



7.2.31 MENTAL HEALTH DIVERSION – DATA AND EXPENDITURE REPORTING

Issue Date: 05/20/2026

Revision History: Not Applicable

References: Penal Code (PC) section 1001.36 and Welfare and Institutions Code (WIC) 4361

Policy Owner: Behavioral Health Division, Acute & Forensic Services Section Manager

Director Signature: **Signature on File**

I. Policy Statement

The California Department of State Hospitals (DSH) requires clear guidelines and procedures for operating the Felony Mental Health Diversion (MHD) Program. This policy established those requirements to ensure compliance with Penal Code (PC) section 1001.36 and Welfare and Institutions Code (WIC) 4361, and to provide guidance to staff.

II. Scope

This policy applies to all Sonoma County Department of Health Services, Behavioral Health Division (DHS-BHD) staff who are assigned to provide Specialty Mental Health Services (SMHS) in the Felony MHD Program.

III. Definitions

A. ACCESS Sonoma County Interdepartmental Multidisciplinary Team (IMDT): ACCESS (Accessing Coordinated Care Empowering Self-Sufficiency) Sonoma County IMDT. The ACCESS Sonoma County program identifies the most vulnerable residents, often high utilizers of county services across multiple county departments, and provides holistic, wraparound services using the IMDT approach to care coordination and case management.

- B. Department of Health Services, Behavioral Health Division (DHS-BHD): The Sonoma County entity responsible for administering publicly funded behavioral health services.
- C. Felony Mental Health Diversion (MHD) Program: DHS-BHD operates a Specialty Mental Health Services (SMHS) outpatient treatment program for individuals participating in the MHD Court. The program provides SMHS using the Assertive Community Treatment (ACT) model of care.
- D. Health Program Manager (HPM): A DHS-BHD staff management position that oversees one or more outpatient treatment programs for clients receiving services within the SCBH network continuum of care.
- E. Incompetent to Stand Trial (IST): A legal term that denotes a defendant's lack of capacity to participate in legal proceedings or assist in their own legal defense.
- F. Mental Health Diversion (MHD): Pursuant to Penal Code (PC) section 1001.36 and Welfare and Institutions Code (WIC) 4361, allows felony IST defendants to participate in intensive community mental health treatment in lieu of inpatient DSH competency restoration treatment.
- G. Personally Identifiable Information (PII): Refers to any information that can be used to distinguish or trace an individual's identity, either alone, or when combined with other personal or identifying information that is linked or linkable to a specific individual.
- H. Pronoun Usage: Throughout this policy, the singular "they/their" is used as a gender-neutral pronoun to promote clarity, readability, and inclusivity.
- I. Protected Health Information (PHI): PHI is individually identifiable health information that is held or transmitted by a Health Insurance Portability and Accountability Act (HIPAA)-covered entity or its business associate, in any form or medium, whether electronic, on paper, or oral. PHI includes information, such as demographic details, that relates to:
 - 1. An individual's past, present, or future physical or mental health condition.
 - 2. The provision of health care to the individual.
 - 3. The past, present, or future payment for the provision of health care to the individual.
 - 4. Identifies the individual or can reasonably be used to identify the individual.

IV. Policy

This policy is to ensure all program staff assigned to the DHS-BHD MHD Program adhere to requirements set forth by the DSH under Penal Code (PC) section 1001.36 and Welfare and Institutions Code (WIC) 4361. This policy includes procedural guidelines for collecting and reporting required data and expenditures to DSH for program operations of the MHD Program.

V. Procedures

A. Data Collection and Reporting

1. Assigned Staff

- a. The HPM or the assigned Behavioral Health Clinical Specialist for the MHD Program will be the primary person responsible for collecting all data as specified in the DSH Pre-Trial Felony MHD Permanent Program Outcomes Data Dictionary.

2. Data Collection

a. Collection Sources

- i. The MHD Program HPM will acquire the necessary data for complete and accurate submission to DSH and will use the following data sources:

(1) Superior Court Liaison assigned to the MHD Court.

(2) DHS-BHD staff assigned to the MHD Program.

(3) Client medical records.

(4) Sheriff's department Crim-net platform.

(5) ACCESS Sonoma IMDT.

(6) Other tracking computer software.

b. Storage Formats

- i. Data will be primarily stored in the ACCESS Sonoma Electronic Health Record (EHR) – IBM Care Manager.
- ii. Other storage computer-based platforms, as specified by the preference of the HPM for the MHD Program.

c. Data Categories

- i. The following required data categories will be collected as specified in the DSH – Pre-trial Felony MHD Permanent Program Outcomes Data Dictionary.

- (1) Demographic variables
- (2) Criminal justice variables
- (3) Initial screening variables
- (4) Services provided during identified reporting period

3. Data Reporting and Submission

a. Portal and Training

- i. The MHD Program HPM will use SharePoint, a cloud-based application, to report data to DSH on felony IST clients enrolled in the MHD Program.

- (1) The MHD Program HPM and any other required staff will undergo training by DSH prior to utilizing and reporting outcomes via the SharePoint site.
- (2) The client data required will include data listed in the Permanent Diversion Program Outcome Data Dictionary and or any subsequent revision.

b. Timelines

- i. The MHD Program HPM will submit the required data on participants in the MHD Program at identified intervals.

(1) Weekly Data Submission

- (a) Weekly Data will be due to DSH seven (7) days after the end of the preceding week.

(2) Monthly Data Submission

- (a) Monthly data will be due to DSH thirty (30) days after the end of each month.

4. Expenditure Reporting and Submission

a. Collection

- i. DHS staff will track all actual expenditures for the MHD Program, including administrative overhead, and complete an itemized report.

b. Reporting

- i. DHS staff will provide an itemized report within 60 days after the close of the month of June, during the term of the contract with DSH for the Felony Permanent MHD Program.

- ii. Reports will be submitted electronically to:

(a) DSHSAC_DiversionFiscalReports@dsh.ca.gov

B. Privacy and Security

1. Data Collection and Reporting Privacy and Security Requirements

- a. All client data, PHI, or PII stored, shared or otherwise, will follow and adhere to the following DHS Privacy and Security policies and their procedures:

- i. DHS Policy No. 4.1.1, General Privacy of PHI and PII
- ii. DHS Policy No. 4.1.3, Use and Disclosure of PHI
- iii. DHS Policy No. 4.2.8, Storage of Information
- iv. DHS Policy No. 4.2.9, ePHI Data Transmission, Security, and Integrity

VI. Forms

None

VII. Attachments

Attachment #1: DHS Pre-trial Felony Mental Health Diversion Permanent Program Outcomes Data Dictionary