

**ATTACHMENT A04
CRISIS RESPONSE AND DIVERSION
STATEMENT OF WORK**

**CONTRACT NO.
GRANTEE:**

I. INTRODUCTION

The Health and Human Services Commission (HHSC) will implement the Mental Health Block Grant, as directed by the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (H.R. 133). The purpose of this program is to provide comprehensive community mental health services to adults with serious mental illness (SMI) or children with serious emotional disturbance (SED). This supplemental COVID-19 relief funding is to prevent, prepare for, and respond to SMI and SED needs and gaps due to the on-going COVID-19 pandemic.

II. GRANTEE RESPONSIBILITIES

- A. Grantee will establish new 24-hour, seven days per week criminal justice diversion programs in Texas. These programs will improve the local mental health authority (LMHA) crisis response by successfully diverting individuals in need of behavioral health crisis services from jails and emergency rooms into treatment. The following are examples of acceptable programs:
1. Co-responder Teams;
 2. Law-enforcement Liaison; and
 3. Other projects that fit the target community's needs and approved by HHSC.
- B. Grantee shall:
1. Promote collaboration between law enforcement and mental health professionals to provide crisis intervention and crisis stabilization services to individuals in behavioral health emergencies;
 2. Increase the number of trained and qualified professionals responding to individuals in crisis and at-risk of justice-involvement; and
 3. Divert individuals from the criminal justice system.
- C. Grantee shall coordinate with law enforcement personnel to respond to requests for crisis intervention for individuals identified to be in a behavioral health emergency.
- D. Grantee will serve as a liaison between law enforcement, human services providers and community stakeholders with an interest in behavioral health services to improve crisis response and increase jail diversions.
- E. Based on the behavioral crisis and clinical need, grantee will collaborate with staff of the LMHA or local law enforcement to institute an emergency detention, or seek a judge's or magistrate's order for emergency apprehension and detention, as instituted under Chapter 573 of the Texas Health and Safety Code (Emergency Detention).
- F. Based on the behavioral crisis and clinical need, grantee will coordinate transportation of individuals experiencing behavioral health crises, as defined in 26 Texas Administrative Code Chapter 301, Subchapter G (Mental Health Community Services Standards) to the appropriate service location where the individual can receive crisis stabilization services. If Grantee determines the program cannot transport the individual safely, Grantee may arrange

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for or coordinate transportation with law enforcement or other local community partners. Service locations may include the following: community hospitals, HHSC contracted psychiatric beds, crisis respite units, crisis residential units, extended observation units, crisis stabilization units, and state hospital facilities.

- G. Grantee must maintain written policies and procedures that describe program processes. Policies and procedures shall include processes for referrals, engagement, and continuity of care. HHSC may request a written copy of these policies and procedures at any time within the duration of the Contract.
- H. Grantee will provide the HHSC Contract Manager with the contact information of all dedicated program staff via email. Changes in program coordinating staff must be reported to HHSC's Contract Manager within 72 hours.
- I. Grantee will provide services in accordance with HHSC-approved program design and work plan included in the Notice to Proceed (NTP).
- J. Grantee will serve individuals identified with HHSC-approved program design and work plan included in the NTP.
- K. Grantee will ensure priority is given to individuals experiencing housing instability and homelessness.
- L. Grantee will comply with the following staffing requirements:
 - 1. Hire qualified staff in accordance with 26 TAC §301.331 (Competency and Credentialing) to provide services identified in the grant program;
 - 2. Ensure staff complete required trainings as identified in Grantee's work plan and by HHSC;
 - 3. Ensure any personnel having interactions with individuals served through the program are within the scope of their practice;
 - 4. Conduct criminal history background checks to ensure no program staff, officer, agent, intern, resident, or volunteer has been convicted of or received a probated sentence or deferred adjudication for any criminal offense that would constitute a bar to employment pursuant to Texas Health and Safety Code §250.006;
 - 5. Verify licensure for all licensed positions, as applicable. All staff required to be licensed shall be licensed by and in good standing with the State of Texas. Grantee shall require and document annual re-verification and self-reporting of license issues; and
 - 6. Conduct a registry clearance by conducting a review for reports of misconduct including abuse, neglect, and exploitation through: The Employee Misconduct Registry in accordance with 40 TAC Chapter 93 (Employee Misconduct Registry (EMR)); and the Nurse Aide Registry in accordance with 26 TAC Chapter 556 *et seq* (Nurse Aides).
- M. Should Grantee work with local law enforcement to perform the requirements of this Statement of Work, Grantee shall comply with the following training requirements for law

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enforcement officers (including mental health deputies funded by other HHSC contracts) involved in the program:

1. At least one time annually, coordinate and/or conduct training for law enforcement officer collaborating the LMHA. The training must address the following components:
 - a. Recognizing signs and symptoms of mental illness, intellectual and developmental disability, substance use, and co-occurring mental illness;
 - b. Cultural competency;
 - c. Crisis intervention and de-escalation; and
 - d. Information on community resources and must provide the following *A Community Support Guide for Alternatives to Inpatient Mental Health Treatment*. This guide can be found online by following this link: <https://hhs.texas.gov/services/mental-healthsubstance-use/mental-health-substance-use-resources>.
2. Ensure any law enforcement officers involved in the program complete the Mental Health Officer Proficiency training referenced in 37 TAC §221.11.

N. Grantee shall participate in monthly technical assistance calls provided by HHSC.

O. To ensure Grantee stays informed and continues receiving updated information, Grantee must assign one or more staff responsible for tracking policy updates posted on HHSC's identified platform and disseminating such information within Grantee's organization.

