

Department of Mental Health
TRANSMITTAL LETTER

SUBJECT Communication of Information to the Public		
POLICY NUMBER DMH Policy 640.1	DATE DEC 13 2003	TL# 37

Purpose. To update the policy and procedures for the release of information to the public.

Applicability. The provisions of this policy apply Department-wide to staff at the Mental Health Authority, Saint Elizabeths Hospital (SEH), and the DC Community Services Agency (DC CSA).

Policy Clearance. Reviewed by affected responsible staff and cleared through appropriate Mental Health Authority offices and DMH Policy and Planning Committee.

Implementation Plans. A plan of action to implement or adhere to this policy must be developed by designated responsible staff. If materials and/or training are required to implement this policy, these requirements must be part of the action plan. Specific staff should be designated to carry out the implementation and program managers are responsible for following through to ensure compliance. Action plans and completion dates should be sent to the appropriate authority. Contracting Officer Technical Representatives (COTRs) must also ensure that contractors are informed of this policy if it is applicable or pertinent to their scope of work. *Implementation of all DMH policies shall begin as soon as possible. Full implementation shall be completed within sixty (60) days after the date of this policy.*

Policy Dissemination and Filing Instructions. Managers/supervisors of DMH must ensure that staff are informed of this policy. Each staff person who maintains policy manuals must ensure that this policy is filed in the DMH Policy and Procedures Manual.

If any CMHS or DMH policies are referenced in this policy, copies may be obtained from the DMH Policy Support Division by calling (202) 673-7757.

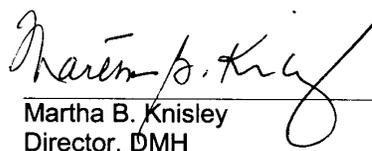
ACTION

REMOVE AND DESTROY

**CMHS Policy 50000.640.4A,
dated February 13, 1996**

INSERT

DMH Policy 640.1


Martha B. Knisley
Director, DMH

GOVERNMENT OF THE DISTRICT OF COLUMBIA  DEPARTMENT OF MENTAL HEALTH	Policy No. 640.1	Date DEC 13 2003	Page 1
	Supersedes CMHS Policy 50000.640.4A, Availability of Information to the Public, dated February 13, 1996		
Subject: Communication of Information to the Public			

1. **Purpose.** To set forth the Department of Mental Health (DMH) policy and procedures for the release of information to the public, publications by staff members, and employees' testimony before legislative committees. This policy also provides for community educational activities conducted by the DMH Public Affairs Office. Disclosure of clinical information about a consumer is not a matter of this policy or of the Public Information Officer. Refer to DMH Policy 645.1, DMH Privacy Policies and Procedures.

Note: The requirements of this policy are not intended to prohibit employee disclosure of employer violations of any law, rule or regulation, or to affect any protection an employee may have pursuant to the Whistleblower Protection for Employees of D.C. Government, Mayor's Memorandum 2002-4, dated October 16, 2002. DMH is committed to integrity, ethical behavior, and the highest level of professionalism. You may call the DMH Compliance Line at 1-800-354-5564, 24 hours a day/7 days a week to make an anonymous report of any conduct by a DMH employee, or by someone acting on behalf of DMH, that may be illegal or may violate DMH policies and procedures as they relate to disclosure of information.

2. **Applicability.** The provisions of this policy apply Department-wide to staff at the Mental Health Authority, Saint Elizabeths Hospital (SEH), and the DC Community Services Agency (DC CSA).

3. **Authority.** Mental Health Service Delivery Reform Act of 2001, and D.C. Personnel Manual Chapter 18, Subpart 2.

4. **Overview and Responsibility.**

4a. Public information issues are managed by the DMH Public Affairs Office (PAO) in consultation and coordination with the DMH Director. The PAO may be reached at (202) 673-1937. The PAO serves as an interface between the Department and the public and private sectors. The PAO manages all DMH press relations and inquiries from radio, television and print media. Should there be a media inquiry about the ramifications of any DMH related situation involving consumers and/or employees or any aspect of the Department, the appropriate manager, before responding to the media, must immediately refer the matter to the PAO (see also Section 5 below).

4b. The PAO shall also serve as the central public information and media office for DMH in the event of an emergency or disaster.

4c. The DMH Office of the Director, in coordination with the DMH General Counsel, ensures compliance with the Freedom of Information Act (FOIA) and assists the Department in avoiding potential liability for breach of confidentiality and misinformation.

4d. The DMH Privacy Officer, in coordination with the SEH and DC CSA Privacy Officers are responsible for ensuring that DMH Policy 645.1, DMH Privacy Policies and Procedures, are not compromised in regards to protecting the privacy of individually identifiable health information of DMH consumers.

4e. Throughout the Department's programs as authorized by the DMH Director, DMH may develop and/or sponsor various community educational programs (see also Section 7c below).

