

88 INF-2

Interagency Agreement Between the
Department and the Office of Mental
Health on Discharge Planning



NEW YORK STATE
DEPARTMENT OF SOCIAL SERVICES
 40 NORTH PEARL STREET, ALBANY, NEW YORK 12243-0001
 CESAR A. PERALES
 Commissioner



INFORMATIONAL LETTER

TRANSMITTAL NO: 88 INF-002

DIVISION: Adult Services

DATE: January 7, 1988

TO: Local Commissioners

SUBJECT: Interagency Agreement between the
 Department and the Office of Mental
 Health on Discharge Planning

SUGGESTED
 DISTRIBUTION: Director of Services
 Adult Services Staff
 Income Maintenance Staff
 Medical Assistance Staff
 Staff Development Coordinators

CONTACT PERSON: Any questions concerning this release should be directed to your Protective
 Services for Adults program representative at 1-800-3423715 as follows:

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The purpose of this release is to clarify two issues which have been raised by state psychiatric
 facility staff regarding the Interagency Agreement between the Department and the Office of
 Mental Health (OMH) on Discharge Planning. A copy of this Agreement was sent to the districts
 on January 23, 1987 with 87 INF-5.

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Department Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
87 INF-005 83 INF-017 82 ADM-058		Part 313	Sections 62.4f and 131.2 SSL Section 29.15 Mental Hygiene Law		

ISSUE

Based upon information received from OMH facility staff, some local departments of social services may be interpreting the Agreement to mean that they must approve all individual service plans prior to the discharge or release of a person from a facility.

CLARIFICATION

It is not a requirement of the Agreement that the local department of social services approve all individual service plans. However, it is expected that the social services staff will be involved in the development of the individual service plans to the fullest extent possible in accordance with Section 1, paragraph (f) and Section 2, Paragraph (d) of the Agreement.

As indicated in Section 3, paragraph (b) of the Agreement, in those situations in which a social services official has concerns about the appropriateness or effectiveness of an individual service plan, the facility director shall provide an opportunity for the social services official to indicate these concerns. Such concerns shall be prepared in writing and maintained in the case record of the facility, social services and other providers involved in implementing the individual service plan. However, this does not relieve the social services official from the responsibility to provide those services for which the person is otherwise eligible in accordance with the provisions of the Social Services Law and applicable regulations of the Department.

ISSUE

A number of facility directors have raised concerns regarding their ability to periodically review individual service plans with social services for 90 days following the date of discharge or release of an individual, as required by Section 1, paragraph (h) of the Agreement.

CLARIFICATION

The Office of Mental Health and the State Department of Social Services have agreed that in those situations in which a facility director cannot fulfill his responsibilities pursuant to Section 1 paragraph (h) of the Agreement, the director may designate another mental health provider to perform the required reviews with the local department of social services during the 90 day period following the date of discharge or release of the individual. The designated mental health provider would have to agree to cooperate with the local department of social services in the performance of this function and report back to the facility director as appropriate. In those situations in which a facility director is unable to delegate this function to another mental health provider, the director must comply with the requirement to review individual service plans with the local department of social services, pursuant to Section 1 paragraph (h) of the Agreement. It is recommended that the local agreements between social services districts and state psychiatric facilities clearly reflect the substance of this clarification.



Judith Berek
Deputy Commissioner
Division of Adult Services