

Authorities Update

The following authorities were submitted to CMS on March 10, 2011. Below is a brief description of each authority, the review status with CMS as of Monday April 25, 2011, and the planned follow up. For this project, we asked CMS to consider the waivers and SPA as a package with the expectation they would be approved at the same time. It may 6 months or longer for approval depending on the number of follow up issues that will need to be resolved. The Medicaid policy section facilitates a workgroup to respond to questions submitted by CMS. The workgroup includes Medicaid staff, Mercer and other program staff as needed. For this project, the contact person for the State Plan Amendments is Allyson Lamy and the contact person for the Waivers is Lou Ann Owens.

As soon as a request for information is submitted, a meeting is scheduled. Some questions are easy to answer while others are more difficult. The response time varies depending on the complexity of the issues to resolve. The questions submitted as outlined below have been "informal". To date, CMS has not submitted a request for additional information (RFA). An RFA is a formal request for information and results in a "stop the clock". This stops the review process until the state responds. Several factors may lead to a stop the clock including failure to respond to informal questions.

- 1. Home and Community Based Services Waiver (HCBS) waiver under the authority of §1915(c) of the Social Security Act.** The waiver title is *Coordinated System of Care (CSoc) Severely Emotionally Disturbed (SED) Children's Waiver*. The HCBS SED waiver is designed as a nursing facility and hospitalization diversion program. The Louisiana SED waiver provides to children/youth in or in danger of out of home placement and their families five services not available to other Medicaid youth. These services are: Independent Living/Skills Building, Short term respite, Youth Support and Training, Parent Support and Training, and Crisis Stabilization. Services are coordinated by a Wrap Around Agency and are provided by a Family Support Organization and other community based agencies. **Status: Medicaid has not received a response from CMS as of April 25, 2011.**
- 2. Section 1915 (b) Waiver MCO, PHIP, PAHP, PCCM Programs, and FFS Selective Contracting Programs.** The name of this waiver is the *Louisiana Behavioral Health Services Waiver*. This waiver will allow the state to utilize a Statewide Management Organization (SMO) to manage all Medicaid and non-Medicaid behavioral health services. For recipients with special health care needs who need a course of treatment or regular care monitoring, the State requires the SMO to produce a treatment plan. In the CSoc, the Treatment Planning is performed by the Wraparound Agency where available. The savings generated by this waiver will be used to provide HCBS SED services for youth who are not eligible for that waiver. **Status: Medicaid has not received a response from CMS as of April 25, 2011.**
- 3. EPSDT State Plan Amendment (SPA)**-This SPA expands services to all Medicaid eligible recipients 0-21 years old who meet the medical necessity criteria for each service. This amendment adds and defines licensed mental health professionals to the state plan as a servicing provider. For example, LCSWs will be able to enroll with the SMO and bill for mental health services as a private practitioner. Currently, licensed mental health professionals are primarily limited to services billed through a Mental Health Rehabilitation provider or mental health clinic. Additionally, rehabilitation services were added to this section of the state plan including Community Psychiatric Support and Treatment, Psychosocial Rehabilitation, Crisis Intervention, Therapeutic Group Homes, and Addiction Services. **Status: CMS submitted 25 informal questions. Medicaid staff met on April 15, 2011 to begin drafting answers. A second Medicaid meeting is scheduled for April 26, 2011.**

4. **School Based Behavioral Health Services SPA**-This SPA expands services to students between the ages of 3 and under 21 years old in public schools. The services are provided by or through a Local Education Agency (LEA) for children with or suspected of having a disability. The student must have an IEP. Assessment, diagnosis, and evaluation services are included. The services include other licensed practitioner behavioral services, rehabilitation behavioral health services, and addiction services as detailed in the EPSDT SPA. **Status: CMS submitted 5 informal questions. Medicaid staff met on April 15, 2011 to begin drafting answers. A second Medicaid meeting is scheduled for April 26, 2011.**
5. **Psychiatric Residential Treatment Facilities (PRTF) SPA**- This state plan amendment creates a step down level of inpatient care from inpatient hospitalization. PRTF are accredited and physician directed facilities. **Status: CMS has questioned Medicaid's request to exclude pharmacy and physician costs from the per diem rate. These activities will be paid directly to the treating pharmacy or physician using the Medicaid fee schedule. This is currently under review by CMS. No follow up action until Medicaid receives a response from CMS.**