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Fact Sheet on Monitoring and Overseeing the Regulatory Process: The SBHA Role¹

SBHAs have key regulatory and monitoring responsibilities in order to ensure the provision of safe, high quality services to consumers through evidence-based, minimum performance standards.

SBHAs have statutory and regulatory authority over providers of behavioral health services to consumers. Separate standards apply depending on the type and level of service provided. The type and level of service is usually organized in the following manner: Inpatient Psychiatric Service Providers, Community Mental Health Agencies, and Residential Facilities.

A key regulatory responsibility for SBHAs are state-owned and state-operated psychiatric hospitals, which are used for persons who are in need of the most intensive level of behavioral health services. Inpatient Psychiatric Service Providers require licensure if they are private psychiatric hospitals providing acute inpatient mental health services.

Community Mental Health Agencies require certification by SBHAs when they provide behavioral health services that are funded by a community mental health board or when they are subject to department licensure of a residential facility.

Residential Facilities require licensure by the SBHAs if they operate a publicly or privately operated home or facility serving individual with mental illness. There are three types of Residential Facility License which ODMH can issue.

SBHA regulatory activities include on-site surveys, inspections and reviews to determine compliance with the applicable administrative rules. Depending on the provider, behavioral health providers and agencies are certified one to three years.

Other SBHA activities include technical assistance on the application and survey process; maintenance certification and licensure database; responding to and investigating complaints and concerns related to health and safety and other administrative rule violations, and following up on Private Psychiatric Hospital Incident Notification reports and Community/Residential Incident Notification reports.

¹ SBHAs are state substance abuse and mental health authorities, and the term *behavioral health* refers to substance abuse and mental health.

Community mental health agencies also are required to develop and implement performance improvement activities as part of the certification and/or accreditation process.

SBHAs also provide guidance and technical assistance to other agencies with regulatory oversight of specific programs. For example, SBHAs provide recommendations on the design and implementation of behavioral health programs in vocational rehabilitation programs or correctional settings, prescription drug monitoring and Opioid-drug treatment/regulatory activities.

The purpose of the Prescription Drug Monitoring program is to: 1) foster the establishment of State-administered controlled substance monitoring systems in order to ensure that health care providers and law enforcement officials and other regulatory bodies have access to accurate, timely prescription history information that they may use as a tool for the early identification of patients at risk for addiction in order to initiate appropriate medical interventions and avert the tragic personal, family, and community consequences of untreated addiction; and 2) develop, based on the experiences of existing State controlled substance monitoring programs, a set of best practices to guide the establishment of new State programs and the improvement of existing programs.

By requiring standards for security, privacy, confidentiality and interoperability, SBHAs share information internally and regionally with neighboring States, which has the potential for assisting in the early identification of patients at risk for addiction. Early identification of individuals in need of treatment is a key public health concern and leads to enhanced substance abuse treatment interventions.

Opioid-Drug Treatment/Regulatory activities address the nation's rise in methadone-associated deaths that has been spurred by misuse/abuse, and fatal drug interactions involving methadone and other prescription medications, over the counter medications, and illicit drugs.