



ANDREW M. CUOMO Governor

HOWARD A. ZUCKER, M.D., J.D. Commissioner of Health, DOH

ANN MARIE T. SULLIVAN, M.D. Commissioner, OMH

October 1, 2020

Dear Health Plan Administrator,

As previously announced, starting December 1, 2020, Mainstream Medicaid Managed Care Plans, HIV Special Needs Plans and Health and Recovery Plans (MMCPs), will begin managing the Crisis Residence services and stabilization components benefit for adults and children, commensurate with the issuance of OMH operating certificates for crisis services providers under 14 CCR-NY Part 589. This change continues implementation of the Crisis Intervention demonstration benefit authorized under the State’s 1115 MRT Waiver effective since 2015 in New York City and 2016 in the remainder of the State, and builds on the mobile crisis services demonstration benefit implemented October 2019 for adults age 21 and older, and the mobile crisis services benefit implemented January 2020 under the Medicaid State Plan for children and youth under 21 years old.

Crisis Residence providers operating in many areas of the State have been funded to date through State and local government initiatives, Delivery Service Reform Incentive Payment (DSRIP), and other grants. For children, Crisis Residence providers have typically been solely funded through State and county grants or contracts. With the implementation of the Crisis Residence benefit, existing providers who obtain an OMH operating certificate under 14 CCR-NY Part 589 will be eligible for Medicaid reimbursement.

**Crisis Residence Benefit Management Requirements for Adults and Children**

The MMCP must meet the following implementation deadlines:

Date	Task
Thursday 10/1/20	MMCPs must begin to configure systems for Crisis Residence Benefit and begin to offer contracts to available providers within their service area
Thursday, 10/15/20 (monthly thereafter)	MMCPs submit first Crisis Residence Network Contracting Status Report <sup>1</sup> (note: OMH will continue to provide MMCPs with an updated list of newly licensed and available providers)
Thursday 10/15/20	The State will conduct a webinar (web-ex invitation forthcoming) to review Crisis Residence guidance and answer questions from MMCPs
Monday, 11/2/2020	MMCPs member services staff training completed

<sup>1</sup> Children’s Crisis Residential Programs will be included in Exhibit 4 under the “OMH Licensed” tab.

Monday, 11/2/2020	MMCPs complete claims testing with licensed Crisis Residence providers
Monday, 11/16/20	Crisis Residence clinical review criteria submission deadline
Monday 11/16/20	Benefit readiness attestation due to the State
Tuesday, 12/1/20	Systems configuration for the Crisis Residence Benefit must be completed

**MMCPs must demonstrate systems readiness to implement and manage the Crisis Residence benefit by submitting a signed copy of a State-issued attestation to the State by November 16, 2020.** The State may request supporting documentation from MMCPs regarding systems readiness for implementation.

Please submit questions to the BHO Mailbox: [BHO@omh.ny.gov](mailto:BHO@omh.ny.gov) with the subject “Crisis Residence Benefit Question”.

### **Crisis Residence Program Overview**

MMCPs will be responsible for covering the Crisis Residence services benefit for their enrollees starting December 1, 2020 in accordance with the attached *Adult Crisis Residence Component of the Crisis Intervention Benefit and Billing Guidance* and *Children’s Crisis Residence Program Benefit and Billing Guidance* and this notification.

The three OMH Crisis Residence licensed programs are:

#### **1. Residential Crisis Support**

Residential Crisis Support is a residential program for individuals aged 18 and older experiencing symptoms of mental illness and/or challenges in daily life that create risk for an escalation of symptoms which cannot be managed in the individual’s home and community environment without onsite supports.

#### **2. Intensive Crisis Residence**

Intensive Crisis Residence is a residential and treatment service for individuals aged 18 and older experiencing a psychiatric crisis.

#### **3. Children’s Crisis Residence**

Children’s Crisis Residences provide short term interventions to help children under the age of 21 avert extended emergency room visits and inpatient hospitalizations. These services assist in helping to stabilize the child’s psychiatric symptoms to allow the child to return to their home and community after discharge.

Note: the Residential Crisis Support and Intensive Crisis Residence programs must be reimbursed by MMCPs under the Adult 1115 MRT Waiver Crisis Residence benefit for individuals aged 21 and older, and under the Medicaid State Plan Crisis Residence benefit for individuals aged 18-20. Please see the attached *Adult Crisis Residence Component of the*

*Crisis Intervention Benefit and Billing Guidance and Children's Crisis Residence Program Benefit and Billing Guidance* for more information about these services.

### **Utilization Management and Approval of Medical Necessity Criteria**

Utilization management guidance is included in the *Adult Crisis Residence Component of the Crisis Intervention Benefit and Billing Guidance* and *Children's Crisis Residence Component of the Crisis Intervention Benefit and Billing Guidance*.

MMCPs may not conduct utilization review for Crisis Residence services between December 1, 2020 and February 28, 2021. MMCPs may begin conducting utilization management for Crisis Residence services for service dates on or after March 1, 2021, if they have State-approved Crisis Residence clinical review criteria and have completed training for utilization review staff.

