

# FORSYTH COUNTY

## BOARD OF COMMISSIONERS

BRIEFING DRAFT

MEETING DATE: MARCH 4, 2021

AGENDA ITEM NUMBER: 11

### SUBJECT:

**RESOLUTION APPROVING THE DISENGAGEMENT PLAN FROM CARDINAL INNOVATIONS HEALTHCARE AND AUTHORIZING THE COUNTY MANAGER TO SOLICIT PUBLIC COMMENTS ON SUCH PLAN AND TO CONTINUE THE PROCESS OF DISENGAGING FROM CARDINAL INNOVATIONS AND REALIGNING WITH PARTNERS BEHAVIORAL HEALTH MANAGEMENT**

### COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:

### SUMMARY OF INFORMATION:

Local Management Entities—Managed Care Organizations (LMEs/MCOs) are public managed care organizations that administer behavioral health services for residents in need of mental health, developmental disability, or substance use services. The State of North Carolina is currently served by seven different LMEs/MCOs divided into regions. North Carolina General Statutes and the North Carolina Administrative Code authorize and prescribe the process through which a County may seek permission to disengage from one LME/MCO and realign with another. The final decision-making authority rests with the Secretary of the Department of Health and Human Services.

This resolution approves the Disengagement Plan from Cardinal Innovations Healthcare and authorizes the County Manager to solicit public comments regarding such plan and to proceed with the formal disengagement process from the County's current LME/MCO, Cardinal Innovations Healthcare, and to seek realignment with Partners Behavioral Health Management to administer mental and behavioral health services for Forsyth County residents.

ATTACHMENTS:  YES  NO

**SIGNATURE:** \_\_\_\_\_

**COUNTYMANAGER**

**DATE:** \_\_\_\_\_

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**WHEREAS** North Carolina General Statute 122C-115(a3) authorizes a county to choose its Local Management Entity/Managed Care Organization (LME/MCO) subject to the approval of the Secretary of the North Carolina Department of Health and Human Services;

**WHEREAS** Forsyth County representatives have had productive discussions and engagement with Partners Behavioral Health Management (Partners), an LME/MCO in good standing with the North Carolina Department of Health and Human Services;

**WHEREAS** Partners operates in a manner that is very inclusive, innovative and engaging with local agencies, stakeholders, and community partners;

**WHEREAS** Partners is committed to its purpose of Improving Lives and Strengthening Communities and Partners' values align well with those of Forsyth County;

**WHEREAS** Partners priorities and projects align well with the county's responsibilities to residents with Behavioral Health and Intellectual/Developmental Disability needs;

**WHEREAS** Partners can ensure continuity of care for residents needing care during a transitional time and is fully committed to continuing to contract with all service providers in good standing;

**WHEREAS** Partners internal and external culture aligns with the expectations of Forsyth County in meeting the needs of our residents;

**WHEREAS** Forsyth County desire to ensure the highest quality of service available to meet the needs of county residents and ensure continuity of care;and

**WHEREAS** in order to continue the disengagement process from Cardinal Innovations Healthcare,the County has prepared a Disengagement Plan and must seek public comments for a period of 60 days and to post such comments for a period of 30 days;

**NOW, THEREFORE, BE IT RESOLVED**, that the Forsyth County Board of County Commissioners hereby approves the Disengagement Plan, attached hereto and incorporated herein by reference, and authorizes the County Manager to solicit public comments on such plan and to work in coordination with the County Attorney and staff to continue the process of disengagement from Cardinal Innovations Healthcare and realignment with Partners Behavioral Health.

Adopted this 4<sup>th</sup> day of March 2021.

# **Forsyth County LME/MCO Disengagement Plan**

## **I. PURPOSE**

Forsyth County is dedicated to improving the quality of life of the residents who have chosen our county as their home. In furtherance of this goal, the Forsyth County Board of Commissioners is choosing to pursue a relationship with Partners Behavioral Health Management (“Partners”) to manage our residents’ behavioral health services funded by federal and state dollars, including Medicaid. Partners is a Local Management Entity/Managed Care Organization (LME/MCO), which is a governmental entity that manages mental health, intellectual/developmental disability and substance use services. Currently, our behavioral health services are managed by Cardinal Innovations Healthcare (“Cardinal”). However, Cardinal has failed to provide Forsyth County residents with the services they are entitled to receive. Partners’ intentional focus on community interaction and high-engagement with stakeholders, among other attributes, more closely aligns with Forsyth County’s vision and strategic planning. Forsyth County believes this realignment will better serve the community and its needs.

