



## Client Notice Regarding Termination of Provider Procedure

**Effective Date** 05/14/2019  
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**Purpose**

To provide guidance to the Department of Behavioral Health (DBH) and its contracted providers regarding the issuance of written termination of provider notices. The information in this procedure applies only to recipients of Specialty Mental Health Services (SMHS) and/or Drug Medical Organized Delivery System (DMC-ODS) services whose behavioral health (BH) provider has been terminated or will soon be terminated. Federal regulations require that notice be provided **within 15 calendar days** following the receipt or issuance of the termination notice of a BH provider who was the client's primary BH provider, or a BH provider from whom the client was receiving treatment on a regular basis.

**Termination of Provider Notice**

To assist DBH clinics and its contracted providers in meeting the timeframe to send the required notice, a [Termination of Provider Notice](#) template has been developed for convenience and consistency. Similar to other letter templates, some personalization is needed, including, but not limited to the following:

- Letterhead,
- Client information, and
- Local numbers for continued care and/or non-life threatening emergencies.

All client correspondence shall include a Nondiscrimination Notice and Language Assistance Taglines to inform clients of the availability of free aids and services to people with disabilities to help them communicate better, such as:

- Qualified sign language interpreters;
- Written information in other formats (large print, audio, accessible electronic formats, other formats);
- Free language services to people whose primary language is not English, such as:
  - Qualified interpreters, and
  - Information written in other languages.

**Important Note:** DBH clinics must use County branded letterhead with the name of their respective clinics, not DBH Administration.

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## Client Notice Regarding Termination of Provider Procedure, Continued

### Client Notice

When a BH provider ends employment or contracted services with DBH or a DBH contracted provider, specific actions are required to ensure adherence to regulations. The responsibilities of each role are identified in the table below:

Role	Responsibilities
BH Provider	<ul style="list-style-type: none"> <li>• Provides notice regarding upcoming termination to agency/clinic; and</li> <li>• Notifies the client that he/she will no longer be the BH provider and discusses transition of care to another provider.</li> </ul>
DBH Clinic/ Contracted Provider	<ul style="list-style-type: none"> <li>• Obtains the caseload of the terminated or soon-to-be terminated BH provider, and also obtains names and addresses of clients who received treatment on a regular basis from the terminated or soon-to-be terminated provider;</li> <li>• Drafts <a href="#">Termination of Provider Notice</a>;</li> <li>• Sends copy of the completed Termination of Provider Notice to each affected client <b>no later than 15 calendar days</b> after receipt of the termination notice;</li> <li>• Determines DBH Quality Management (QM) should receive a copy of either one of the following:               <ul style="list-style-type: none"> <li>○ Termination of Provider Notice for each affected client, or</li> <li>○ Termination of Provider Notice <b>and</b> a listing of the affected clients, including the clients' first and last name and DBH client number, and</li> </ul> </li> <li>• Sends one of the aforementioned bullets regarding the Termination of Provider Notice <b>and</b> cover sheet advising the exact date the BH provider gave notice of intent to terminate employment, or the date the agency issued termination notice to the treating BH provider via:               <ul style="list-style-type: none"> <li>○ Mail to DBH QM 303 E. Vanderbilt Way San Bernardino, CA 92415</li> <li>○ Fax to 909- 890-0574</li> <li>○ Encrypted email to <a href="mailto:QM@dbh.sbcounty.gov">QM@dbh.sbcounty.gov</a></li> </ul> </li> </ul> <p><b>Note:</b> Copies of all correspondence shall be maintained in client's medical record.</p>

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## Client Notice Regarding Termination of Provider Procedure, Continued

### Client Notice, continued

Role	Responsibilities
DBH Quality Management	<ul style="list-style-type: none"> <li>• Maintains <a href="#">Termination of Provider Notice</a> copies for audit/review purposes;</li> <li>• Reviews and calculates if notice provided to the clients was <b>within 15 calendar days</b> after receipt or issuance of the termination notice;</li> <li>• Reviews employment changes reported via the Provider Directory, Network Adequacy Certification Tool and/or HIPAA Report to confirm it is receiving notification and that letters are being issued, and</li> <li>• Addresses non-compliance or partial compliance appropriately.</li> </ul>

### Common Concerns

Common concerns that may arise as a result of this procedure that DBH clinics or contracted providers may want to reference before contacting DBH QM for clarification, include the following:

- **Terminated employees or individual contract providers:** If DBH or a contracted provider will be terminating a BH provider that is either employed or contracted, advance notice to the clients is **not necessary**. However, DBH or the contracted provider still has a responsibility to provide notification to the affected clients **no later than 15 calendar days** after termination. Notification to DBH QM is still required.
- **BH Provider reassigned, not terminated:** If the BH provider will remain employed with DBH or a contracted provider, but is being reassigned to another clinic or will no longer be treating services, federal law **does not** mandate notice to the clients. However, it is a best practice recommendation that the BH provider notify his/her clients that he/she will no longer be a BH provider at the current clinic and discuss transition of care to another BH provider.
- **Applicability of this procedure for interns/residents/fellows:** If an intern, Medical Resident or Medical Fellow has a caseload or sees clients on a regular basis, federal law mandates notice be provided as outlined in this procedure.
- **Contracted provider/clinic is closing:** Notice is required for all clients and the contracted provider shall adhere to the requirements outlined in Closure of DBH Contract Provider Procedure ([BOP3033-1](#)).

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## Client Notice Regarding Termination of Provider Procedure, Continued

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### Common Concerns, continued

- **Fee For Service (FFS) Provider ends agreement or fails to re-credential:** If a DBH FFS provider ends his/her agreement early or fails to re-credential before the end date, DBH Access Unit shall send a termination notice to the FFS provider and complete the steps outlined in the Client Notice section of this procedure. Specifically, DBH shall perform the actions outlined for *DBH Clinic/Contracted Provider*, including providing the client with the [Termination of Provider Notice](#) and transitioning the client to another SMHS provider.

**Note:** If DBH clinics or contract agencies have questions regarding this procedure, contact the DBH QM Division at (909) 386-8227.

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### Related Policy or Procedure

DBH Standard Practice Manual:

- Closure of DBH Contract Provider Procedure ([BOP3033-1](#))
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### Reference(s)

- Code of Federal Regulations, Title 42, Section 438.10 (f)(1)
  - California Department of Health Care Services (DHCS) Revenue Agreement for Provision of Specialty Mental Health Services
  - California DHCS Revenue Agreement for Substance Use Disorder Drug Medi- Cal Organized Delivery System
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