

POLICY GA 3.7 REVIEW OF DEATHS OF ALL BEHAVIORAL HEALTH RECIPIENTS

- A. PURPOSE: To establish requirements for the T/RBHAs to review deaths of all behavioral health recipients and report findings to Arizona Department of Health Services/Division of Behavioral Health Services (ADHS/DBHS).
- B. SCOPE: ADHS/DBHS and T/RBHAs. As applicable, T/RBHAs must ensure that all subcontracted providers, including the Arizona State Hospital, adhere to the requirements of this policy.
- C. POLICY: All deaths of behavioral health recipients shall be reviewed by the T/RBHA and reported to ADHS/DBHS Bureau of Quality Management Operations, Office of Medical Management. All deaths are reviewed by the ADHS/DBHS Medical Director or designee and selected cases are referred to the ADHS/DBHS Morbidity and Mortality Committee for further review and potential action, in accordance with ADHS/DBHS' established quality assurance process.
- D. REFERENCES:

[42 U.S.C. § 10805](#)

[42 C.F.R. § 438.240](#)

[A.R.S. § 36-445](#)

[A.R.S. § 36-2401 et seq.](#)

[A.R.S. § 36-2917](#)

[A.A.C. R9-21-101\(B\)\(1\)](#)

[A.A.C. R9-21-203\(B\)\(3\)](#)

[Policy and Procedure QM 2.5, Reports of Incidents, Accidents and Deaths](#)

[Policy and Procedure CO 1.4 Confidentiality](#)

- E. DEFINITIONS:

[Abuse](#)

[Behavioral Health Recipient](#)

[Enrolled Person](#)

[Exploitation](#)

[Neglect](#)

[Peer Review](#)

[Protected Health Information](#)

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F. PROCEDURES:

1. T/RBHAs shall prepare and submit, to ADHS/DBHS, a written summary of their review for all deaths of behavioral health recipients, using the [Mortality Review Form](#), contained in the [Performance Improvement Specification Manual, Section XVII](#). T/RBHAs may permit subcontracted providers to prepare and submit a written summary of their review of deaths for adult, Non-SMI behavioral health recipients using the [Mortality Review Form](#).
2. If the cause of death is determined to be suicide, homicide, drug overdose, exposure, accident, suspected abuse/neglect, or unexpected/unusual medical causes, or upon the request of ADHS/DBHS, the T/RBHA shall also complete the ADHS/DBHS Mortality Review Addendum Section of the [Mortality Review Form](#), regardless of whether the behavioral health recipient is a child, adult with a Serious Mental Illness or adult without a Serious Mental Illness.
3. The T/RBHAs shall ensure that the [Mortality Review Form](#) is:
 - a. Completed following the T/RBHAs' established review process. This process must:
 - (1) Ensure the [Mortality Review Form](#) is complete and contains accurate information;
 - (2) Ensure that clinical/medical review is conducted as indicated for the [Mortality Review Form](#);
 - (3) Ensure that formal investigations or Peer Review are initiated when appropriate, as determined by the T/RBHA Medical Director or as requested by the ADHS/DBHS Medical Director.
 - b. Reviewed and signed by the T/RBHA Medical Director or designee. It is the expectation that the T/RBHA Medical Director, or designee will confirm, based upon the particular situation of the consumer, that all necessary information has been reviewed. More specifically, each case should be assessed to determine if appropriate behavioral health services have been offered or provided based upon the clinical presentation of the behavioral health recipient. When indicated, case-specific follow-up actions or formal corrective action plans (if trends are suspected) must be outlined.
 - c. Submitted to the ADHS/DBHS Bureau of Quality Management Operations, Office of Medical Management no later than 60 calendar days following receipt by the T/RBHA of the [Incident/Accident/Deaths Report Form PM 7.4.1](#) completed pursuant to [ADHS/DBHS Policy and Procedure QM 2.5, Reports of Incidents, Accidents and Deaths](#).

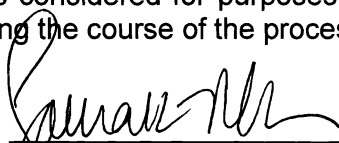
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4. ADHS/DBHS shall provide the completed [Mortality Review Form](#), including the Mortality Review Addendum Section when applicable, to the Center for Disability Law, the Arizona Protection and Advocacy Organization, as follows:
 - a. Copies of the [Mortality Review Form](#) received during any given month shall be provided with all protected health information removed within 5 working days after the end of the month.
 - b. If the Arizona Protection and Advocacy Organization asserts in writing that probable cause of abuse or neglect of a deceased person exists, or that the organization has received a complaint regarding the case of a deceased person, ADHS/DBHS shall provide copies of all documents contained in the ADHS/DBHS Mortality File and Investigation File, if any, including protected health information, in accordance with [42 U.S.C. § 10805](#) and [42 C.F.R. § 2.15](#). Such documents shall be made available to the Arizona Protection and Advocacy Organization within one working day of the request.
5. ADHS/DBHS Bureau of Quality Management Operations, Office of Medical Management shall:
 - a. Review all Mortality Review Forms to determine if:
 - (1) The [Mortality Review Form](#) is completed as required. If required information is missing, the [Mortality Review Form](#) shall be returned to the T/RBHA for completion.
 - (2) Supplemental information is needed to ascertain whether additional investigation is required. If supplemental information is needed, the ADHS/DBHS Bureau of Quality Management Operations, Office of Medical Management shall contact the T/RBHA in writing to request the supplemental information. All information sent by the T/RBHA in response to these requests shall be sent by mail or to secure fax numbers provided by the ADHS/DBHS.
 - b. Review all mortality cases with the ADHS/DBHS Medical Director or designee to determine if the case can be closed or if it should be forwarded to the ADHS/DBHS Morbidity and Mortality Committee for further review and action.
 - c. Present selected mortality cases to the ADHS/DBHS Morbidity and Mortality Committee for final review and recommended action.
6. The following information and records obtained or produced in the course of this established quality assurance process shall be held by ADHS/DBHS as confidential and shall not be disclosed as public record or produced in response to a subpoena or other legal order unless otherwise required by law:
 - a. All information and records provided by the T/RBHA as described in F.1, 2 and 3 above; and

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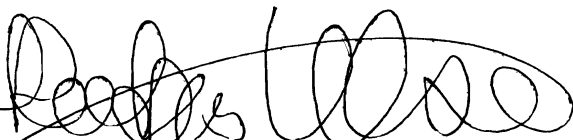
- b. All information and records considered for purposes of, and records of the actions and proceedings produced during the course of the process described in F.6 of this policy.

G. APPROVED BY:



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12/14/09
Date



Rodgers Wilson, M.D.
Acting Chief Medical Officer
Arizona Department of Health Services
Division of Behavioral Health Services

1/5/09
Date