

Frequently Asked Questions (FAQs) SM-24-006 Assisted Outpatient Treatment (AOT) Notice of Funding Opportunity (NOFO)

NOFO CLARIFICATIONS

Cooperative Agreement

These awards are being made as cooperative agreements because they **require substantial post-award federal programmatic participation in the oversight of the project.** Under this cooperative agreement, the roles and responsibilities of recipients and SAMHSA staff are found on page 18 of the NOFO.

Eligibility

ELIGIBLE APPLICANTS Eligible applicants are counties, cities, mental health systems (including mental health authorities), mental health courts, or any other entities with authority under the law of the State in which the applicant is located to implement, monitor, and oversee assisted outpatient programs. Page. 19. Eligibility is statutorily limited to jurisdictions that have not previously implemented an AOT program. Previous AOT recipients are not eligible to apply and will be screened out and not reviewed. Applicants must operate in jurisdictions with legislative authority to carry out AOT. The states of Connecticut and Massachusetts do not have this legislative authority. Applications received from these states will be screened out.

There are elements in the statute that prohibit certain types of eligibility. The statute states that the Secretary may only award grants to applicants that have not previously implemented an assisted outpatient treatment (AOT) program. See 42 USC 290aa-17(c)(1). The statute makes clear that *it is the applicant*, not the location/jurisdiction, that is the relevant factor with respect to the eligibility restriction.

Referencing state legislative authority, April 10, 2024 -In reviewing the timeline of the AOT legislation in Maryland, applicants from Maryland are ELIGIBLE to apply for Notice of Funding Opportunity SM-24-006. The AOT law has passed the Maryland House and Senate, it will be signed by Gov. Moore in May and be effective July 1, 2024. Our NOFO awards will start July 31, 2024.

Please be aware that the SAMHSA AOT statute states that the Secretary may only award grants to applicants that have not previously implemented an assisted outpatient treatment (AOT) program. See 42 USC 290aa-17(c)(1). The statute makes clear that it is the applicant, not the location/jurisdiction, that is the relevant factor with respect to the eligibility restriction. As Maryland's AOT legislation references both Counties and the State to implement AOT, each entity may only be funded once by SAMHSA grants. Applicants must operate in jurisdictions with legislative authority to carry out AOT. The states of Connecticut and Massachusetts do not have this legislative authority. Applications received from these states will be screened out.

Are non-profits eligible?

YES-All non-profit entities must provide documentation of their non-profit status (page 20) in Attachment 8 of your application. (page 24)

Are for-profit organizations eligible to apply?

No - Per the NOFO pg. 24 Attachment 8: Documentation of Non-profit Status: Proof of non-profit status must be submitted by public or private non-profit organizations.

Are State agencies eligible to apply?

Further Clarification - Eligible applicants are counties, cities, mental health systems (including mental health authorities), mental health courts, or any other entities with authority under the law of the State in which the applicant is located to implement, monitor, and oversee assisted outpatient programs.

Funding Eligibility

You are also expected to serve the unduplicated number of individuals proposed in the Project Narrative (B.1) of the NOFO. Note: The unduplicated number of individuals to be served must align with the total amount of funding requested. If you are proposing to serve fewer than 50 clients, you can only request up to \$500,000. If you request funding up to \$750,000, you must document that you plan to serve more than 50 clients.

Confidentiality, Participant Civil and Privacy Rights Policies and Procedures

Although, SAMHSA grants are not research grants requiring IRB approval. Confidentiality is particularly important in SAMHSA grant projects because of the potential for stigmatization of participants receiving treatment or counseling for drug use, mental illness, HIV/AIDS, and related problems. If participants in the proposed project could be exposed to any risk of problems through any failure of the project to keep information about them confidential, the applicant must develop procedures to prevent these risks and describe them in the application.

Is there guidance regarding what is required in Required Activities #3, Our program does not involve research triggered IRB approval process (“Develop Participant Civil and Privacy Rights Policies and Procedures”)?

There are generally seven Participant Protection elements that you must address. It is important to read the information and directions in the NOFO carefully. <https://www.samhsa.gov/grants/grant-announcements/sm-24-006>

Standards for SAMHSA Participant Protection include:

- Protection of participants and staff from potential risks
- Fair selection of participants
- Absence of coercion
- Data collection
- Privacy and confidentiality
- Adequate consent procedures; and
- Discussion of risks and benefits.

