  - Out of Network Access Policy ([QM6044](#))
  - Out of Network Access Procedure ([QM6044-1](#))
  - Service Availability Policy ([QM6046](#))
  - Timely Access Policy ([QM6041](#))
  - Timely Access Procedure ([QM6041-1](#))
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### Reference(s)

- California Department of Health Care Services Mental Health and Substance Use Disorder Services Information Notice No. 18-011  
[https://www.dhcs.ca.gov/services/MH/Documents/Information%20Notices/IN%2018-%20Network%20Adequacy/MHSUDS\\_IN\\_18-011\\_Network\\_Adequacy.pdf](https://www.dhcs.ca.gov/services/MH/Documents/Information%20Notices/IN%2018-%20Network%20Adequacy/MHSUDS_IN_18-011_Network_Adequacy.pdf)
  - Code of Federal Regulations Title 42, Chapter IV Subchapter C, Sections 438.68, 438.206, 438.207, 438.600(b), 438.604(a)(5) and 438.206(b)(4)  
[https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title42/42cfr438main\\_02.tpl](https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title42/42cfr438main_02.tpl)
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