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October 25, 2007

Stephen T. Baron, Director
Department of Mental Health
64 New York Ave, NE
Washington, DC 20002

Re: Agreements Regarding Exit Criteria #3 & #4 (Consumer Service Reviews for Adults and Children/Youth)

Dear Mr. Baron,

I have reviewed your letter of August 24, 2007 regarding the common understandings as regards planning for the CSR process for 2008. I will briefly respond to each of the four areas identified.

1. Sample Size

Your letter correctly states our agreement as relates to sample size. Upon recommendation of Human Systems and Outcomes, Inc (HSO) experts, we agreed that the sample size should be at a level that meets a 95% confidence level (+/- 10% error). Given previous numbers of served individuals, this would translate to a sample size of 85 children/youth and 88 adults. Your footnote correctly states that the final sample size for 2008 may vary somewhat from these numbers depending upon the total pool of individuals served during the preceding 6-month claims period. I would suggest we rely on HSO to determine the final number in the respective samples, using the 95% (+/- 10 %) as our required confidence level.

2. Review Team Composition

Your letter accurately reflects our agreement that, in addition to increasing the sample size, we will change the mix of reviewers from 1/2 DMH reviewers to 1/3 – with the remaining 2/3rds to come from HSO. You are also correct that HSO will recommend the final set of DMH-approved reviewers – based on a combination of previous review experience and/or performance during training simulations. This final list for children/youth should be determined by November 30, 2007 – following the conclusion of the 3-day training in mid-

November, 2007. The final list for adults should occur after the end of adult refresher training in the spring of 2008.

HSO has included in its FY 2008 budget an assigned case judge to review every DMH-reviewed case and to the degree possible all HSO-reviewed cases as well. This will be a critical component of assuring objectivity and consistency across the reviewer panel. HSO has agreed (for training purposes) that an appropriate DMH staff person will be permitted to shadow the case-judging process. The HSO will also continue its practice of measuring inter-rater reliability on a composite basis – comparing DMH reviewer scores and HSO scores.

The combination of these strategies – enhanced training, mutual assurance that reviewers are fully qualified, case judging and analysis of inter-rater scores – provide me with confidence that the review process will be considered “independent” for purposes of complying with the Consent Order regarding these Exit Criteria.

3. Data Collection Methods

The recitation of data elements in your August 26, 2007 letter accurately reflects the requirements of the Consent Order and the established protocols for both children/youth and adults. These protocols have been in place since 2003 and have been consistently used since that time. You are correct that these protocols do reflect the Court Monitor’s full evaluation of required performance under Exit Criteria #3 and #4.

4. Policy Requirements

You are correct that DMH does not have an explicit and distinct policy regarding the use of CSR’s. However, there is abundant evidence of DMH support in this process, referential documentation in other policies and agreement via the annual Court Monitor’s Monitoring Plan and Monitoring Budget. These are considered sufficient documentation in my mind.

The only issue not addressed in your letter pertains to the process and protocols regarding the final sample. In previous CSR reviews, there has been a significant need to replace individuals in the identified sample due to some combination of factors e.g. inability to obtain consent, difficulty in locating individuals, and legal issues for children/youth regarding who is authorized to provide consent. It is critical for future reviews that we develop a clearly understood protocol as to if/when individuals will be replaced. The presumption should be that a given individual is included as part of the final sample – absent some overriding factors for exclusion e.g. the individual has moved out of the area. Part of our collective agenda for the Fall of ’07 will be to develop acceptable protocols for exclusion and to require providers active involvement in the process of finding and engaging those consumers who are selected.

I appreciate your desire to memorialize our agreements for FY 2008 CSR planning and for future years. I believe that these five issues – if implemented per our mutual agreements –

should provide a solid basis upon which to measure the District's performance on these critical Exit Criteria.

Sincerely,

Dennis R. Jones MSW, MBA,
Dixon Court Monitor

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