

YOUR RIGHTS REGARDING UNIFIED PLANNING TEAMS IN MASSACHUSETTS

**Prepared by the Mental Health Legal Advisors Committee
September 2015**

What Are Unified Planning Teams (UPTs)?

Unified planning teams are teams that can convene to resolve issues facing children involved with multiple state agencies in Massachusetts.¹ The teams engage in treatment planning and problem solving.

- UPTs are geographically-based interagency review teams.
- The UPT process is designed to improve the coordination of services for children who are involved with 3 or more state agencies and have unmet complex needs.
- The UPT meeting is a forum to determine (1) appropriate services for the child and (2) the agency responsible for coordinating those services.

Who Is Eligible?

Any child

- under age 22
and
- involved with 3 or more Executive Office of Health and Human Services (EOHHS) state agencies, including:
 - MassHealth (Medicaid);
 - the Department of Mental Health (DMH);
 - the Department of Developmental Services (DDS);
 - the Department of Children and Families (DCF);
 - the Department of Youth Services (DYS);
 - the Department of Public Health (DPH);
 - the Department of Transitional Assistance (DTA); or
 - the Massachusetts Rehabilitation Commission (MRC).

* Note: Involvement includes having a pending application for services from any of these agencies.

Eligibility may be temporarily affected if the child has an appeal pending before an EOHHS agency, is awaiting mediation, or has a hearing pending before the Bureau of Special Education Appeals.

Who Can Request A Review?

- Parent or Legal Guardian
- State Agency
- Juvenile Court Judge
- Child, if authorized by law

How Does One Request A Review?

One must submit a request in writing on a form developed by EOHHS. The form is available here: http://www.mhla.org/Docs/UPT_form_2015.pdf.

What Is The UPT Process?

- UPTs will review records and hear from parents and other service providers.
- UPTs will decide by consensus within 30 days what agency services are appropriate for the child, the state agency or agencies responsible for providing those services, and, if appropriate, the coordination of those services.
- No later than 30 days after the UPT completes its review, the UPT distributes a written report of its determinations and recommendations.
- Parents or Legal Guardians have the right to appeal in certain instances. Appeals are filed with the Division of Administrative Law Appeals and must be filed within 30 days of receipt of the UPT's written report or the Secretary's decision.
- The rights of parents or children under state and federal special education laws are never limited during this process.

¹ The unified planning team process was created pursuant to Mass. Gen. L. ch. 6A, § 16R and is further detailed in EOHHS regulations, 101 CMR 17.00 *et seq.*