

# EXHIBIT “C”

## EL DORADO COUNTY MENTAL HEALTH DEPARTMENT

### POLICY/PROCEDURE

<b>SUBJECT:</b> Adherence to the Mental Health Services Act (MHSA) Cultural Competency Requirements	<b>POLICY NUMBER:</b>
<b>APPROVED BY:</b>  _____ Barry Wasserman, LCSW, Interim Director	<b>DATE:</b>  _____

#### **Background:**

The following factors highlight the critical role that culture, ethnicity, and language differences play in the field of public mental health service delivery (from the Technical Assistance Document 5, Considerations for Embedding Cultural Competency, DMH draft, May 23, 2005):

- The non-Hispanic white population represents 47% of the California population and therefore ethnic, racial, linguistic and multiracial groups represent the majority of the State’s population.
- Racial and ethnic populations are a growing segment of the US population and in California, the data from the County Mental Health Plans indicates that disparities exist among ethnic and racial groups.
- Collectively, ethnically, racially and linguistically diverse populations experience greater disability from emotional and behavioral disorders relative to Caucasian populations:
  - partially due to decreased access and poorer quality of care
  - partially due to inadequate funding of the public mental health system and its inability to address the unique needs of diverse groups
  - the result is misdiagnoses, mistrust, and poor utilization of services
- Furthermore, ethnically, racially, and linguistically diverse populations experience more stressful environments due to poverty, violence, discrimination and racism.
- Ethnic and racial groups are over-represented in vulnerable populations, such as the homeless, foster care, and incarcerated youth;
- Public mental health systems must comply with federal and state legislation regarding services for limited English-proficient individuals, such as mandates for meaningful and equal access to health and social services.
- The only threshold language (language spoken by at least 5% of the county population thereby requiring increased levels of available resources, i.e., translated written materials) in El Dorado County at this time is Spanish.
- Culturally competent services and systems are fiscally prudent—it is estimated that the general cost of untreated or poor treatment of mental illness is \$113 billion a year.

“Cultural competence is defined as a set of congruent practice skills, knowledge, behaviors, attitudes, and policies that come together in a system, agency, or among consumer providers, family members, and professionals that enables that system, agency, or those professionals and consumers, and family member providers to work effectively in cross-cultural situations” (DMH Information Notice. : 02-03).

A culturally competent service delivery system provides the following efficiencies:

- Improved service access, including early intervention;
- Accuracy of diagnosis;
- Appropriate and individualized service planning and efficiency;
- Effective integration of the client’s family (including extended family);
- Use of relevant community resources;
- Use of external resources in client services; and,
- Financial efficiencies—cost-avoidance and cost-effectiveness.

A culturally competent service delivery system will look very different from the traditional approach:

- Planning will involve the community in setting goals and outcomes—including new and different partners for a mental health department.
- Different help-seeking behavior, communication and parenting styles, culturally-based treatments and healers will be recognized.
- Operating procedures will be adapted to meet community needs as opposed to expecting that various diverse communities will adapt to the existing system.
- There is recognition that studies generally do NOT include the perspective of ethnic communities.
- There is an awareness and understanding that the standard categories, such as breakdown by age groups, is not necessarily compatible with how ethnic communities operate—for example, ethnic/racial/linguistic populations operate as an integrated system, often living in multi-generational households. Therefore, a transformed system would provide services within a community setting, not to individuals by age.

In November 2004, California voters passed Proposition 63, the Mental Health Services Act (MHSA), to expand funding for a comprehensive, community-based mental health system for seriously emotionally disturbed youth and seriously mentally ill adults. A central feature to the “transformation” of the public mental health service delivery system is the ability to decrease ethnic disparities in access to and benefits from services. The State Department of Mental Health (DMH) developed Technical Assistance Document 5 which offers “Consideration for Embedding Cultural Competency” (Attachment A) within MHSA program planning. Further, the requirements of the Community Services and Supports (CSS) MHSA three-year plan required data analysis and program planning which specifically addressed the identification of local ethnic disparities in service access and in the community issues which result from unmet mental health needs and subsequent program planning.

This policy and procedure is intended to outline the approach and expectations that the El Dorado County Mental Health Department has identified for the MHSA programs.

## **Policy:**

The El Dorado County Mental Health Department has established the following basic elements for all MHSA programs to facilitate culturally competent practices, to increase access and improved outcomes, and to thereby decrease ethnic disparities in mental healthcare.

