

Office of the State Public Defender Administrative Policies

Subject: Contract Mental Health Services	Policy No.: 131
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1.0 POLICY

1.1 The Office of the State Public Defender (OPD) may enter into contracts with non-attorney professionals as necessary to deliver public defender services pursuant to the Montana Public Defender Act.

2.0 PROCEDURE

2.1 Prospective contract mental health providers must complete the Memorandum of Understanding as provided on the OPD website including all required attachments.

2.2 The OPD Mental Health Consultant will review the information and determine if the provider is qualified to provide services to OPD.

2.3 Prospective contractors acknowledge that they have read and agree to abide by the ethical and practice Standards of their profession by signing the MOU and returning it to OPD. The MOU also requires that contractors complete required continuing educational units in courses relating to their profession, including training requirements established by OPD's Training Coordinator.

2.4 Cases will be referred to mental health professionals based on qualifications and experience. OPD is not obligated to assign any specific number of cases to a contractor, nor are contractors obligated to accept any case referred for assignment.

2.5 All contract mental health services are subject to OPD's pre-approval policy (Policy 125).

3.0 PAYMENTS FOR SERVICES

3.1 OPD shall pay contractors directly for services rendered.

3.2 Contract mental health professionals shall be paid according to the rate schedule adopted by the Public Defender Commission.

3.3 Pre-approved travel expenses shall be paid at the state travel rates.

3.4 Other expenses shall be paid as pre-approved under OPD Policy 125.

4.0 PAYMENT PROCEDURES

4.1 Contract mental health providers shall submit an itemized claim on the appropriate payment form for conflict and non-conflict cases by the tenth of the month following the date of service. Submit services for only one calendar month per claim form.

4.2 The forms and accompanying instructions are posted on the OPD web site. Each form must contain the case number assigned by OPD.

- 4.3 Claims for non-conflict services shall be submitted to the supervising Regional Deputy Public Defender for review, who shall within five (5) days review and forward the claim to the Central Services office. The OPD Contract Manager will review, approve and pay said claim within thirty (30) days of receipt of the same.
- 4.4 Claims for conflict services are to be submitted directly to the Conflict Coordinator, who will review, approve and pay claims within 30 days of receipt.
- 4.5 Payment may be delayed if the claims are returned for corrections, clarification or for failure to include the assigned OPD case number.
- 4.6 Claims submitted more than 45 days from the last day of the month of service will be denied.

5.0 CLOSING

Questions about this policy should be directed to:

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