NEW MEGA REGS POLICY & PROCEDURE (P&P) APPROVAL REQUEST FORM

I. P&P INFORMATION

Assigned Policy Name: Limitation on Moral or Religious Grounds

Assigned Policy Number: 2100

Mega Regs Policy Area(s): Mark All That Apply

☐ Plan Administration and Organization
☐ Scope of Services
☐ Financial Reporting Requirements
☐ Management Information Systems
☐ Quality Improvement System
☐ Utilization Management Program
☐ Access and Availability of Services
☐ Provider Network
☐ Documentation Requirements
☐ Coordination and Continuity of Care
☐ Beneficiary Rights
☐ Beneficiary Problem Resolution
☐ Program Integrity
☐ Reporting Requirements

Submitted by: Victor Ibabao
Date: 3/29/2018

Policy developed by: Sheryl Hogan

II. APPROVAL

Section A: HHS Compliance and County Counsel

HHS Compliance: Date: 4/2/2018

County Counsel: Date: 4/3/2018

Section B: BHSD Executive Director

BHSD Executive Director: Date: 4/5/2018

Note - A copy of the Approved Mega Regs P&P Form will be emailed to: BHSD Compliance Unit
Title: LIMITATION ON MORAL OR RELIGIOUS GROUNDS

REFERENCE:
- 42 CFR § 438.10 (e), (g). Information Requirements.
- 42 CFR § 438.52. Choice of MCO’s, PIHPs, PAHPs, PCCMs and PCCM entities.
- 42 CFR § 438.100 (b). Enrollee Rights.
- 42 CFR § 438.102 (a)-(b). Provider-enrollee Communications.

POLICY:
Providers will not be required to deliver, reimburse for, or offer coverage of a counseling or referral service if the provider objects to the service on moral or religious grounds. Beneficiaries will know which providers have objections based on religious or moral grounds prior to referral or change.

DEFINITIONS:

Beneficiary. A Medi-Cal recipient who is currently receiving services from BHSD or a BHSD contracted provider.

Provider. A person or entity who is licensed, certified, or otherwise recognized or authorized under state law governing the healing arts to provide specialty mental health services and who meets the standards for participation in the Medi-Cal program as described in California Code of Regulations, title 9, Division 1, Chapters 10 or 11 and in Division 3, Subdivision 1 of Title 22, beginning with Section 50000. Provider includes but is not limited to licensed mental health professionals, clinics, hospital outpatient departments, certified day treatment facilities, certified residential treatment facilities, skilled nursing facilities, psychiatric health facilities, general acute care hospitals, and acute psychiatric hospitals. The MHP is a provider when direct services are provided to beneficiaries by employees of the Mental Health Plan.
**Policy & Procedure Number: BHSD # 2100**

- BHSD County Staff
- Contract Providers
- Specialty Mental Health
- Specialty Substance Use Treatment Services

**Title:** LIMITATION ON MORAL OR RELIGIOUS GROUNDS

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<thead>
<tr>
<th>Responsible Party</th>
<th>Action Required</th>
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<td><strong>Enrollees and Potential Enrollees</strong></td>
<td>May contact the state to request information on how and where to obtain such services if BHSD chooses not to furnish the services because of moral or religious objections.</td>
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| **BHSD** | 1. Reimburses for counseling and referral services based on moral or religious grounds.  
2. Notifies beneficiaries about providers that may not provide services based on moral or religious grounds at least 30 days prior to the effective date of the change.  
3. Notifies enrollees at least 30 days in advance of BHSD implementing any new policy to discontinue the provision and reimbursement of counseling or referral services based on moral or religious grounds.  
4. Furnishes the state with information on services it does not cover based on moral or religious grounds whenever it adopts this type of policy. |
| **Providers** | 1. Prior to entering into a contract, providers will submit documentation to the BHSD about any services they do not cover because of moral or religious objections.  
2. Providers will submit information to beneficiaries about any services they do not cover because of moral or religious objections.  
3. Submit updates to BHSD annually or when there is a change in the services not covered due to moral or religious grounds. |

**Attachments:**