

DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Medicare & Medicaid Services
601 E. 12th St., Room 355
Kansas City, Missouri 64106



Medicaid and CHIP Operations Group

August 1, 2022

Ms. Tara LeBlanc
Medicaid Executive Director
State of Louisiana
Department of Health
628 N 4th Street
P.O. Box 91030
Baton Rouge, LA 70821-9030

Re: Louisiana State Plan Amendment (SPA) TN 22-0007

Dear Ms. LeBlanc

The Centers for Medicare & Medicaid Services (CMS) reviewed your Medicaid State Plan Amendment (SPA) submitted under transmittal number (TN) 22-0007. This amendment proposes to amend the provisions governing adult mental health services in order to add crisis stabilization as a covered service.

We conducted our review of your submittal according to statutory requirements in Title XIX of the Social Security Act and implementing regulations 42 CFR 440.130 (d). This letter is to inform you that Louisiana Medicaid SPA 22-0007 was approved on August 1, 2022, with an effective date of July 1, 2022.

If you have any questions, please contact Tobias Griffin at 214-767-7725 or via email at tobias.griffin@cms.hhs.gov.

Sincerely,

Ruth Hughes
-S
Ruth A. Hughes, Acting Director
Division of Program Operations

Digitally signed by Ruth
Hughes -S
Date: 2022.08.01 14:55:19
-05'00'

cc: Billy Bob Farrell, Branch Manager
Karen Barnes, LA Department of Health


<p>TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES</p>	1. TRANSMITTAL NUMBER 22-0007	2. STATE LA
	3. PROGRAM IDENTIFICATION: TITLE <u>XIX</u> OF THE SOCIAL SECURITY ACT	
TO: CENTER DIRECTOR CENTERS FOR MEDICAID & CHIP SERVICES DEPARTMENT OF HEALTH AND HUMAN SERVICES	4. PROPOSED EFFECTIVE DATE July 1, 2022	
5. FEDERAL STATUTE/REGULATION CITATION 42 CFR 440.130 (d)	6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars) a. FFY 2023 \$ 11,606,116 b. FFY 2024 \$ 9,625,114	
7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT Attachment 3.1-A, Item 13d., Pages 12, 19-20 Attachment 3.1-A, Item 13d., Pages 21-23 New Pages	8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable) Same (TN 20-0015)	

9. SUBJECT OF AMENDMENT **The purpose of this SPA is to amend the provisions governing adult mental health services in order to add crisis stabilization as a covered service.**

10. GOVERNOR'S REVIEW (Check One)

GOVERNOR'S OFFICE REPORTED NO COMMENT
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

OTHER, AS SPECIFIED:
 The Governor does not review State Plan material.

11. SIGNATURE OF STATE AGENCY OFFICIAL 	15. RETURN TO Patrick Gillies, Medicaid Executive Director Louisiana Department of Health 628 North 4th Street P.O. Box 91030 Baton Rouge, LA 70821-9030
12. TYPED NAME Ruth Johnson, designee for Dr. Courtney N. Phillips	
13. TITLE Secretary	
14. DATE SUBMITTED May 6, 2022	

FOR CMS USE ONLY	
16. DATE RECEIVED May 6, 2022	17. DATE APPROVED August 1, 2022

PLAN APPROVED - ONE COPY ATTACHED	
18. EFFECTIVE DATE OF APPROVED MATERIAL July 1, 2022	19. SIGNATURE OF APPROVING OFFICIAL Ruth Hughes -S <small>Digitally signed by Ruth Hughes -S Date: 2022.08.01 14:55:56 -05'00'</small>
20. TYPED NAME OF APPROVING OFFICIAL Ruth A. Hughes	21. TITLE OF APPROVING OFFICIAL Acting Director, Division of Program Operations

22. REMARKS

STATE OF LOUISIANA

AMOUNT, DURATION, AND SCOPE OF MEDICAL AND REMEDIAL CARE AND SERVICES PROVIDED
LIMITATIONS ON THE AMOUNT, DURATION, AND SCOPE OF CERTAIN ITEMS OF PROVIDED
MEDICAL AND REMEDIAL CARE AND SERVICES DESCRIBED AS FOLLOWS:

CITATION **Rehabilitation Health Services**
42 CFR 440.130 (d)

Adult Mental Health Services

The Medicaid program provides coverage under the Medicaid State Plan for mental health services rendered to adults with mental health disorders. The mental health services rendered to adults shall be necessary to reduce the disability resulting from mental illness and to restore the individual to their best possible functioning level in the community.

