

**Substance Abuse and Mental Health Services Administration (SAMHSA)
Protection and Advocacy for Individuals with Mental Illness (PAIMI)
Programmatic Virtual Monitoring Visit
Disability Rights California (DRC)
Grant Awards – FY 2020 through FY 2023**

Preliminary Findings and Recommendations

Board of Directors (Board)

1. **Finding:** DRC's Board stated that it works jointly with the PAC annually to establish program priorities and policies in compliance with 42 CFR 51.22 (a) and 42 CFR 51.24 (a) of the PAIMI Program requirements, but the Board did not provide written documentation to demonstrate that it works jointly with the PAC, as required.

Recommendation: DRC's Board must demonstrate that it works jointly with the PAC annually to establish program priorities and policies for compliance with 42 CFR 51.22 (a) and 42 CFR 51.24 (a) of the PAIMI Program requirements. This can be demonstrated through the Board's minutes of meetings or a detailed description of the Board and PAC process for working together.

2. **Finding:** DRC's Board stated that continuing efforts are made to include members of racial and ethnic minority groups as Board members for compliance with 42 CFR §51.22 (c) of the PAIMI Program requirements, but did not provide documentation, such as a written plan of actions, to demonstrate that continuing efforts are made.

Recommendation: DRC's Board must develop documentation to demonstrate that continuing efforts are made to include members of racial and ethnic minority groups as Board members for compliance with 42 CFR 51.22 (c) of the PAIMI Program requirements.

3. **Finding:** DRC's Board written succession plan for the Executive Director was in draft form. However, the written succession plan does not include SAMHSA's requirements listed in the PAIMI Grant Notice of Award (NoA) for key personnel.

Recommendation: DRC's Board must finalize the written succession plan that is in draft form. The plan must include the requirements listed in the PAIMI Grant NoA for key personnel, which states, "Pursuant to 45 CFR § 75.308(c)(1)(ii), the recipient must request prior approval from the SAMHSA Grants Management Specialist (GMS) and the PAIMI Program Officer (PPO) of changes to the key personnel named in the application for PAIMI program funding. Please note that individuals that are suspended or debarred are prohibited from serving on Federal grant awards (reference 45 CFR §75.213)".

PAIMI Advisory Council (PAC)

1. **Finding:** DRC's PAC stated that continuing efforts are made to include members of racial and ethnic minority groups as Board members for compliance with 42 CFR § 51.23 (b) of the

PAIMI Program requirements, but did not provide documentation, such as a written plan of actions, to demonstrate that continuing efforts are made.

Recommendation: DRC's Board must develop documentation to demonstrate that continuing efforts are made to include members of racial and ethnic minority groups as Board members for compliance with 42 CFR § 51.23 (b) of the PAIMI Program requirements.

2. **Finding:** DRC's PAC Operating Procedures state that "The Board is responsible for appointing all PAIMI Advisory Council members." But the procedure is not in compliance with 42 CFR § 51.23 (a) (1) and (2), which requires the PAC to provide independent advice and recommendations to the P&A system and work jointly with the governing authority in the development of policies and priorities.

Recommendation: DRC's PAC must remove the statement that "The Board is responsible for appointing all PAIMI Advisory Council members." from its PAC Operating Procedures for compliance with 42 CFR § 51.23 (a) (1) and (2).

3. **Finding:** DRC's PAC, Board, and staff did not have the same understanding about the roles and responsibilities of the PAC established in 42 CFR § 51.23.

Recommendation: DRC's PAC, Board, and staff must review 42 CFR § 51.23 to gain a better understanding of the roles and responsibilities of the PAC.

Disability Rights California (DRC)

1. **Finding:** DRC's Administrative Policy Manual states that "The Executive Director, Administrative Directors, Program Directors, Managing Attorneys, Office Managers and other staff as determined by the Executive Director shall annually complete a Conflict-of-Interest Disclosure Form and update the form as necessary through the year if the staff member's circumstances change." However, the staff members did not complete disclosure forms on an annual basis as required by DRC's Administrative Policy Manual to demonstrate compliance with 42 CFR § 51.26 of the PAIMI Program requirements.

Recommendation: DRC must ensure the staff members, required by DRC's Administrative Policy Manual, complete the conflict-of-interest disclosure forms on an annual basis to demonstrate compliance with 42 CFR § 51.26 of the PAIMI Program requirements.

2. **Finding:** DRC's case closing letters did not contain DRC's grievance procedures or a link to DRC's grievance form. Instead, the case closing letters contained a link to DRC's client satisfaction survey, which in turn linked to the grievance form on DRC's website. As a result, DRC's grievance procedures were not provided in an easily accessible manner by the case closing letters.

Recommendation: DRC must review and revise its case closing letters to provide the grievance procedures and form in an easily accessible manner to its clients.

3. **Finding:** Section 4 of DRC's Advocacy Manual, titled "Opening and Closing Cases," does not require the case closing letters to include access to the grievance procedures and form.

Recommendation: DRC must update Section 4 of its Advocacy Manual to require the case closing letters to include access to the grievance procedures and form.