

# Great Rivers Behavioral Health Administrative Services Organization

Policy Title: **Compliance with Applicable Federal and State Laws** Policy No. **4002.01**

Category: **Compliance**

Date Adopted: 1/10/2020  
Date Revised: 05/14/2021  
Date Reviewed: 04/20/2021

Reference: Washington Administrative Code 246-341-0300  
Washington Health Care Authority (HCA) contract with Great Rivers Behavioral Health Administrative Services Organization

## **Policy:**

- 1.1. Great Rivers Behavioral Health Administrative Services Organization (Great Rivers BH-ASO) shall comply with and provide services in compliance with all applicable Federal or State laws and regulations and contracts, including amendments that are in effect when the contract is signed or that come into effect during the term of the contract.
- 1.2. Great Rivers BH-ASO will always comply with the strictest law, regulation, or contract provision.
- 1.3. Applicable laws and regulations include, but not be limited to:
  - 1.3.1. Title XIX and Title XXI of the Social Security Act;
  - 1.3.2. Title VI of the Civil Rights Act of 1964;
  - 1.3.3. Title IX of the Education Amendments of 1972, regarding any education programs and activities;
  - 1.3.4. Age Discrimination Act of 1975;
  - 1.3.5. Rehabilitation Act of 1973;
  - 1.3.6. The Budget Deficit Reduction Act of 2005;
  - 1.3.7. The Washington Medicaid False Claims Act and Federal False Claims Act (FCA);
  - 1.3.8. The Health Insurance Portability and Accountability Act (HIPAA);
  - 1.3.9. The American Recovery and Reinvestment Act (ARRA);
  - 1.3.10. The Patient Protection and Affordable Care Act (PPACA or ACA);
  - 1.3.11. The Health Care and education Reconciliation Act (HCERA);
  - 1.3.12. The Mental Health Parity and Addiction Equity Act (MHPAEA) and final rule;
  - 1.3.13. 21 C.F.R. Food and Drugs, Chapter 1 Subchapter C – Drugs – General:

# Great Rivers Behavioral Health

## Administrative Services Organization

- 1.3.14. 42 C.F.R. Subchapter A, Part 2 - Confidentiality of Alcohol and Drug Abuse Patient Records;
- 1.3.15. 42 C.F.R. Subchapter A, Part 8 – Certification of Opioid Treatment Programs;
- 1.3.16. 45 C.F.R. Part 96 Block Grants;
- 1.3.17. 45 C.F.R. § 96.126 Capacity of Treatment for Intravenous Substance Abusers who Receive Services under Block Grant Funding;
- 1.3.18. Chapter 70.02 RCW Medical Records – Health Care Information Access and Disclosure;
- 1.3.19. Chapter 71.05 RCW Mental Illness;
- 1.3.20. Chapter 71.24 RCW Community Mental Health Services Act (CMHSA);
- 1.3.21. Chapter 71.34 RCW Mental Health Services for Minors;
- 1.3.22. Chapter 246-341 WAC;
- 1.3.23. Chapter 43020A RCW Department of Social and Health Services (DSHS);
- 1.3.24. Senate Bill 6312 (Chapter 225. Laws of 2014) State Purchasing of Mental Health and Chemical Dependency Treatment Services.
- 1.3.25. All Federal and State professional and facility licensing and accreditation requirements/standards that apply to services performed under contracts, including but not limited to:
  - 1.3.25.1. All applicable standards, orders, or requirements issued under Section 508 of the Clean Water Act (33 U.S.C. § 1368), Section 306 of the Clean Air Act (42 U.S.C. § 7606), Executive Order 11738, and Environmental Protection Agency (EPA) Regulations (40 C.F.R part 15), which prohibit the use of facilities included on the EPA List of Violating Facilities. Any violations shall be reported HCA, DHHS, and the EPA.
  - 1.3.25.2. Any applicable mandatory standards and policies relating to energy efficiency that are contained in the State Energy Conservation Plan, issued in compliance with the Federal Energy Policy and Conservation Act.
  - 1.3.25.3. Those specified for laboratory services in the Clinical Laboratory Improvement Amendments (CLIA).
  - 1.3.25.4. Those specified in Title 18 RCW for professional licensing.
- 1.3.26. Industrial Insurance – Title 51 RCW;
- 1.3.27. Reporting of abuse as required by RCW 26.44.030;
- 1.3.28. Equal Employment Opportunity (EEO) Provisions;
- 1.3.29. Copeland Anti-Kickback Act;
- 1.3.30. Davis-Bacon Act;

# Great Rivers Behavioral Health Administrative Services Organization

- 1.3.31. Byrd Anti-Lobbying Amendment;
- 1.3.32. All Federal and State nondiscrimination laws and Regulations;
- 1.3.33. Americans with Disabilities Act (ADA)
  - 1.3.33.1. Great Rivers BH-ASO will make reasonable accommodation for individuals with disabilities, in accordance with the ADA, for all contracted services and shall assure physical and communication barriers shall not inhibit individuals with disabilities for obtaining contracted services.
- 1.3.34. Any other requirements associated with the receipt of federal funds; and
- 1.3.35. Any services provided to an individual enrolled in Medicaid are subject to applicable Medicaid rules.

**Procedure:**

- 2.1. Great Rivers BH-ASO shall report any observed violations and refer any enrollee complaints to the appropriate agency for resolution.
  - 2.1.1. Violations of any of the above are subject to corrective action and reporting to the appropriate State and/or Federal oversight authority.
  - 2.1.2. Violations of privacy will be reported through Great Rivers BH-ASO and State grievance procedures as well as the appropriate State or Federal oversight authority.
  - 2.1.3. Great Rivers BH-ASO's annual contract monitoring audits include review of the contractor's efforts to comply with all applicable State and Federal laws and regulations and possible violations. Violations of any of the above are subject to corrective action and reporting to the appropriate State and/or Federal oversight authority.

POLICY SIGNATURE

DocuSigned by:  
*Trinidad S. Medina*  
2166FCAF973B400...

6/24/2021

Trinidad Medina,  
Chief Executive Director

Date