# EXHIBIT L, CONTRACTED PRIVATE BEDS (CPB) STATEMENT OF WORK

1. **PROGRAM BACKGROUND**

The 88th Texas Legislature passed Senate Bill (S.B.) 1677 in 2023 which established the Rural Mental Health Initiative Grant Program (RIGP). This program is governed by Texas Government Code, Section 531.09936 and is aimed at establishing or expanding regional behavioral health centers or jail diversion centers in rural areas across Texas. Any project under the RIGP must serve at least one county in Texas with a population of less than 250,000 people.

Inpatient mental health hospital services staffed with medical and nursing professionals who provide 24-hour professional monitoring, supervision and assistance in an environment designed to provide safety and security during acute behavioral health crises. Staff provides intensive interventions designed to relieve acute symptomatology and restore the patient's ability to function in a less restrictive setting.

1. **GRANTEE’S RESPONSIBILITIES**
2. General:
   1. Grantee shall expend funds allocated under this Statement of Work on the provision of inpatient mental health services located at a licensed psychiatric hospital (the “Hospital”).

* 1. Grantee shall require the Hospital to provide Grantee, with evidence that it maintains throughout the term of this Statement of Work: a license as a private psychiatric hospital in accordance with Chapter 577 of the Texas Health and Safety Code and with 26 TAC Chapter 510 et seq. (Private Psychiatric Hospitals and Crisis Stabilization Units), or a General or Special Hospital in accordance with Chapter 241 of the Texas Health and Safety Code and with 25 TAC Chapter 133 et seq. (Hospital Licensing).
  2. Grantee shall require the Hospital provide Grantee with evidence that it maintains its accreditation with The Joint Commission (TJC), or other accrediting body granted deeming authority by the Centers for Medicare and Medicaid Services (CMS), as a hospital throughout the term of this Statement of Work.

1. Program Design:
   1. Provide the services specified in this Statement of Work and those specified in any subsequent service revisions approved by HHSC;
   2. Grantee shall use funding to purchase CPB as needed or provide inpatient mental health services.

1. Civil Capacity and Patients Served:
   1. Grantee shall use funding to purchase CPB, as needed. Grantee shall negotiate the lowest possible rate with the subcontracting hospital, to the extent possible.
   2. The primary local service area for patients served under this Statement of Work includes the following Texas Counties: «PPB\_LSA».
   3. Grantee shall require the Hospital to serve patients who present either voluntarily or through the civil commitment process.
   4. Grantee shall serve as the gatekeeper for patients served under this Statement of Work and shall establish a process for approving patient admissions to, and continued stay at, the Hospital. This process must incorporate provisions that allow the Hospital to conduct medical screening evaluations, make medical condition determinations, and admit individuals who either present voluntarily or through the civil commitment process.
2. Compliance with Applicable Law:
   1. The provision of inpatient mental health services, including, but not limited to:
      1. Emergency Medical Treatment and Labor Act, 42 U.S.C.A. § 1395dd;
      2. Health Insurance Portability and Accountability Act of 1996 (HIPAA) regulations at 45 CFR Part 164, and substance use record regulations at 42 CFR Part 2;
      3. Texas Health and Safety Code Chapters 241, 571, 575, 576, and 577; and
      4. Title 25 Texas Administrative Code:
         1. Chapter 133 (Hospital Licensing)
         2. Chapter 404, Subchapter E (Rights of Persons Receiving Mental Health Services);
         3. Chapter 405, Subchapter E (Electroconvulsive Therapy);
         4. Chapter 414, Subchapter I (Consent to Treatment with Psychoactive Medication – Mental Health Services); and
         5. Chapter 415, Subchapter F (Interventions in Mental Health Programs).
      5. Title 26 Texas Administrative Code:
         1. Chapter 306 (Behavioral Health Delivery System);
         2. Chapter 510 (Private Psychiatric Hospitals and Crisis Stabilization Units); and
         3. Chapter 568 (Standards of Care and Treatment in Psychiatric Hospitals).
   2. Medications and medication-related services provided to patients served under this Statement of Work as specified in 26 TAC Chapter 306, Subchapter G (Use and Maintenance of Health and Human Services Commission Psychiatric Drug Formulary)
   3. In addition to the reporting requirements outlined in 26 TAC Chapter 510 (Private Psychiatric Hospitals and Crisis Stabilization Units), Grantee shall report the investigation disposition of all reports of death, abuse, neglect, exploitation, or illegal, unethical or unprofessional conduct for patients served under this statement of work using Form ROI - Report of Outcome of Investigation of Death, Abuse, Neglect, Exploitation, or Illegal, Unethical or Unprofessional Conduct Form, located at <https://resources.hhs.texas.gov/rfa/hhs0014211>.
3. Program Reporting:
4. Grantee shall develop and electronically submit service delivery data written reports to HHSC using Form RIB – Rural Inpatient Beds Report, located at <https://resources.hhs.texas.gov/rfa/hhs0014211>, by the 15th business day of the following month.
5. Quality Assurance

