



Introduction to the Children's Mental Health Settlement Agreement

NYS OFFICE OF MENTAL HEALTH
NYS DEPARTMENT OF HEALTH

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Introduction to the Children's Mental Health Settlement Agreement

Welcome!

During this informational webinar, New York State (NYS) will be providing an overview of the Children's Mental Health Settlement Agreement.

While we will not be answering questions today, please feel free to send any questions you have into the chat. We will use these questions to guide us on what is most important to the field and inform future information sharing.

Also, later in the presentation, we will share a link and QR code to the OMH Children's Settlement webpage which outlines how you can be connected and stay involved in this work.

We will be recording and posting this webinar to the OMH webpage in the coming weeks.



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Welcome and Introductions

Introduction to the Children's Mental Health Settlement Agreement

Understanding the Settlement & What Comes Next

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Agenda

- Background
 - How did this begin?
 - How did we get here?
 - What is a Settlement Agreement?
- The Agreement
 - Who is the Settlement Agreement for?
 - What does the Settlement Agreement require?
 - What are the goals of the Settlement?
- Intensive Services
 - What are the services under the Agreement?
- System Improvements
 - What system changes are required under the Settlement?
- Implementation Plan Timeline
 - What happens now?
- Stay Connected
 - How do I get involved?



Background

How did this all begin?

- Based on the experiences of families, a lawsuit was filed to make the State improve mental health services to address:
 - Problems navigating the system and finding the right mental health services
 - Delays in care
 - Issues where children had to go to a hospital for help to get the treatment they needed
- This “class action” lawsuit charged the Office of Mental Health (OMH) and Department of Health (DOH) to make changes

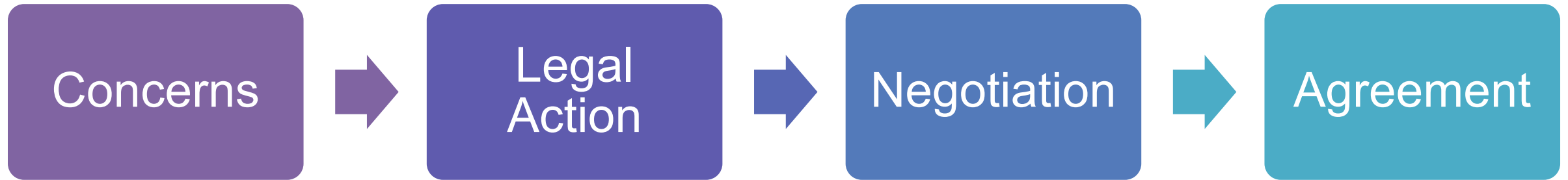


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How Did We Get Here?



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What is a Settlement Agreement?

- The OMH & DOH worked with the Plaintiff's attorneys (lawyers working on behalf of the children in the class) to come to an agreement about what the State would change to resolve the claims made in the lawsuit
- The “Settlement Agreement” is a legal document that details the actions that must be taken within a set period of time
- The Agreement was approved by the Court
- The Agreement also details how the State must show it is doing what it has agreed to do



The Agreement

Who is this Settlement Agreement for?

The children, along with their families/caregivers, as included in the Agreement, are called the “class”, and they have to meet the following criteria:

- Have Medicaid insurance or are Medicaid-eligible
- Be younger than 21
- Have a mental health diagnosis
- A clinician has recommended they need intensive mental health services
- Services are needed in the home or the community
- May also be at risk of institutionalization for their mental health diagnosis

Children in the “class” may also have other diagnoses or disabilities, but they **MUST** have a mental health diagnosis that requires intensive services.



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What does the Settlement Agreement require?

Create or strengthen the mental health system's ability to:

- Identify children who need intensive mental health services in the home or community through screening or assessment
- Increase the number of providers and available services to make sure children and their families get them more quickly
- Use data to track and oversee the services provided to make sure that children's needs are being met
- Review the quality of the mental health services being provided to make sure they meet the standards set under the agreement
- Educate providers, children and their families/caregivers about the availability of the services and how to get them



What are the goals of the Settlement?

Overall, when the required changes are put into place, the goals of the settlement are to improve the mental health system by having:

- Improved access to care for children in need, and their families
- More home and community-based services available for children and families that will:
 - Meet their intensive services needs
 - Be available when they need them
- Better coordination of the services they receive from the many providers who they get services from
- Improved quality of care through more standardized and evidence-based services



Intensive Services

What are the Services under the Agreement?

The intensive services in the Settlement are called the “Relevant Services” and include the following:

- Mobile Crisis Services
- Intensive Care Coordination (ICC)
- Intensive Home-Based Treatment
- Home and Community Based Services (HCBS) Waiver

The Settlement Agreement outlines how the State is expected to expand, improve and oversee the quality of each of these services.



