

CONTRACT SANCTIONS FOR ATTENDING NEW HIRE RECIPIENT RIGHTS
TRAINING MORE THAN 30 DAYS AFTER DATE OF HIRE

FAQs

March 19, 2019 edition

Does this apply to Substance Use Disorder (SUD) providers and staff? No, only to providers and staff that provide services to members with Serious Mental Illness, Intellectual/Developmental Disabilities, and Serious Emotional Disturbance. SUD providers and staff have different training requirements.

Why is DWMHA going to implement contract sanctions? The Michigan Mental Health Code requires that all individuals employed by the Detroit Wayne Mental Health Authority and its providers receive training related to recipient rights protection before or within 30 days after being employed, [MCL 330.1755 (5)(f)]. Section 3.7 of the Detroit Wayne Mental Health Authority (DWMHA) Service Provider Agreement specifically states the requirements and sanctions associated with this training.

How much is the sanction penalty? There are two sanction clauses in the contract. According to section 3.7.1 of the contract, the provider is charged \$50 for each employee that receives New Hire Recipient Rights training more than 30 days after his/her hire date.

It was stated that providers would not receive money for services billed if the newly hired staff hadn't received their New Hire Recipient Rights training within 30 days of hire. Does that mean providers would not receive money for services billed post-30 days of hire? Yes. If DWMHA has already paid the provider for the services, DWMHA will recoup that money. This is described in section 3.7.2 of the contract.

When will the Authority start implementing contract sanctions? Sanctions will commence with staff attendance at New Hire Recipient Rights training classes beginning April 1, 2019.

How often will sanction letters be issued? Monthly. The first letters will be issued at the beginning of May 2019 for non-compliance that occurred in April 2019.

When is payment due? Payment is due by the end of the month in which you receive the penalty letter. Therefore, the first payment is due by the end of May 2019.

How do I pay my sanction penalty? To remit the sanction penalty, issue a check payable to "Detroit Wayne Mental Health Authority" for the sanctioned amount and send it to Detroit Wayne Mental Health Authority, Management and Budget division, Attention: Gregory Borg, 707 W. Milwaukee, Detroit, MI, 48202.

Will sanctions be issued when DWMHA cancels a training class? No. Registrants for those cancelled classes will be granted additional time to obtain New Hire Recipient Rights training.

How do providers determine if a specific staff has a staff record in MH-WIN? Since 10/1/18, a new process is in place to either add newly hired staff to MH-WIN or see if the newly hired staff is already in MH-WIN. Go to the Authority's website (DWMHA.com), then to the "provider supports" page of the website, look for "[New Hire Staff Record Request Form \(MHWIN\)](#)". The provider completes the form and emails it to DWMHA (details are on the form). This process is between the provider and the DWMHA Information Technology (IT) unit. ORR is not involved with this process. Please contact the DWMHA IT unit for assistance.

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How are providers notified after the DWMHA IT unit creates or moves the staff record?

When a provider submits the request for a staff record, they receive an email from the Help Desk stating that a “help ticket” has been opened for them. When the staff record is created or moved, the provider receives an email from IT (using the email address that was used to submit the original request). The provider also receives an email that the “help ticket” is now closed which means the task has been completed.

What if the DWMHA IT unit takes a long time to create or move the staff record and the provider is assessed a \$50 penalty? The DWMHA IT unit has been completing their task in a week or less. In the event that the time frame has been inordinately prolonged, you must document that. When you receive the “penalty letter” and you have a dispute with the sanctioned amount or staff, send a detailed email with evidence to Mignon Strong (mstrong@dwmha.com), Deputy Director of Recipient Rights, and copy Linda Taylor (Ltaylor@dwmha.com).

What is the definition of “Date of Hire”? The date of hire is determined by the provider and entered into the staff record in MH-WIN. According to the federal government, the hire date for both E-Verify and I-9 Form is the day the employee began (or will begin) work for pay.

What if the “date of hire” is blank in the MH-WIN staff record? Remember, the provider is responsible for ensuring the completeness and accuracy of the MH-WIN staff record, including the date of hire. If that data field is blank, the staff will be considered non-compliant regardless of when they attend the New Hire Recipient Rights training class.

I find it difficult to register staff for training because the classes are all full. Registering staff in MH-WIN is easy and convenient. DWMHA ORR conducts about 13 training classes per month with about half of those conducted throughout the community. This totals about 600 available seats per month. There are always at least two month’s worth of classes open at one time.

Does DWMHA ORR accept New Hire Recipient Rights training conducted by another CMH? Yes. The provider must submit evidence of the training to DWMHA ORR and then allow DWMHA to verify it. Once verified, the staff will be considered compliant with training mandates and the training will be noted in the staff’s MH-WIN staff record.

What if the provider does not agree with the penalty amount or staff involved? If a provider has a dispute with the sanctioned amount or staff, the provider must send a detailed email with evidence to Mignon Strong (mstrong@dwmha.com), Deputy Director of Recipient Rights, and copy Linda Taylor (Ltaylor@dwmha.com). The evidence will be weighed and a final decision will be rendered.