Qualifying individuals, 21 years of age and older who are enrolled in Healthy Louisiana, shall be eligible to receive the following medically necessary adult mental health services:

1. Therapeutic services;
2. Mental health rehabilitation services, including community psychiatric support and treatment (CPST), psychosocial rehabilitation (PSR), crisis intervention (CI) services, assertive community treatment (ACT), and peer support services; and
3. Crisis stabilization.

Licensed Mental Health Professionals

Licensed mental health professionals (LMHPs) are individuals licensed in the State of Louisiana to diagnose and treat mental illness or substance use disorders. LMHPs include the following individuals who are licensed to practice independently:

1. Medical Psychologists;
2. Licensed Psychologists;
3. Licensed Clinical Social Workers (LCSWs);
4. Licensed Professional Counselors (LPCs);
5. Licensed Marriage and Family Therapists (LMFTs);
6. Licensed Addiction Counselors (LACs); and
7. Advanced Practice Registered Nurses (APRN) (must be a nurse practitioner specialist in Adult Psychiatric & Mental Health, and Family Psychiatric & Mental Health or a Certified Nurse Specialist in Psychosocial, Gerontological Psychiatric Mental Health, Adult Psychiatric and Mental Health, and Child-Adolescent Mental Health and may practice to the extent that services are within the APRN's scope of practice).

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6. Peer Support Services:

Peer support services (PSS) are an evidence-based behavioral health service that consists of a qualified peer support provider, who assists members with their recovery from mental illness and/or substance use. PSS are behavioral health rehabilitative services to reduce the disabling effects of an illness or disability and restore the beneficiary to the best possible functional level in the community. PSS are person-centered and recovery focused. PSS are face-to-face interventions with the member. Most contacts occur in community locations where the member lives, works, attends school and/or socializes.

Provider Qualifications

Peer support services must be provided under the administrative oversight of licensed and accredited local governing entities (LGEs). LGEs must meet state and federal requirements for providing PSS.

An individual providing Peer Support Services must successfully complete an OBH approved peer training program prior to providing peer support services. Training provides the Peer Support Specialist with a basic set of competencies necessary to perform the peer support function. The Peer Support Specialist must also complete a minimum of ten (10) Continuing Education Units (CEU) per calendar year.

Credentialed Peer Support Specialists (CPSS) must have lived experience with a mental illness and/or substance use challenge or condition and must be at least 21 years of age. A CPSS must have at least twelve (12) months of continuous recovery, which is demonstrated by a lifestyle and decisions supporting an individual's overall wellness and recovery. CPSS must receive regularly scheduled clinical supervision from a Licensed Mental Health Professional (LMHP). LMHP supervisors must have the practice-specific education, experience, training, credentials, and licensure to coordinate an array of behavioral health services.

7. Crisis Stabilization

Crisis Stabilization (CS) is a short-term bed-based crisis treatment and support service for members who have received a lower level of crisis services and are at risk of hospitalization or institutionalization, including nursing home placement.

CS is utilized when additional crisis supports are necessary to stabilize the crisis and ensure community tenure in instances in which more intensive inpatient psychiatric care is not warranted or when the member's needs are better met at this level.

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This service is designed to ameliorate a psychiatric crisis and/or reduce acute symptoms of mental illness and to provide crisis relief, resolution, and intensive supportive resources for adults who need temporary twenty-four (24) hours a day, seven (7) days a week support and is not intended to be a housing placement.

Services are provided in an organized bed-based non-medical setting, delivered by appropriately trained staff that provide safe twenty-four (24) hour crisis relieving/resolving intervention and support, medication management, observation, peer support, and care coordination in a supervised environment where the member is served.

Crisis relieving/resolving intervention and support includes problem behavior analysis as well as emotional and behavioral management, with the individual, with a focus on restoring skills and improving daily functional living skills. The primary focus is on implementing social, interpersonal, and self-care goals in order to restore stability. Licensed Mental Health Professionals (LMHPs), unlicensed professionals, and peer support specialists can provide this service.

Medication Management are goal-oriented interactions to assess the appropriateness of medications in an individual's treatment through periodically evaluating and re-evaluating the efficacy of the prescribed medications and providing ongoing management of a medication regimen within the context of an individual's treatment plan. Authorized licensed prescribers can provide this service.

Observation is the action or process of observing someone carefully, in order to gain information. LMHPs, unlicensed professionals, and peer support specialists can provide this service.

Care coordination includes the following activities:

1. Coordinating the transfer to alternate levels of care within 24 hours when warranted;
2. Coordinating contact through a warm handoff with the member's Managed Care Organization (MCO) to link the member with no current behavioral health provider and/or primary medical care provider to outpatient services as indicated;
3. Coordinating contact through a warm handoff with the member's existing or new behavioral health provider; and

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4. Providing any member records to the existing or new behavioral health provider or to another crisis service to assist with continuing care upon referral.