Mobile Crisis Services

Services that help a child when they are experiencing a crisis event in their home or community, wherever the child is located. The services help to:

- de-escalate, resolve and plan for safety
- provide support to prevent going to the emergency room or hospital
- offer steps to avoid future crisis events

Mobile crisis services are to be available over the phone and/or in person 24 hours a day, seven days a week, 365 days a year.



Intensive Care Coordination

A care coordinator is responsible for helping children and their family access all the services they need. They are responsible for being the single point for:

- Service planning
- Child and family team meetings
- Referrals and access to needed services
- Coordinate and manage services across systems

Services delivered in a manner that is:

- Strengths-based
- Individualized
- Family-driven
- Child-guided
- With a focus on culture and language



Intensive Home-Based Treatment (IHBT)

Intensive Home-Based Treatment services are:

- Individualized mental health treatment interventions, including evidence-based practices;
- provided on a frequent and consistent basis; and
- delivered to children and families in the child's home or appropriate community-based setting.

Services are delivered according to a treatment plan developed with the child and family. The treatment plan has goals and identifies the specific services recommended to meet those goals.



Home and Community Based Waiver Services

Home and Community Services (HCBS) are available when a child is determined to have high needs and at risk of being hospitalized or treated outside of their home. These services help keep children in their homes and community.

HCBS can:

- help the child build skills to apply at home and in school
- be used together with other treatment services for more intensive services
- support the family's or caregiver's ability to help their child
- be provided in the child's home or other appropriate community-based setting
- help avoid emergency service use and hospitalization



System Improvements

What system changes are required under the Settlement?

In addition to the expansion and strengthening of the “relevant” services, additional system improvements are needed to help:

- (1) Improve access to services for all children in the class
- (2) Ensure services provided are meeting standards of quality and efficacy

To do this the State will improve and strengthen:

- (1) Pathways to Care, and
- (2) Data Collection & Quality Improvement



Pathways to Care

The Agreement outlines how the State will prepare the field for service changes:

- **Education:** Plan for educating providers who refer children for services; and educating family members and youth about the services & their availability
- **Awareness:** Information made clearly & widely available, so people know who to call for information or where to make a referral
- **Defined pathways:** Clear direction on how children get identified, screened, assessed for services
- **Consistency:** Require standard assessments and tools to make eligibility and service decisions
- **Access:** Make sure there are enough providers to offer services in a timely manner



Data Collection and Quality Improvement

The State will be required to collect and provide data on:

- Who is receiving the intensive services
- Which services the children are receiving
- The number of the services children are getting
- Where the services are being provided

The State will also have to monitor for quality improvement, to make sure:

- the children who need the services are getting them
- children are getting the level of services they need
- the services are effective and having a positive impact on the child



Plan Development

What happens next?

Develop an “Implementation Plan” - Outlines how the State will meet the requirements of the Settlement Agreement.

- The Plan is due **within 18 months.**
- “Clock” started on January 15, 2026 – **Due:** July 15, 2027
- Look at what other States have done
- Collect a broad range of feedback and input

The Plan will direct the system and services changes needed, through a multi-phased approach.



Guiding Principles

The Plan will be guided by common child-serving System of Care principles:

Child and Family-Centered	Coordinated and Integrated Services
Community-Based and Least Restrictive	Timely and Accessible
Individualized and Strengths-Based	Culturally and Linguistically Responsive
Accountable and Outcomes-Focused	

**Stay Connected &
Get Involved**

Stay Connected

Join our email list!! Join to get updates about the Children's Mental Health Settlement, plan development, and engagement opportunities.

How to Join the Email List

Send an email to: listserv@list.ny.gov

Leave the subject line blank and do not include a cc or bcc

In the body of the email, type: Join CHILDMH first name last name

Example:

Join CHILDMH John Doe

If your name is John Doe

Send the email.

You will receive a confirmation email once you have been added to the list.



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Get Involved

Community Stakeholder Feedback Sessions

We will be holding feedback sessions this summer for community members - families, youth, providers, advocates - to share ideas and recommendations.

To be posted when scheduled (*Anticipated Summer 2026*)

Feedback Submissions

At any time, if you would like to share comments, recommendations, or suggestions related to the Children's Mental Health Settlement agreement –

Please email: ChildrensMHSettlement@omh.ny.gov.



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Stay Informed

Go to our Webpage at:

- <https://omh.ny.gov/omhweb/childservice/mental-health-settlement.html>

You will find:

- More information about the [Children's Mental Health Settlement Agreement](#), including the Class Notice and full Settlement Agreement document
- Listserv instructions
- Feedback Submission Mailbox
- To be posted: Today's webinar slides and recorded session
- Additional information as determined/developed



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