

DATE: August 27, 2021

TO: Tribal Regional Behavioral Health Authorities

FROM: Gabrielle Richard, Grants Manager, Division of Grants Administration (DGA)

SUBJECT: MHBG Services to Individuals with an SMI Designation and Individuals diagnosed with SED During Incarceration

This memo is to provide clarification regarding the use of the Mental Health Block Grant (MHBG) to purchase mental health treatment services for members while incarcerated. The Substance Abuse and Mental Health Services Administration (SAMHSA) issued a letter to Mental Health Commissioners on February 11, 2020, stating that treatment for individuals during incarceration is an allowable use of the MHBG, provided that the treatment services and the provider of such services meets the statutory requirements of the MHBG. This applies to individuals with a serious mental illness (SMI) designation as well as individuals diagnosed with serious emotional disturbance (SED).

For MHBG purposes, the SAMHSA definition of incarceration will be used. According to SAMHSA, incarceration is defined as holding a person in a detention center, jail, or prison (State or Federal) because of suspected or actual involvement in criminal activity. MHBG services may also be delivered in tribal correctional settings, included but not limited to: Tribal Nation adult and juvenile detention centers, jails, and other correctional facilities operated by tribal authorities or the Bureau of Indian Affairs, U.S. Department of the Interior.

Provision of comprehensive services shall occur through appropriate mental health facilities and providers. Allowable services shall follow current MHBG policies and Intergovernmental Agreement (IGA) language and may include evaluation and treatment of a psychiatric disorder (including those related to competency restoration). MHBG shall continue to be the payor of last resort.

Beginning October 1, 2021, the Tribal Regional Behavioral Health Authorities (TRBHAs) may choose to use the MHBG to provide mental health treatment during incarceration to eligible individuals. Forty-five days prior to implementation, the TRBHA shall submit to AHCCCS a plan for the use of MHBG funds for individuals who are incarcerated. A template for the deliverable will be attached to this memo and available from AHCCCS DGA MHBG staff.

Should you have any questions, please contact the DGA Grants Management mailbox at GrantsManagement@azahcccs.gov.