LMHPs, unlicensed professionals, and peer support specialists can provide this service.

Provider Qualifications

CS services may be provided by an agency licensed to provide behavioral health services. Agencies providing CS services must be fully accredited by or have applied for accreditation from the Commission on Accreditation of Rehabilitation Facilities (CARF), the Council on Accreditation (COA), or The Joint Commission (TJC) prior to providing CS services. Agencies are allowed to render CS services prior to attaining full accreditation; however, agencies must have applied for full accreditation, and must attain full accreditation status within 18 months of the initial accreditation application date. Agencies must maintain continuous, uninterrupted accreditation.

Staffing Requirements

Crisis stabilization facilities or agencies shall comply with core staffing requirements within the scope of practice of the license required to practice in the state of Louisiana.

Crisis stabilization service providers shall have the following staff:

Authorized Licensed Prescriber

The Authorized Licensed Prescriber shall be a physician licensed in the state of Louisiana with expertise in managing psychiatric and medical conditions or a psychiatric and mental health nurse practitioner who has an unrestricted license and prescriptive authority and has a licensed physician on call at all times to be available for consultation. The Authorized Licensed Prescriber is responsible for managing the psychiatric and medical care of the clients and must be on call at all times to be available for consultation.

Licensed Mental Health Professionals

Licensed Mental Health Professionals (LMHPs) shall have a current, valid and unrestricted license in the State of Louisiana. LMHPs shall have at least one year of qualifying experience in direct care to clients with behavioral health diagnoses. A sufficient number of LMHPs shall be maintained to meet the needs of the members, with at least one LMHP on duty during hours of operation.

Nursing Staff

Nursing Staff shall have a valid current nursing license in the State of Louisiana with at least one year qualifying experience in providing direct care to clients with a behavioral health diagnosis and at least one year qualifying experience providing direct care to medical/surgical inpatients. At least one RN shall be on duty at the CRC during hours of operation.

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Unlicensed Professionals

Unlicensed Professionals rendering Crisis Stabilization services must meet the following requirements:

1. Be at least twenty-four (24) years old; and
2. Possess a minimum of bachelor's degree (preferred) OR an associate's degree and two (2) years of work experience in the human services field.

Credentialed Peer Support Specialist (CPSS)

A CPSS must meet the staff qualifications as outlined in the Peer Support Service section. CPSS must receive regularly scheduled clinical supervision from a Licensed Mental Health Professional (LMHP). LMHP supervisors must have the practice- specific education, experience, training, credentials, and licensure to coordinate an array of behavioral health services.

Service Delivery

- A. All mental health services must be medically necessary. The medical necessity for services shall be determined by an LMHP or physician who is acting within the scope of their professional license and applicable state law.
- B. All services shall be delivered in accordance with federal and state laws and regulations, the provider manual, and other notices or directives issued by the Department. The provider shall create and maintain documents to substantiate that all requirements are met.
- C. Services rendered by the Peer Specialist will be coordinated within the context of a comprehensive, individualized plan of care that includes specific individualized goals, with supervision provided to the Peer Specialist by a Licensed Mental Health Professional.
- D. Each provider of adult mental health services shall enter into a contract with one or more of the managed care organizations in order to receive reimbursement for Medicaid covered services.
- E. There shall be recipient involvement throughout the planning and delivery of services.
 1. Services shall be:
 - a. delivered in a culturally and linguistically competent manner; and
 - b. respectful of the individual receiving services.
 2. Services shall be appropriate to individuals of diverse racial, ethnic, religious, sexual, and gender identities and other cultural and linguistic groups.

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3. Services shall be appropriate for:
 - a. age;
 - b. development; and
 - c. education.
- F. Anyone providing adult mental health services must operate within their scope of practice license.
- G. Fidelity reviews must be conducted for evidenced based practices on an ongoing basis as determined necessary by the Department.
- H. Services may be provided in the community or in the individual's place of residence as outlined in the treatment plan. Services shall not be provided at an institution for mental disease (IMD).

Assessments

For mental health rehabilitation, each enrollee shall be assessed, at least annually, by a LMHP and shall have a treatment plan developed for CPST, PSR and ACT based on that assessment.

Treatment Plan

Treatment plans shall:

1. be based on the assessed needs of the member;
2. be developed by a LMHP or physician in collaboration with direct care staff, the member, family and natural supports; and
3. contain goals and interventions targeting areas of risk and need identified in the assessment.

The individualized treatment plan shall be developed and reviewed in accordance with the criteria and frequency established by the Department, and in accordance with the provider manual and other notices or directives issued by the Department.