Grantee shall:

1. Develop and implement written policies and procedures to evaluate its performance against the requirements of this Statement of Work;
2. Measure individual and other local stakeholder (e.g., local criminal justice, emergency department partners) satisfaction; and
3. Require that any subcontracted provider of CPBs for inpatient mental health services furnish notification to Grantee of any change in the licensure status or accreditation status of the Grantee’s subcontractor’s facility where the CPBs are provided and subcontractors provide licensure and accreditation review reports to Grantee upon request.
4. Implementation requirements for all services. Grantee shall ensure all services are:
   1. Delivered using a trauma-informed approach;
   2. Implemented with 100% model fidelity to an evidence-based program or based upon best available research (if applicable);
   3. Planned in partnership with individuals receiving services and inclusive of peers and family members;
   4. Provided in an environment that is most appropriate and/or based on an individual’s preference;
   5. Provided in a culturally and linguistically sensitive manner;

* 1. Tailored to an individual’s unique strengths and needs; and
  2. Delivered within a continuum of care using a holistic method that integrates mental health services with other services including substance use disorder, intellectual and/or developmental disability, and physical health services.

1. Collaboration with LMHAs/LBHAs. Pursuant to Texas Government Code Section 531.09936(b): A nonprofit or governmental entity that applies for a grant under this section must work in cooperation with local mental health authorities (LMHAs) or local behavioral health authorities (LBHAs) located primarily in rural areas of Texas.
2. Match Requirements. Grantee must obtain and report matching funds which shall include cash or in-kind contributions from a person or organization but shall not include money from state or federal funds. Non-state or federal sourced funding may include gifts, grants, or donations from any person or organization. The amount of match required is dependent on the population of the rural counties being served as follows:
   1. Equal to fifty percent (50%) of the grant amount if the RIGP is located in a county with a population of less than 250,000 but more than 100,000.
   2. Equal to twenty-five percent (25%) of grant amount if the RIGP is located in a county with a population of at least 100,000 or less.
   3. RIGP Projects providing or coordinating services in multiple counties must match the percentage required based on the county with the largest population in the proposed project service area.
3. Subcontracting. Should a Grantee subcontract any of the services under their program, Grantee expressly understands and acknowledges that in entering such subcontract(s), HHSC is in no manner liable to any subcontractor(s). Furthermore, in no event shall this provision relieve grantee of the responsibility for ensuring that the services performed under all subcontracts are rendered in compliance with the contract.
4. **PERFORMANCE MEASURES**

The terms of this Statement of Work, including the following performance measures, will be used to assess Grantee’s effectiveness in providing the required services as described in this Statement of Work. No terms of the Contract, in which this Statement of Work is incorporated, are waived.

* 1. The following reports and documents shall be submitted as specified below:

1. Service Delivery Reports:
   1. Grantee shall submit Form RIB, located at <https://resources.hhs.texas.gov/rfa/hhs0014211>, by the 15th business day of the following month.
2. Policies and Procedures:

Grantee shall submit to HHSC written policies and procedures for CPB required within this Statement of Work, on or before the 30th calendar following contract execution. HHSC will review and approve policy and procedure submissions for each program. HHSC may request additional information, including resubmission of policies and procedures.

1. Grantee shall collect and report to HHSC information for program participants using HHSC-approved instruments and reporting tools. HHSC will negotiate performance measures with Grantees using a standardized menu of outputs and outcomes that will align with the type of work funded. Types of data shall include, but are not limited to:
   1. Pre- and post-service assessments;
   2. Services delivered;
   3. Standard demographic information i.e., gender, age, race, ethnicity, income, and education attainment; and
   4. Prevention of adverse events.
2. Grantee shall submit a Performance Report no later than thirty (30) calendar days after the end of each state fiscal year quarter. Performance reports must show progress towards both:
   * 1. Outputs: Counts or percentages that show the number of services/activities or encounters delivered; and
     2. Outcomes: Measures showing benefits to program participants as a result of services/activities received (such as positive changes to knowledge, skills and/or behaviors)
3. Grantee shall submit a bi-annual report for the Statewide Behavioral Health Coordinating Council using Exhibit I, SBHCC Report Template, located at <https://resources.hhs.texas.gov/rfa/hhs0014211>.
4. Grantee shall submit, as instructed, all required reports, documentation, and other information, including any pertaining to performance measures, by email to [mhcontracts@hhsc.state.tx.us](mailto:mhcontracts@hhsc.state.tx.us) and System Agency Contract Representative.