III. PERFORMANCE MEASURES

HHSC will use the following performance measures, along with any additional terms of this Statement of Work and any corresponding NTP, to assess Grantee's effectiveness in providing the services:

A. Grantee shall implement the program in accordance with the HHSC-approved work plan included in the corresponding NTP.

B. Performance measures to be included in the Performance Report – Attachment A04-1 with Grantees using standardized outputs and outcomes that will align with the type of work funded. Performance Report measures will be included on an NTP to be issued by HHSC. Performance Reports will be submitted through an HHSC approved reporting system.

C. Grantee shall identify a service delivery unit and sub-unit (if applicable) in Grantee's electronic health record system and report to HHSC:

1. All individuals served in the program shall be registered in the Grantee's electronic health record system; and
2. Encounters following the procedures and instructions, including all required data fields and values in the current version of the HHSC Community Mental Health Service Array. The HHSC Community Mental Health Service Array is incorporated by reference and is found within the General Warehouse Information, Specifications subfolder using the following link: <https://hhsc4svpop1.hhsc.txnet.state.tx.us/DataWarehousePage/>. Grantee can find encounter reporting schedule in Information Item S, incorporated by reference and posted at: <https://www.hhs.texas.gov/doing-business-hhs/provider-portals/behavioral->

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[health-services-providers/behavioral-health-provider-resources/community-mentalhealth-contracts](#).

- D. Grantee shall collect and report to HHSC individual-level information for program participants using Attachment A04-1 as outlined in Table 1 below. Types of data shall include, but are not limited to:
 - 1. Any contact with an individual that does not result in arrest as a result of involvement with the crisis response and diversion funding and the outcome of that contact.
- E. Grantee shall submit Attachment A04-1, Performance Report, as outlined in Table 1 below.
- F. Grantee shall submit Attachment A04-2, Expenditure Report as outlined in Table 1 below.

Table 1: Deliverable Submission

Deliverable	Due Date
Attachment A04-1, Performance Report	Submit monthly, on or before the 15th day of the month after the month of service (e.g., September submission due October 15th), and within the budget period specified in Grantee’s NTP. Grantee must attach the report to Grantee’s invoice.
Attachment A04-2, Expenditure Report	Submit monthly, on or before the 15th day of the month after the month of service (e.g., September submission due October 15th), and within the budget period specified in Grantee’s NTP. Grantee must attach the report to Grantee’s invoice.
State of Texas Purchase Voucher Form 4116 (i.e., Invoice)	Submit monthly, on or before the 15th day of the month after the month of service (e.g., September submission due October 15th), and within the budget period specified in Grantee’s NTP.
General Ledger	Submit monthly, on or before the 15th day of the month after the month of service (e.g., September submission due October 15th), and within the budget period specified in Grantee’s NTP. Grantee must attach the report to Grantee’s invoice.

These submissions shall be sent by electronic mail to the following email address in the subject format below with a copy to the HHSC’s Contract Manager and Program Services Liaisons. Any alternative reporting methods must be approved or otherwise completed based on written notification from the HHSC’s Contract Manager.

To: MHContracts@hhsc.state.tx.us
Subject: CompCode_MHD_Crisis Response

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G. HHSC may request validation of performance measures at any time and Grantee must provide a timely response to HHSC's validation request.

IV. INVOICE AND PAYMENT

- A. Grantee shall establish and maintain an independent cost center that is accessible and identifies the source and application of funds provided under this Statement of Work and original source documentation substantiating that costs are specifically and solely allocable to this Statement of Work and are traceable from the transaction to the general ledger.
- B. Grantee shall submit invoices based on the schedule outlined in Table 1 using the State of Texas Purchase Voucher Form 4116, which is incorporated by reference and can be downloaded at: <https://hhs.texas.gov/laws-regulations/forms/4000-4999/form-4116-state-texaspurchase-voucher>.
- C. All invoices not received by the scheduled due date as outlined in Table 1 above are considered late and will require justification from the Grantee for the late submission.
- D. Documentation and data required for invoice submission includes:
1. Name, address, and telephone number of Grantee on the State of Texas Purchase Voucher Form 4116;
 2. HHSC Contract Number and/or Purchase Order Number on the State of Texas Purchase Voucher Form 4116;
 3. Identification of service(s) provided on the State of Texas Purchase Voucher Form 4116;
 4. Dates services/deliverables were delivered on the State of Texas Purchase Voucher Form 4116;
 5. Name of the person performing the activities on the State of Texas Purchase Voucher Form 4116;
 6. Total invoice amount on the State of Texas Purchase Voucher Form 4116; and
 7. Supporting Documentation as attachments to the State of Texas Purchase Voucher Form 4116:
 - a. A copy of Grantee's General Ledger proving expenditure of funds by cost category;
 - b. Attachment A04-1 - Performance Report
 - c. Attachment A04-2 – Expenditure Report; and
 - d. Any other documentation required by this Contract or otherwise requested by HHSC.
- E. Grantee shall electronically submit invoices with required or otherwise requested supporting documentation to the Claims Processing Unit at HHSC_AP@hhsc.state.tx.us, MHContracts@hhsc.state.tx.us, the assigned HHSC Contract Manager, and Program Services Liaisons.
- F. Grantee shall submit invoices no later than 90 days after the last day of the fiscal year for fiscal year close out.

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V. OUTCOME IF GRANTEE CANNOT COMPLETE REQUIRED PERFORMANCE

Unless otherwise specified in this Statement of Work, if Grantee cannot complete or otherwise comply with a requirement included in this Statement of Work, HHSC, at its sole discretion, may impose remedies outlined under Contract Attachment C, Special Conditions, Article 6 (Disputes and Remedies).