These standards apply to community providers who are awarded MHSA service contracts.

- Free interpretation services must be offered and effectively accessed for any client with limited English proficiency (LEP).
- Forms, documents and signage must be translated in all threshold languages.
- Bilingual/bicultural staff for threshold languages will be actively recruited for all positions.
- Annual training to increase culturally competency skills will be provided and all Department and contractor provider staff must attend.
- Culturally competent service delivery will include assessments at all entry points which explore issues of ethnicity, language, culture, gender, sexual orientation, and religious/spiritual practices that may be relevant treatment issues. This information will be documented and tracked for program development purposes.

The following documents will be used to provide a framework and standards of practice that will be developed for all MHSA programs:

- Framework for Eliminating Cultural, Linguistic, Racial and Ethnic Behavioral Health Disparities, adopted by the California Mental Health Directors Association (CMHDA) on March 10, 2005 and prepared by Ethnic Services Managers from the Bay Area, Central, Southern, and Superior Regions.
- Cultural competence Standards in Managed Mental Health Care Services: Four Underserved/Underrepresented Racial/Ethnic Groups, Final Report from Working Groups on Cultural Competence in Managed Mental Health Care Services, Center for Mental Health Services, SAMHSA, US DHHS.

## **Procedures**

### Provision of free-interpretation services/non-requirement of client-provided interpretation

El Dorado County Mental Health and any service contract providers must proactively offer free interpretation services to clients. Clients may not be required to provide their own interpreters. If a client prefers to provide their own interpreter, staff must ensure that the interpreter is not a minor. Further, the client must sign a release form to indicate their consent and to waive privilege of confidentiality with the interpreter.

Signage explaining this policy should be visibly displayed in public service areas in all threshold languages. Further, the AT & T language line can be used as a resource in any language—including to convey to the client that free interpretation services are available and to identify the language that the client prefers if it is not clear to the staff member.

The offer of interpretation services, how this offer was conveyed, and how the client responded should be documented in the client record. Further, use of an interpreter should also be documented in the client record time it occurs.

Finally, service sites should establish effective procedures for all staff to follow to ensure that interpretation services are quickly obtained so that clients are not discouraged in their attempt to access mental health services—this includes procedures and training for support staff and other non-clinical staff who may come in contact with the public and may often be the first point of contact for the public.

#### Provision of program documents, forms, and signage in threshold languages

All MHSA program marketing materials, client forms, and signage must be translated in all threshold languages (Spanish). The Department's Ethnic Services Coordinator has responsibility for identifying an effective translator and for maintaining an original copy of all MHSA forms in English and Spanish. Any requests of changes to MHSA forms therefore must be coordinated with the Ethnic Services Coordinator.

#### Active recruitment of bilingual/bicultural employees for threshold languages

Recruitment of bilingual/bicultural staff in threshold languages will be a routine practice. Resources include ethnically-oriented professional organizations, graduate schools, employment websites, ethnic media, and the local ethnic service providers.

#### Annual training:

Training to increase skills in cultural competency will be provided by the Department to all staff and MHSA contract providers and are considered mandatory. Topics will range and may include training in sensitivity to difference, assessment skills, and culture-specific training. Evidence-based practices that have demonstrated positive outcomes for ethnic groups will be pursued as part of ongoing system improvement (e.g., Multidimensional Family Therapy, and use of the Promotora model). Training to be an effective interpreter will be provided for bilingual Spanish-speaking staff and training in the effective use of interpreters will be provided for direct service clinical staff.

#### Service provision

- All MHSA assessments and data collection will include inquiry regarding the ethnicity and preferred language of all clients served.
- Service plans must address issues of culture, language, and various areas of difference, as appropriate.
- Chart audits to ensure compliance will be conducted by EDCMH.
- Partnership and collaboration with ethnic-service agencies will be pursued for the Latino and Native American populations, specifically exploring collaborative outreach and case management.
- Chart audits and monitoring protocols will be applied to both the Department and contract providers to ensure compliance with these standards via the Clinical Review Subcommittee and the Cultural Competency Subcommittee.
- The Ethnic Services Coordinator and the Cultural Competency Subcommittee shall provide leadership in applying the framework and standards in the CMHDA and SAMHSA documents.