Please also consider reviewing the SAMHSA publication Developing Competitive SAMHSA Grant Application Manual chapter 8 is specific to Participant Protections.

<https://www.samhsa.gov/sites/default/files/developing-competitive-samhsa-grant-application-manual.pdf>

Letters of Intent (LOI)

Please see the Evidence of Experience and Credentials section (p. 20) which states, “All required activities must be provided by applicants directly, by subrecipients, or through referrals to partner agencies. In Attachment 1, applicants must submit evidence that three additional requirements related to the provision of services have been met.

Are we required to have Letters of Intent (LOI) from the civil court at the time of application?

YES- Please see the Evidence of Experience and Credentials section (p. 20) which states, “All required activities must be provided by applicants directly, by subrecipients, or through referrals to partner agencies. In Attachment 1, applicants must submit evidence that three additional requirements related to the provision of services have been met. The three requirements are:

1. Identification of at least one experienced, credentialed mental health treatment provider organization.
2. A list of all direct service provider organizations that will partner in the project, including the applicant agency if it is a service provider organization.
3. Letters of Intent (LOIs) should be from:
 - Civil court administrators - this LOI must include an estimate of the total number of people who will receive an outpatient civil court order during the project period.
 - Providers involved with management of psychiatric crises (including emergency department, crisis services, or others as appropriate to the community)
 - Outpatient behavioral health care providers
 - Applicants who do not submit the required LOIs will be screened out.

Page 23-Attachment 1: Evidence of Experience and Credentials and Letters of Intent (LOI)

Is the organization required to have established a court, judge, and other community partners at the time of applying?

YES- Only existing, experienced, and appropriately credentialed organizations with an established record of service delivery and expertise will be able to provide the required services quickly and effectively. Applicants are encouraged to include appropriately credentialed organizations that provide services to underserved, diverse populations. All required activities must be provided by applicants directly, by subrecipients, or through referrals to partner agencies. In Attachment 1, applicants must submit evidence that three additional requirements related to the provision of services have been met. There are three requirements to be met. (See Page 20.) Also, please reference Attachment1: Evidence of Experience and Credentials and Letters of Intent (LOI). (Page 23)

Does AOT serve all ages?

NO- Recipients are expected to implement a multi-disciplinary AOT program, working with courts, community partners, and other entities to support community-based treatment for adults with SMI who meet criteria for AOT. Page 7

Will we have to collect clinic-level quality measures for this grant?

YES-The Mental Health Client/Consumer Outcome Measures (NOMs) tool collects client-level data on a real-time basis as clients are enrolled for services. You must collect these data on each client at baseline (i.e., client entry into the project), at 3-months follow-up, and at client discharge. Data must be entered in SPARS within 7 days after collection. (Page. 13).

General Questions:

Does applying for another SAMHSA grant impact our opportunity to apply for this grant?

No, it does not. However, previous AOT recipients are not eligible to apply and will be screened out and not reviewed.

What is the estimated award amount? Applicants serving less than 50 clients per year up to \$500,000 per year, inclusive of indirect costs. Applicants serving more than 50 clients per year up to \$750,000 per year, inclusive of indirect costs. **Note:** The unduplicated number of individuals to be served must align with the total amount of funding requested. If you are proposing to serve fewer than 50 clients, you can only request up to \$500,000. If you request funding up to \$750,000, you must document that you plan to serve more than 50 clients. The award amount is annually. The service amount indicated on your application is annually.

Are there opportunities outside of the USA?

NO -Eligibility is limited to the United States and its Territories. Under Section III Eligibility Information (p. 19), the NOFO states *“Eligible applicants are counties, cities, mental health systems (including mental health authorities), mental health courts, or any other entities with authority under the law of the State in which the applicant is located to implement, monitor and oversee assisted outpatient programs.”*

What is the FY 2024 New Notice of Funding Opportunity Announcement (NOFO) application due Date?

The application due date is April 26, 2024.

Will the FY 2024 AOT NOFO be extended?

No, the AOT NOFO will not be extended. There has been no change in eligibility.