To prevent disruption of the behavioral health system in our county, this Disengagement Plan has been developed to ensure a smooth and seamless transition for all those involved.

Our primary focus is to carry out this process with transparency, commitment to our community, and the involvement of those who will be impacted by the change. This Plan primarily outlines the process for the County’s disengagement from Cardinal. However, it necessarily also refers to the process by which engagement will occur between Forsyth County, Partners, and all relevant stakeholders. Partners has committed to working collaboratively with Forsyth County and Cardinal to ensure a smooth transition for all involved. Forsyth County has every confidence and expectation that Cardinal will also work collaboratively and cooperatively throughout the transition process.

## **II. BACKGROUND**

North Carolina law permits a county to request that it be served by the most appropriate LME/MCO. This decision to disengage from Cardinal was not entered into lightly. During 2020, Forsyth County convened an exploratory workgroup to discuss this process and present its findings to the County Commissioners. On November 12, 2020, the Forsyth County Board of Commissioners voted unanimously to disengage from its current LME/MCO, Cardinal Innovations Healthcare. The resolution is attached (see

Appendix 1) and is also on our website at <https://forsyth.cc/communityinfo.aspx>, where other information on this process (including this disengagement plan) is or will be posted.

### **III. RATIONALE**

Forsyth County is committed to ensuring the best behavioral health system is available to residents of Forsyth County. We believe transitioning to Partners' model of service management and community engagement will best accomplish this goal. Forsyth County has engaged in analysis and review of the Partners model of operations and has concluded it is one of intentional community integration at multiple levels. Leadership and staff throughout Partners are engaged in relationships within their communities, actively collaborating with stakeholders, providers, and consumers.

As an urban county, Forsyth County appreciates Partners' approach of inclusion in the development of their provider network. Partners' action-oriented approach to network development allows for flexibility and does not tightly limit providers or various levels of service. Forsyth County and Partners have significant alignment when it comes to community priorities. Their implementation model is locally driven. Philosophically, their style of execution aligns well with the views of Forsyth County leadership. Forsyth County believes problems are best solved at the local level and not addressed through a regimented process.

Additionally, Forsyth County aligns well with the current counties in Partners' catchment area. Partners has routinely demonstrated a high level of consumer engagement when compared to peer LME/MCOs in the state. State reports illustrating the number of individuals accessing care on a per capita basis indicate Partners consistently ranks near the top. This suggests a high level of accessibility of services for residents in the counties served.

### **IV. TIMELINE**

Disengagement will be effective as soon as reasonable and as permitted by law. Forsyth County provided written notice to the Secretary of the North Carolina Department of Health and Human Services on November 17, 2020. While the default for the effective date of disengagement is nine (9) months after such notice, the Secretary has the ability to shorten the waiting period if it is in the best interests of our community. Forsyth County *does not* seek to disengage and realign sooner than nine (9) months, in order to address the current state of behavioral health services and to minimize any negative impact to consumers as a result of a slow transition. To protect our residents in greatest need, disengagement with Cardinal will occur simultaneously with realignment and engagement with Partners.

The process will include a minimum of 60 days for the public to review and comment on this Disengagement Plan. Following the comment period and 30 days of posting such comments, Forsyth County will submit to the Secretary the written documentation which shall constitute its Request to Disengage documentation. The Secretary shall have 90 days to determine whether to approve such Request, but the County seeks as expeditious a determination as possible. A timelier transition, albeit with thorough and thoughtful engagement from the community, will best serve the county residents and minimize the delay in implementing improved behavioral health services and outcomes for our citizens.

## **V. DISENGAGEMENT**

This Disengagement Plan serves as a guide for the first step in the process of transitioning from one LME/MCO to the other. While this plan should not be considered all-inclusive, Forsyth County has made every effort to identify the areas on which we need to focus and the necessary steps to ensure the needs of our residents are met. Both Forsyth County and Partners are dedicated to carrying out this Plan, as outlined in the following focus areas:

### **a. Transition Planning**

To ensure active and robust community involvement in this transition and to facilitate input and feedback from subject matter experts, the Forsyth County Manager will form an LME/MCO Realignment Committee consisting of key County officials and agencies, Partners, and other appropriate stakeholders. This will include the following, or their representatives, plus others as appointed by the County Manager:

1. Deputy County Manager (Chair)
2. County DSS Director (or designee)
3. County Public Health Director (or designee)
4. Mental Health Association in Forsyth County, Inc. Representative
5. Mental Health Court representative
6. District Attorney (or designee)
7. Sheriff (or designee)
8. Novant Healthcare System Representative
9. Wake Forest Baptist Healthcare System Representative
10. One or more Partners executives and directors
11. One or more Community Stakeholders appointed by the County Manager

This Committee will meet as needed to share information; to schedule listening and education meetings with key stakeholders (providers, consumers, advocates); to consult subject matter experts; and to assist the County and Partners in whatever tasks are needed to ensure a smooth disengagement and transition. The County and Partners

envision the transition plan to include a focus on our people, supporting the providers of behavioral health services in our community, the continuity of existing behavioral health projects and enhanced outcomes for those receiving services.

