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DEPARTMENT OF MENTAL HEALTH
DIVISION OF CLINICAL AND PROFESSIONAL SERVICES
LICENSING DIVISION – BULLETIN #18-01R

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Documentation of Unit Conditions and Facility Denial of Inpatient Care

This Bulletin, and the attachments hereto are issued pursuant to Department of Mental Health (DMH) regulations 104 CMR 27.03, which establish DMH's role, through its licensing function, to help assure that "individuals in need of mental health services are able to access those services in a timely manner and from a geographically reasonable location," and further that "[f]acilities licensed in accordance with 104 CMR 27.00 ... must be operated so as to meet the mental health needs of the Commonwealth as a whole as such needs may be determined from time to time by the Department." Critical to meeting this requirement is that facilities admit any patient meeting the criteria for admission for whom it has the clinical competency and staffing to appropriately treat - 104 CMR 27.05(3). Denials of admission may only be based on lack of capacity or capability (e.g., lack of an open bed or having a bed promised to an admission would constitute lack of capacity and do not require completion of a Denial form). Denial of admission based on lack of facility capability must be determined and documented by the facility medical director, or a treating clinician designee¹ who is designated to act as facility medical director in the medical director's absence, in accordance with 104 CMR 27.05(3)(d)&(e). Multiple calls requesting admission of the same patient during a single episode need only be documented once, unless the reason for denial of admission has changed.

In consultation with a broad stakeholder group that included DMH clinical and licensing staff, representatives of DMH licensed facilities, public and commercial payers, and professional trade associations, DMH has developed [templates](#) which contain the necessary information for DMH licensed facilities to document daily unit conditions that may impact a facility's capability to admit a patient, and the facility medical director's determination to deny admission to a particular patient because the patient's needs exceed the facility's capability at the time admission is sought.

The information on these [templates](#), *Facility Denial of Inpatient Care Reporting Form* and *DMH Licensed Inpatient Unit Conditions Data* must be maintained by each facility and be provided to DMH, upon request, in a manner that will allow the data to be aggregated (e.g., Excel spreadsheet). Facilities are required to report on a monthly basis, through this [Survey Monkey](#) link, their admissions, referral sources, legal status, discharges, and admission denials with referral sources. Reporting must be submitted by the 15th of every month for the month prior. A [pdf of the questions](#) in this report can be downloaded from the [DMH Bulletins Website](#).

Questions regarding this bulletin should be directed to the DMH Licensing Division at 617-626-8117 or by email to Teresa.J.Reynolds@mass.gov

¹ It is the intention that such treating clinician designee has regular and primary responsibility for patients' care and treatment at the facility.