In line with the *OMH Guiding Principles for the Review and Approval of Clinical Review Criteria for Mental Health Services*, clinical review criteria which only take into consideration current symptoms and current level of risk when determining continued stay is not appropriate.

The State is requiring all MMCPs develop evidence-based, peer-reviewed, and age-appropriate clinical review criteria for these crisis residence programs and submit to the State for review and approval. Submissions must adhere to the [OMH Guiding Principles](#) and the Medical Necessity Criteria guidance in the Medicaid State Plan.

In order to comply with these provisions, MMCPs must submit all clinical review criteria, and associated policies and procedures used to determine coverage for crisis residence programs to OMH for review and approval as soon as possible, but no later than November 16, 2020.

Submissions must be sent to [OMH.Parity@omh.ny.gov](mailto:OMH.Parity@omh.ny.gov). The email submission must include the subject line "Plan Name Crisis Residence Clinical Review Criteria Submission #1." Each email can be no larger than 35 megabytes. Larger submissions may be broken into several emails, however, if a submission requires multiple emails, MMCPs must change the submission number in the subject line appropriately. Please direct questions related to the clinical review criteria approval process to [OMH.Parity@omh.ny.gov](mailto:OMH.Parity@omh.ny.gov).

### **Network Development and Monitoring**

MMCPs must ensure access to Crisis Intervention services for their enrollees, as outlined in this notification, the *Adult and Children's Crisis Residence Component of the Crisis Intervention Benefit and Billing Guidance*, and the *Medicaid Managed Care/HIV Special Needs Plan/Health and Recovery Plan Model Contract* (Model Contract). The State will conduct ongoing reviews for network adequacy for Crisis Residence services.

Section 21.19 (d) of the Model Contract and the [Children's Medicaid System Transformation Behavioral Health State Plan Services Transition to Medicaid Managed Care policy](#) mandates MMCPs contract with an adequate number of Crisis Intervention services providers. MMCPs are required to offer a contract to all OMH licensed Crisis Residence providers operating in their

service area. NYS will monitor Crisis Residence network development on a monthly basis, with the first MMCP submission due October 15, 2020. The Crisis Residence provider network report will be updated on a monthly basis with new OMH licensed providers. MMCPs may also begin the contracting process with OMH licensed Crisis Residence providers not yet included in the monthly network report as long as the providers have received an OMH operating certificate for Crisis Residence. OMH will issue Crisis Residence licenses on an ongoing basis, as providers submit applications for licensure. OMH expects the MMCP contracting and network development processes will continue as new Crisis Residence providers are licensed by OMH.

MMCPs are also required to reimburse these services regardless of a provider's contracting status per section 10.13(d)(ii)(D) of the Model Contract and the [Children's Medicaid System Transformation Behavioral Health State Plan Services Transition to Medicaid Managed Care policy](#).

### **Rates and Billing Requirements**

MMCPs must ensure adequate access to Crisis Intervention services for their enrollees and must reimburse both participating and non-participating providers in accordance with billing guidelines in the *Adult Crisis Residence Component of the Crisis Intervention Benefit and Billing Guidance* and *Children's Crisis Residence Component of the Crisis Intervention Benefit and Billing Guidance*.

Section 10.13(d)(ii)(D) of the Model Contract requires MMCPs to reimburse participating and non-participating Crisis Residence providers at equivalent rates. MMCPs must reimburse participating and non-participating OMH licensed Crisis Residence providers once the benefit becomes effective on December 1, 2020.

Only OMH licensed Crisis Residence providers are eligible for reimbursement for Crisis Residence services by MMCPs. Crisis Residence providers must be licensed by OMH.

### **Crisis Residence Services for Adults**

NYS developed per diem recommended rates for the two Crisis Residence programs covered under the 1115 MRT Waiver Crisis Residence demonstration benefit for adults. These rates are intended for use as a reference and to aid in negotiations, however, rates will be determined through MMCP and provider negotiation. These rates can be accessed on the OMH website here: <https://omh.ny.gov/omhweb/bho/crisis-intervention.html>.

Additional information can be found in the *Adult Crisis Residence Component of the Crisis Intervention Benefit and Billing Guidance*.

### **Crisis Residence Services for Children**

NYS law requires that MMCPs pay Government rates (otherwise known as Medicaid fee-for-service rates) for Children's Crisis Residential services, Residential Crisis Support, and Intensive Crisis Residence for enrollees under 21. MMCPs will be required to pay government rates for as long as required by NYS law.

Rates for Children's Crisis Residential Services are under review by the New York State Department of Budget (DOB) and are forthcoming.

Additional guidance can be found in the *Children's Crisis Residence Program Benefit and Billing Guidance*.

The State will be conducting a webinar on October 15, 2020 to review the guidance described in this letter and answer questions from MMCPs. A meeting notice will be sent shortly.

Please submit questions to the BHO Mailbox: [BHO@omh.ny.gov](mailto:BHO@omh.ny.gov) with the subject "Crisis Residence Benefit Question".

Sincerely,



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Cc:

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