- The PAO shall periodically sponsor, and/or promote community education activities designed to enhance public awareness of the DMH role and mission in mental health and of various related issues affecting the delivery of mental health services in the District of Columbia.
- The PAO shall be responsible for facilitating media requests for public information tours of DMH inpatient and community facilities and related operations. For necessary clearances and logistical preparations, the PAO shall consult with the affected DMH CEOs to schedule these tours.

5. Press/Media Relations, Publications and Briefings.

5a. Press/Media Communications. Prior to any interaction with print, cable, satellite or broadcast media, all DMH staff via their immediate supervisor or program manager (2nd level supervisor), must contact the PAO for clearance and briefing before responding to the media inquiry. If it is determined that the media inquiry dictates coordination with the DMH Director, the PAO shall make appropriate contact and obtain clearance prior to providing a response to the media.

5b. Employee Publications. DMH employees must obtain prior approval from the PAO before publishing or publicly presenting either oral or written mental health information or research. The term "publicly presenting" does not include situations where an employee speaks to a group or organization as part of the requirements of his/her position (for example: Clearance and approval would not be required when an employee is required to give a presentation to DMH-certified providers to explain a regular function or responsibility of their office or area of responsibility. Clearance would be required if that same employee was requested to make a presentation to an outside agency that was not part of the regular requirements of the position). The PAO should be contacted if there are any questions regarding whether clearance is required for a public address.

The procedures to obtain PAO clearance and approval are as follows:

- (1) The employee shall prepare a memorandum requesting approval and attach two copies of the material/manuscript at least 30 days in advance of publication/speaking engagement, if possible, and include the publishing/speaking deadline date that the employee must adhere to. Include the telephone number, etc. for contacting the employee, if needed; and
- (2) Submit the memorandum and the attached material/manuscript through his/her supervisor who shall review and forward them through the program manager to the PAO for review/approval.
- (3) The supervisor and program manager shall complete their review in not more than five (5) working days after receipt, respectively.
- (4) The PAO shall make a decision to approve or disapprove the request within five (5) working days of receipt, and notify the employee in writing within one (1) working day after making a decision.

(5) If a request is disapproved at any step within the procedures established by this policy, the memorandum and manuscript shall be returned to the author with comments attached.

(6) The employee shall provide the PAO with a copy of the publication or speech manuscript after it is published or the speech is given.

5c. Testimony. Unless designated by the DMH Director or designee, any DMH employee who has been requested or intends to appear before local and/or federal legislative committees as an official representative of DMH, must first obtain the approval of the DMH Director who shall ensure appropriate protocol related to these issues is followed.

6. Communication with Governmental Organizations.

6a. Oral or written inquiries or requests that come from the D.C. City Council, Inspector General's Office, or from members of Congress or Congressional committees shall be referred to the PAO, or for oral requests the employee may obtain the individual's title and telephone number and provide it directly to the PAO for response.

6b. Commissions. DMH notifications to the District of Columbia Advisory Neighborhood Commissions must be submitted to the PAO.

6c. Government Agencies. On behalf of DMH, the PAO shall interface with other District government agencies, per applicable policies, for the purpose of facilitating public information and responding to media inquiries within a reasonable time period.

7. Public Information Materials.

7a. The PAO shall coordinate and monitor intra/inter-department and community at-large public information interests and needs.

7b. Any DMH office or program planning to produce a publication, brochure, or audio/visual presentation for public information purposes, must consult with the PAO. The PAO shall provide necessary editorial or technical assistance on the production of an office's or program's public information materials as needed in a timely manner; and when necessary, as determined by the PAO, shall forward to the Mayor's Office of Communications for final approval. All publications shall be produced in accordance with the District government policies and regulations.

7c. When necessary, the PAO shall determine the need for applying a nominal fee for public use or purchase of specific DMH public information materials (e.g., audio or video recordings of community education forums), and for recovering the cost of public information supplies and services in accordance with governing financial procedures.

8. Freedom of Information Act (FOIA) Requests.

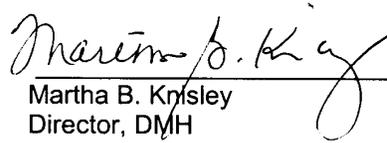
8a. The DMH Director is responsible for ensuring FOIA requests are answered, and shall designate a FOIA Officer to coordinate responses and refer requests/questions to the appropriate Department offices as needed. The DMH General Counsel shall review prepared FOIA responses for privileged material/redaction.

8b. All FOIA requests, except requests for medical records (by an individual, public or private agency), should be directed to the Department of Mental Health Office of the Director. The request must reasonably describe the desired record. Where possible, specific information regarding dates, files, titles, file designation, or other identifying information, shall be supplied. Those making oral requests may be asked to submit in writing a request for records not customarily made available.

10. **Related References.**

DMH Policy 645.1, DMH Privacy Policies and Procedures

Approved By:

 12/13/03
Martha B. Krisley (Date)
Director, DMH