

# Great Rivers Behavioral Health Administrative Services Organization

Policy Title:	<b>Delegation Functions</b>	Policy No. <b>4009.02</b>
Category:	Compliance	Date Adopted: 05/08/2020 Date Policy Revised: Date Reviewed: 04/21/2021
Reference:	Washington Administrative Code 246-341 Health Care Authority contract with Great Rivers Behavioral Health Administrative Services Organization	

### Policy:

- 1.1. Great Rivers Behavioral Health Administrative Services Organization (Great Rivers BH-ASO) shall oversee and be accountable for functions and responsibilities that it delegates to subcontractors within the terms of an agreement.
- 1.2. If Great Rivers BH-ASO delegates a function or responsibility to a subcontractor, Great Rivers BH-ASO is responsible for receiving approval from the authority that delegated this responsibility to Great Rivers BH-ASO.

### Definitions:

- 2.1. **Authority** is the agency that holds the agreement in which the responsibility was delegated to Great Rivers BH-ASO (example: Health Care Authority or Manage Care Organization).

### Procedure:

- 3.1. Great Rivers BH-ASO utilizes an evaluation process for assessing each provider's readiness to perform delegated functions.
- 3.2. Prior to delegating responsibilities to a subcontractor, Great Rivers BH-ASO will collect evidence to demonstrate that contracted providers have been performing the delegated functions and responsibilities according to contract requirements, within the previous 12 months.
- 3.3. Great Rivers BH-ASO will notify the Authority of the scope of the proposed subcontract, the identity and qualifications of the proposed subcontractor, and the reason for subcontracting the work outlined in the contract. Great Rivers BH-ASO will allow a reasonable timeframe for response by the Authority to evaluate the request.
- 3.4. All subcontracts will be in writing. The subcontracts will include language that the subcontractor is prohibited from further subcontracting without Great Rivers BH-ASO and the Authority's approval.
- 3.5. Subcontractors that delegate to other entities must:

- 3.5.1. Specify the activities and responsibilities delegated to the subcontracted entity.
- 3.5.2. Provide for revoking delegation or imposing other remedial actions if the subcontracted entity's performance is inadequate.
- 3.6. Great Rivers BH-ASO sub-delegation, sub-contracting, or downstream contracting will outline how requirements are met in the following areas:
  - 3.6.1. Management of Federal Funds,
  - 3.6.2. Protection of Confidential information,
  - 3.6.3. Procedures and schedule for Inspection of books and records,
  - 3.6.4. Compliance with Federal and state laws,
  - 3.6.5. Compliance with Applicable regulations,
  - 3.6.6. Compliance with Medicare instructions and policies (Health Plan delegation),
  - 3.6.7. Agreement to Hold harmless,
  - 3.6.8. Procedure for ensuring ineligible persons' identification and removal,
  - 3.6.9. Avoidance of conflicts of interests,
  - 3.6.10. Prohibition of illegal remunerations,
  - 3.6.11. Procedure for termination due to regulatory issues, and
  - 3.6.12. Provision of compliance training, education, and communications.
- 3.7. Each Great Rivers BH-ASO subcontractor must:
  - 3.7.1. Maintain written policies and procedures covering its adherence to contract and relevant regulations.
  - 3.7.2. Maintain licensing by the State for providing delegated services.
  - 3.7.3. Have an adequate data system and staffing to participate in required data reporting and ongoing data management to monitor the overall service delivery system.
  - 3.7.4. Maintain an internal quality management / quality improvement process and documentation of minutes from internal quality management meetings for Great Rivers BH-ASO review.
  - 3.7.5. Have a management team that is responsive to feedback from Great Rivers BH-ASO, Ombuds, allied providers, and service recipients.
  - 3.7.6. Participate in reviewing service data with Great Rivers BH-ASO staff to identify status of performance goals and possible administrative and clinical problems.
  - 3.7.7. Provide training and supervision to staff per contract requirements and State and Federal regulations.
- 3.8. Great Rivers BH-ASO is responsible for the performance of the delegated services and for payment of all associated services, materials, equipment, and labor.
- 3.9. Great Rivers BH-ASO will maintain a list of all subcontractors performing delegated services and will provide copies of executed subcontracts upon request.

- 3.10. Great Rivers BH-ASO shall have an active Business Associate Agreement (BAA) with any subcontractor that handles, or accesses, protected health information (PHI).
- 3.11. Subcontractors that provide clinical services must demonstrate:
  - 3.11.1. The availability of qualified staff to assume delegated functions.
  - 3.11.2. An understanding of Washington State Access to Care Standards and familiarity with current best practice guidelines.
  - 3.11.3. That hiring practices for clinical staff adhere to all contract, state, and federal requirements (e.g., practitioner licensing/credentialing, background checks, excluded provider and debarment checks, and reference checks).
  - 3.11.4. Competence in delegated functions, including:
    - 3.11.4.1. Concurrent and retrospective reviews of service authorizations;
    - 3.11.4.2. Provider decisions regarding ongoing care;
    - 3.11.4.3. Care coordination with allied providers;
    - 3.11.4.4. Clinical supervision provided to staff;
    - 3.11.4.5. Response to complaints and grievances; and
    - 3.11.4.6. Use of an effective training system so that staff understand relevant clinical procedures and expected practice.
  - 3.11.5. The ability to make changes in practice when requested by Great Rivers BH-ASO regarding delegated functions.
  - 3.11.6. Capacity to provide second opinions when requested using Great Rivers BH-ASO's forms and procedures.
  - 3.11.7. Effective medical records practices and make clinical information available for Great Rivers BH-ASO to review upon request.
  - 3.11.8. Appropriate use of in-facility stabilization services for hospital diversion.
  - 3.11.9. Capacity for intensive clinical services for clients with repeated inpatient admissions, along with effective use of crisis plans.
- 3.12. Great Rivers BH-ASO monitors subcontractor performance through annual audits and utilization reviews. The Great Rivers BH-ASO Chief Executive Director and Quality Management Manager direct these monitoring activities. Aggregate data reports are shared with the Quality Management Committee and the Great Rivers BH-ASO Advisory and Governing Boards as appropriate.
- 3.13. If Great Rivers BH-ASO identifies subcontractor deficiencies or areas for improvement, Great Rivers BH-ASO may impose corrective actions, sanctions, or revoke delegation as appropriate. (See Great Rivers BH-ASO's Contract Termination Policy.)

POLICY SIGNATURE

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*Trinidad S. Medina*  
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6/24/2021

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Trinidad Medina,  
Chief Executive Director

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Date