
 <p>alameda county behavioral health MENTAL HEALTH & SUBSTANCE USE SERVICES</p>	<p>Date of Approval: DocuSigned by: By:  Karyn L. Tribble, PsyD, LCSW, Director</p>
<p>POLICY TITLE Charitable Choice</p>	<p>Policy No: 150-1-2 Date of Original Approval: 8/6/13 Date(s) of Revision(s): 6/20/14; 4/17/15,</p>

PURPOSE

This policy outlines the requirements for Alameda County Behavioral Health (ACBH) Substance Use Continuum of Care regarding Charitable Choice implementation and the collection and annual reporting of Charitable Choice client referral data to the California Department of Health Care Services.

AUTHORITY

Title 42 Code of Federal Regulations (CFR), Part 54; Substance Abuse Prevention & Treatment Block Grant

SCOPE

All religious or faith-based organizations and/or programs providing services under a substance use treatment or prevention contract with ACBH.

POLICY

It is the policy of ACBH Substance Use Continuum of Care and its contracted providers to comply with Title 42 Code of Federal Regulations (CFR) Part 54 by:

- Incorporating language within provider contracts prohibiting discrimination against individuals based on religion;
- Ensuring ACBH does not discriminate against religious organizations and regard them as equally eligible for receipt of contracts through ACBH Substance Use Continuum of Care; and,
- Ensuring all providers covered under this policy establish a referral process to a reasonably accessible program for those clients who may object to the religious nature of a program.

PROCEDURE

- I. ACBH ensures that all services and/or contracts shall include language prohibiting discrimination against individuals on the basis of religion.
- II. ACBH ensures that religious or faith-based organizations shall be equally eligible for receipt of substance abuse prevention and treatment contracts.

- III. In the performance of the contract terms for substance use prevention and treatment programs, contracted religious or faith-based organizations shall:
 - A. Establish a referral process to a reasonably accessible program for clients who may object to the religious nature of the contractor's program that provides the referral to the client within a reasonable amount of time from the date of the request. The contractor shall notify and request assistance from ACBH Contracts Office if needed;
 - B. Notify clients during intake and in writing of their rights, including prohibition of discrimination, and refer clients who object to the religious nature of the program in which they are participating to an alternative program, and shall ensure that the client makes contact with the alternative program to which he or she is referred;
 - C. Submit a report by email to the Substance Use Continuum of Care Director by August 1 annually regarding any referrals that were made in the prior fiscal year due to the religious nature of the contractor's program to the authorized designee of ACBH, and;
 - D. Establish a Charitable Choice Policy and Procedure.
- IV. ACBH contractor compliance with this policy shall be achieved through:
 - A. Approval and execution of the contract by the Board of Supervisors;
 - B. Annual program site monitoring visits by ACBH Contracts Office;
 - C. Fiscal review to ensure that contractors do not use funds for religious activities; and,
 - D. Provision and funding of alternative services.
- V. ACBH shall comply with reporting requirements to DHCS within the first quarter of the following fiscal year, by emailing the DHCS Program Support and Grants Management Branch (CharitableChoice@dhcs.ca.gov) before October 1 with contractor-provided information on the total number of referrals required due to religious objection to alternative SUD providers.

NON-COMPLIANCE

- I. Definition of non-compliance: Any failure to abide by the stated policy.
- II. Any failure to comply with this policy may result in formal actions including and up to:
 - A. Formal sanctions for contract providers, as outlined in ACBH Policy #1302-1-1, "Contract Compliance and Sanctions for BHCS - Contract Providers."
- III. Procedures to be completed in the event of a policy non-compliance:
 - A. Reports of non-compliance can be made in writing or verbally to the Quality Assurance Office, and staff shall not face retribution for reporting non-compliance.
 - B. Reports of non-compliance shall be communicated to supervisors and to the Quality Assurance Office within 72 hours of awareness to ensure timely response and corrective action.
 - C. Any communication that contains protected health information or otherwise confidential information should be sent through secure methods such as email with secure encryption.

<i>Policy & Procedure: Charitable Choice</i>	# 150-1-2
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IV. Should an emergency situation arise where conformance with this policy is impractical, the Quality Assurance Office will be notified immediately.

CONTACT

ACBH Office	Current as of	Email
Quality Assurance Unit	April 2021	QAOffice@ACBH.org

DISTRIBUTION

This policy will be distributed to:

- ACBH Staff
- ACBH County and Contract Providers
- Public

ISSUANCE AND REVISION HISTORY

Original Author(s): Sharon Loveseth, LAADC; Quality Assurance

Original Date of Approval: 8/6/13 by Manuel Jimenez, Jr., MA, MFT, Behavioral Health Director

Date of Revision: 04/17/15,

Revise Author	Reason for Revision	Date of Approval by Name
Sharon Loveseth	Annual SAPT Review 2016	4/17/15 by Manuel Jimenez, Jr., MA, MFT, ACBH Director
Nathan Hobbs, Substance Use Continuum of Care Director	Updated reporting procedures	by Karyn L. Tribble, PsyD, LCSW, ACBH Director

DEFINITIONS

Term	Definition
Charitable Choice	Defined fully in 42 U.S. Code § 300x-65 - Services provided by nongovernmental organizations.
Religious or Faith-Based Organization	Non-profit religious organization
Religious Program Activities	Inherently religious activities, e.g. praise and worship services, studies of sacred scripture, proselytization. If a religious organization conducts such activities, it must offer them separately, in time or location, from the programs funded by ACBH.
SAPT BG	Substance Abuse Prevention and Treatment Block Grant