

Washington State Department of Social and Health Services

Transforming
Lives

REPORT TO THE LEGISLATURE

RCW 71.05.365 Fourteen Day Standard – 2023 Progress Report

Engrossed Substitute Senate Bill 5187, Section 202(18)

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EXECUTIVE SUMMARY

The 2021 Washington State Legislature enacted Engrossed Substitute Senate Bill 5187– in the 2023-2025 Operating Budget. Section 202 (18) of the bill provided \$100,000 in fiscal year 2024 and \$100,000 in fiscal year 2025 for the Department of Social and Health Services to track compliance with RCW 71.05.365 requirements for transition of state hospital patients into community settings within fourteen days of the determination that they no longer require active psychiatric treatment at an inpatient level of care. The reporting requirement of the bill states:

The department must use these funds to track the following elements related to this requirement:

- (i) The date on which an individual is determined to no longer require active psychiatric treatment at an inpatient level of care;*
- (ii) the date on which the behavioral health entities and other organizations responsible for resource management service for the person is notified of this determination; and*
- (iii) the date on which either the individual is transitioned to the community or has been re-evaluated and determined to again require active psychiatric treatment at an inpatient level of care.*

The department must provide this information in regular intervals to behavioral health entities and other organizations responsible for resource management services. The department must summarize the information and provide a report to the office of financial management and the appropriate committees of the legislature on progress toward meeting the fourteen day standard by December 1, 2023 and December 1, 2024.

BACKGROUND

Historically, Eastern and Western state hospitals have operated differently, functioning as two fully separate and distinct entities. Each state hospital’s data system was created separately; the policies and procedures of each are separate and distinct.

To implement tracking and compliance with RCW 71.05.365 the department determined it would need to:

- Establish, implement, and operationalize a BHA-wide definition and policy for “no longer requires active treatment at an inpatient level”; and
- Develop a data system to track the data elements identified in the budget proviso.

The department created the position of Director of Community Transitions in January of 2019. The BHA Director of Community Transitions focused on working with the state hospitals and other agencies, administrations, and community partners to improve internal and external processes related to discharge planning and Behavioral Health Transformation.

Discharge Planning Process Timelines

For many patients, there are regulatory requirements and processes that must be followed before discharge can occur. For some, there are complex discharge related issues that their care teams work to resolve ahead of discharge. The charts below detail these processes and issues and their associated timeframes.

Regulatory Requirements	Timeframe	Additional Notes	RCW
Risk Assessments	14-30 days	Discharge review required	71.05.232
Notifications	14-45 days	Prosecutor, law enforcement, victim witness	71.05.325, 71.05.330, 71.05.425, 4.24.545
LRA Court	7-30 days	Court scheduling times vary and may be continued	71.05.320, 71.05.325
DOC Approval	30 days preferred	DOC must approve the discharge location once one is identified, when applicable.	
PSRP Review	reviewed monthly	When required for those committed under 71.05.280(3)(b)	10.77.270

Resolving Immigration Barriers	6 months - several years	Does not qualify for Medicaid/community services without legal status, with few exceptions.
Complex Financial Barriers	6 months - 1 year	Can require setting up trusts, having property sold, etc. This is required to be eligible for benefits.
Medicaid Financial Approvals	30 days	Certain cases require processes that can take up to 30 days for processing.

Informal Processes	Timeframe	Additional Notes
Provider Search	14 days - several y	Medicaid dollars fund housing placements, which means both the patient and provider have a choice in the process. Once a level of care is established, housing options are contacted. Once a provider responds, a patient visit is arranged and both the patient and provider must agree to that housing option. Sometimes this process must be repeated multiple times due to either patient or provider objections.
Service Coordination	7 days - 60 days	This includes referrals to PACT teams to determine if they can serve the patient, coordinating appointment and intake times for mental health and psychiatric services. All of these specifics are required in order for an LRA to be filed.

Formal Processes	Timeframe	Additional Notes
HCS CARE Assessment	14-45 days	Regulations allow 30 days after the assessment for the final determination of eligibility
Establishing Guardianship	6 months - 3 years	Lack of guardianship resources willing to serve this population. Cannot discharge without a decision maker.
Resolving Immigration Barriers	6 months - several	Does not qualify for Medicaid/community services without legal status, with few exceptions.
Complex Financial Barriers	6 months - 1 year	Can require setting up trusts, having property sold, etc. This is required in order to be eligible for benefits.
Medicaid Financial Approvals	30 days	Certain cases require processes that take can take up to 30 days for processing.

Data Tracking Systems

The data elements required in the proviso had not previously been tracked in either of the hospitals' main data systems, nor in the standalone discharge databases and required an information technology solution to fully implement. With limited resources for design and implementation of an automated strategy, an interim solution was implemented by both hospitals.

ESH and WSH used spreadsheet templates to track the patient's name, assigned MCO/BHO/BH-ASO, and the three required data elements. The hospitals' social work teams maintained the spreadsheets, notified the MCO/BHO/BH-ASO liaison when patients were determined ready to discharge, and sent the spreadsheets to BHA Headquarters.

As reported in 2019, both hospitals embedded these data tracking elements into their discharge tracking databases. ESH had begun electronically tracking the data points and continues to utilize an electronic tracking spreadsheet. WSH began a process of creating a new database where the data will be collected electronically. In the interim, the spreadsheet templates continued being used and emailed on a weekly basis to the BHA Director of Community Transitions.

In 2020, a need was identified to create a permanent solution for tracking and reporting of this data. However, this project was temporarily paused so that resources could be directed to the significant impacts to the state hospitals due to the COVID-19 pandemic.

In 2022, BHA committed to developing an enterprise-wide electronic discharge planning system. The development of the Transition and Discharge Planning System is underway with an estimated completion date of no later than December 31, 2024.

DISCHARGE TRANSITION PLAN DEVELOPMENT

The table below described the amount of time from the point the patient was identified as “no longer requiring active psychiatric treatment at an inpatient level of care”, the MCO/BHO/BH-ASO liaisons were notified of the determination, to the point where an initial transition plan was developed.

Western State Hospital Civil Patients Discharged January 1, 2023 – August 30, 2023

Days to develop initial plan	Number of People*	Percentage
14 or Less	191	93%
15 days or more	14	7%
Total	205	

* Removed individuals who are deceased (1) and court releases (9).

Eastern State Hospital Civil Patients Discharged January 1, 2023 – August 30, 2023

Days to develop initial plan	Number of People*	Percentage
14 or Less	183	100%
15 days or more		
Total	183	

Notification of Behavioral Health Entities

The discharge data has been reviewed weekly by the BHA Director of Community Transitions to ensure there is no lag between the determination that the patient no longer requires active treatment at an inpatient level of care and MCO/BHO/BH-ASO notification. The reviews found, that for the most part, the notifications were being done within 24-hours.

The MCO/BHO/BH-ASO liaisons have access to reports that have all their members who are on the no longer requires active treatment at an inpatient level of care list. In addition, both ESH and WSH have weekly case staffing of the patients who are ready to discharge that include participation from the MCO/BHO/BH-ASO liaisons and HCS assessors and managers.