



Division of Behavioral Health Services

Division of Compliance

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TO: RBHA CEOs and Grievance Coordinators

FROM: Laura K. Nelson, M.D.
Acting Deputy Director

Margaret McLaughlin
Bureau Chief of Policy

SUBJECT: **POLICY CLARIFICATION: Notice of Action and Continuation of Services**

DATE: August 16, 2011

This memorandum is intended to clarify the responsibilities of Regional Behavioral Health Authorities (RBHAs) and RBHA providers in meeting the Arizona Department of Health Services/Division of Behavioral Health Services' (ADHS/DBHS) expectations regarding the following policy and form:

- [Provider Manual Section 5.1, Notice Requirements and Appeal Process for Title XIX and Title XXI Eligible Persons](#)
- [Provider Manual Form 5.1.1, Notice of Action](#)

Currently, PM Form 5.1.1, *Notice of Action*, contains the following language regarding Title XIX/XXI eligible persons determined to have a Serious Mental Illness:

If you are a person determined to have a serious mental illness (SMI), the services being appealed will be continued when you file an appeal, unless continuing the services would be harmful to your health and safety, or to another person. The services being appealed will be continued throughout the appeal process. You will not have to pay for the cost of these services provided during the appeal.

Effective immediately, please discontinue use of PM 5.1.1, *Notice of Action*, and begin using the Notice of Action form found in the [AHCCCS Contractor Operations Manual \(ACOM\), Section 414](#), which does not contain the above language. PM Form 5.1.1, *Notice of Action*, will be updated to conform to the ACOM version and will replace the current form posted on the ADHS/DBHS and RBHA websites.

Questions regarding this clarification may be directed to Kara Burke, Manager of ADHS/DBHS Office of Grievance and Appeals, at (602) 364-4572 or kara.burke@azdhs.gov.