**b. Continuity of Services Plan**

Forsyth County recognizes the importance of ensuring services for its community are uninterrupted and provided with high quality, timeliness and a focus on community involvement. Therefore, a separate written Continuity of Services Plan is being developed and will be published shortly after this Disengagement Plan. Partners has committed to ensure all current providers contracted and in good standing with Cardinal and serving our county will be contracted with Partners as well, if not already. Likewise, Partners intends to honor consumer service authorizations, annual plans and other documentation and decisions essential to ensure a smooth transition.

**c. Notification of Stakeholders**

Forsyth County and Partners will collaborate to notify all stakeholders impacted by this transition. Additionally, a concentrated effort will be made to solicit comments, feedback and suggestions from consumers, advocates, self-advocates, providers, State and Local Consumer and Family Advisory Committees (CFACs), and all other interested parties. We will use our usual Forsyth County established communication methods, primarily our website, mailings, stakeholder meetings, press releases, and social media messaging. All input is welcome and encouraged.

**d. Community Initiatives**

Partners is committed to becoming ingrained in our community and supporting our current community initiatives involving behavioral health. A list of all current, planned and proposed projects/initiatives will be compiled and agreed upon prior to the transition effective date.

**e. Distribution of Real Property Plan**

In accordance with State law, a written Distribution of Real Property Plan must be developed during a LME/MCO realignment process. *The disengagement from Cardinal Innovations involves no real property (land, buildings, etc.) to be distributed, so a Plan stating as much will be posted with or shortly after this Disengagement Plan.*

**f. Financial Liabilities**

*Forsyth County affirms that, to its knowledge, it has no outstanding financial liabilities to Cardinal, nor will the County have any within 30 calendar days of the request to disengage. Should Cardinal reasonably disagree, the County will work amicably and promptly with Cardinal to resolve equitably and if unable to do so, defer the matter to the NCDHHS Secretary for resolution. Partners has agreed to work with the County to*

ensure its financial liabilities under maintenance of efforts requirements are not increased by realigning with Partners.

**g. Written Notice to Providers impacted by decision to disengage**

Forsyth County and Partners will collaborate to notify all providers impacted by this transition.

**h. Written Notice to other Counties served by Cardinal**

Forsyth County will notify all counties in Cardinal's catchment area.

**i. Approval by Partners' Board of Directors**

Partners' Board of Directors will approve a resolution authorizing Forsyth County to align with Partners as its LME/MCO.

## **VI. NEXT STEPS/PUBLIC COMMENT**

Forsyth County will seek public comment on this Disengagement Plan for 60 days from the posting of this Plan on our website at: <https://forsyth.cc/communityinfo.aspx>. Public comment is **welcome and encouraged** by forum submission [*link will be entered here*] or by mail addressed to:

**Forsyth County Manager's Office  
ATTN: LME/MCO Realignment  
201 N. Chestnut Street  
Winston-Salem, NC 27101**

Following this public comment period, the County will post the public comments for 30 days. Forsyth County will take into consideration all feedback received, will review all written plans, and submit a written request to disengage to the Secretary of NCDHHS for approval (details of which are outlined in the NC Administrative Code referenced below- See Appendix 2). In keeping with our dedication to transparency, both Forsyth County and Partners commit to keeping the public informed during this process, including public meetings, information and listening sessions with key stakeholders and groups, and more.

## **VII. AUTHORITY**

This Disengagement Plan has been developed in accordance with current state laws and regulations governing a counties' disengagement with an LME/MCO. Specifically, the following were used to create the plan and ensure compliance:

- North Carolina General Statute 122C-115 (a3)
- North Carolina Administrative Code 10A NCAC26C.0701-.0703.

**APPENDIX 1: Notice of Intent and Resolution**

[Click Here](#)

**APPENDIX 2: North Carolina Administrative Code 10A NCAC26C.0701-.0703**

[Click Here](#)