

NORTHCARE NETWORK

POLICY TITLE: Jail Diversion	EFFECTIVE DATE: June 26, 2002
DATE OF LAST REVIEW: (Reviewed with no changes or minimal text revisions.) January 4, 2012	DATE OF LAST POLICY REVISION: (Revision to policy statement.) June 2, 2010

POLICY

NorthCare Prepaid Inpatient Health Plan is responsible to monitor the effectiveness of the Community Mental Health Service Providers in fulfilling Section 207 of the Michigan Mental Health Code (MMHC)

Each community mental health service program shall provide services designed to divert persons with serious mental illness, serious emotional disturbance, or developmental disability from possible jail incarceration when appropriate. These services shall be consistent with policy established by the department.

The MDCH Contract Attachment P.6.8.4.1 FY09 (Attachment1) is adopted as the model for the CMHSPs to incorporate into local practice.

APPLIES TO

The five CMHSPs in the NorthCare Network.

DEFINITIONS

Jail Diversion Process: Involves identification of Community Mental Health treatment needs among the individuals alleged to have committed misdemeanors or certain, usually non-violent, felonies and who voluntarily agree to participate in the recommended CMH services as an alternative to incarceration. Depending on the point of contact with the justice system, diversion may occur pre-booking or post-booking into jail custody. Each CMHSP will offer a jail diversion screening within 24 to 48 hours of law enforcement or jail personnel referral or conduct an emergency assessment if the situation warrants.

Jail Diversion Screening: When requested by law enforcement or the individual or person acting on behalf of the individual, a voluntary face to face screening by local CMHSP staff will be conducted. The screening will be referred to NorthCare Access for an eligibility determination. Consultation with NorthCare Access is not required in those circumstances where the individual is already open for CMH services. Then CMHSP staff will report their findings to law enforcement and the courts will make the decision as to whether or not diversion will be offered to the individual.

PROCEDURES

NorthCare Responsibilities:

1. NorthCare has a regional committee composed of the CMHSP Jail Liaisons who meet regularly to review regional jail data and to develop regional jail diversion training opportunities.
2. NorthCare is responsible for the monitoring of CMHSP activities to fulfill their responsibilities in these areas.

CMHSP responsibilities for Jail Diversion in a written collaborative agreement with law enforcement:

1. Identify liaison personnel to coordinate key interactions and maintain current agreements with local law enforcement agencies.
2. Liaison staff will participate in a regional workgroup to assure consistency across the region.
3. Participate in local community corrections board meetings and/or maintain regular contact with representatives of the criminal justice system to review jail diversion procedures and local concerns.
4. Maintain open communication regarding procedures and agreements while preserving standards of confidentiality.
5. Actively promote and offer cross-training activities necessary to assure that CMHSP staff and representatives of local criminal justice agencies have a common understanding of jail diversion procedures and how individuals who may be appropriate for jail diversion in lieu of incarceration are identified and diverted to services.
6. Maintain a database that tracks key demographic information and diversion efforts throughout the region including:
 - Unique consumer ID assigned by the CMHSP.
 - Date of Diversion
 - If pre-booking – the date of police contact
 - If post-booking – the date of court diversion
 - Nature of alleged offense
 - Diagnosis

Reports generated through the electronic medical record are audited quarterly for accuracy and completeness. The CMHSPs will work with NorthCare on an annual submission to MDCH.

REFERENCES

Michigan Mental Health Code (Act 258 of the Public Acts of 1974 as amended) Section 207. Medicaid Managed Specialty Supports and Services 1915 (b)/(c) Waiver Program, Adult Jail Diversion Policy Practice Guideline, Contract Attachment P.6.8.4.1 FY09

BOARD ADOPTED/REVIEWED DATE (Needed for new policy and revisions to policy statement)

10/9/04; 11/2/05; 6/2/10

COO APPROVAL (Needed for all reviews and revisions)

1/13/11

HISTORY

REVIEW DATES: 6/16/04; 9/30/05; 1/22/07; 8/08; 1/4/2012

REVISION DATES: