



**Louisiana Department of Health
Informational Bulletin 15-21
November 18, 2015**

Behavioral Health Service Provider Licensing Rule

This communication is to inform you of the newly promulgated [Behavioral Health Service \(BHS\) Provider Licensing Rule](#) published Sept. 20, 2015. A BHS provider is a facility, agency, institution, person, society, corporation, partnership, unincorporated association, group, or other legal entity that provides behavioral health services, such as mental health services, substance use/addiction treatment services, or a combination of such services for adults, adolescents and/or children and presents itself to the public as a provider of behavioral health services.

All providers of behavioral health services should review the Rule and be aware of its requirements.

Providers should be particularly aware of the following considerations and requirements:

1. Providers who were previously exempted from licensure may no longer be exempt;
2. Licensed substance use/addiction treatment facilities (SA license) and licensed mental health clinics (MH license) have **one (1) year** from the date of promulgation (9/20/15) to comply with provisions of the BHS license Rule. These entities are required to apply for the BHS provider license when they renew their current license;
3. Providers may provide behavioral health services while seeking the BHS provider license **if** they are a licensed mental health clinic, a licensed substance use/addiction treatment facility or an agency that is certified by the Office of Behavioral Health (OBH) to provide Community Psychiatric Support and Treatment (CPST), Psychosocial Rehabilitation (PSR) and/or Crisis Intervention services;
4. Unlicensed agencies that were certified by OBH **prior** to Sept. 20, 2015, to provide CPST, PSR and/or Crisis Intervention have **180 days** from the date of promulgation to submit an initial licensing application to the Health Standards Section (HSS) within DHH;
5. If the unlicensed provider agency was certified by OBH **after** Sept. 20, 2015, or is not certified by OBH, **the agency is required to obtain the BHS provider license prior to rendering behavioral health services.**
6. If the agency is certified by OBH and provides behavioral health services **in addition to** CPST, PSR and/or Crisis Intervention, **the agency is required to obtain the BHS provider license prior to rendering behavioral health services.**

You may find more information about the Behavioral Health Service (BHS) Provider Licensing Rule via the [LDH HSS website](#). If you have questions, please contact Desiree Castello by telephone at (225) 342-0158 or by email at Desiree.Castello@LA.GOV.

As of the date of this communication, **the following entities shall be exempt from the licensure requirements for BHS providers.** Providers are encouraged to check with [LDH HSS](#) for any updates or revisions to these exemptions and/or to any part of this licensing Rule.

Hospitals	Licensed under R.S. 40:2100 et seq.
Crisis Receiving Centers	Licensed under R.S. 40:2180.11 et seq.
Nursing Homes	Licensed under R.S. 40:2009.3 et seq.
Psychiatric Residential Treatment Facilities	Licensed under R.S. 40:2009
Therapeutic Group Homes	Licensed under R.S. 40:2009
Facilities or services operated by the federal government	—
Federally Qualified Health Care Centers (FQHCs)	Certified by the federal government
Community Mental Health Centers (CMHCs)	Certified by the federal government
Rural Health Clinics (RHCs)	Licensed under R.S. 40:2197
Home and Community Based Service (HCBS)	Providing HCBS services under a license issued pursuant to R.S. 40:2120.1 et seq.
Individual Licensed Mental Health Professional (LMHP); group of LMHPs	Pursuant to the scope of the individual’s license or the group’s license(s)
Individual licensed physician; group of licensed physicians	Pursuant to the scope of the individual’s license or the group’s license(s)
Individual licensed physician assistant (PA); group of licensed PAs	Pursuant to the scope of the individual’s license or the group’s license(s)
Individual licensed advanced practice register nurse (APRN); group of APRNs	Pursuant to the scope of the individual’s license or the group’s license(s)
School-Based Health Centers	Certified by DHH, Office of Public Health (OPH) and enrolled in Medicaid
Facilities or services operated by Department of Public Safety and Corrections (DPSC), Corrections Services	—
Health care provider or entity solely providing case management or peer support services, or a combination thereof	—
Health care provider that meets ALL of the following criteria: a) was an accredited mental health rehabilitation provider enrolled in the Medicaid Program as of February 28, 2012; b) was enrolled with Magellan for the Louisiana Behavioral Health Partnership (LBHP) as of March 1, 2012; c) maintains continuous, uninterrupted accreditation through a DHH approved accreditation organization; d) maintains continuous, uninterrupted enrollment with the statewide management organization (currently Magellan) for the LBHP. ¹	This exemption from licensure includes those mental health rehabilitation providers performing mental health rehabilitation services only . It does not include a mental health rehabilitation provider that performs other services. If a mental health rehabilitation provider performs behavioral health services other than mental health rehabilitation services, the provider shall be licensed according to these BHS licensing rules. (Note: mental health rehabilitation services include Community Psychiatric Support and Treatment (CPST), Psychosocial Rehabilitation Services (PSR) and Crisis Intervention (CI).

¹ LAC 48:I.Chapters 56 and 57 are currently in the process of being amended to reflect changes due to integration of specialized behavioral health services into Healthy Louisiana. Requirement for continuous enrollment with the SMO will be effective until Dec. 1, 2015, when requirement for provider enrollment with the SMO will transition to the Managed Care Plans.