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## Memorandum

To: All ACT Providers

Date: November 2018

RE: ACT Program Guidelines Waiver for Psychiatric Coverage

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The Office of Mental Health recognizes the importance of the psychiatrist's role on an Assertive Community Treatment (ACT) team, especially around supporting the highly complex psychopharmacology needs of individuals served by ACT. The psychiatrist, in conjunction with the team leader, exercises overall clinical responsibility for monitoring recipient treatment and staff delivery of clinical services. The psychiatrist provides psychiatric and medical assessment and treatment; clinical supervision, education, and training of the team; and supervision of medication administration.

OMH is aware of the difficulties ACT programs have experienced in recruiting and retaining psychiatrists, and recognizes the increasing need for flexibility when a psychiatrist is not available. OMH has received stakeholder feedback and agrees that a licensed Psychiatric Nurse Practitioner's (PNP) scope of practice could afford more support and flexibility when availability of a psychiatrist is limited. Therefore, OMH is updating the ACT Guidelines, effective immediately, as follows:

1. For **all** ACT teams, the psychiatrist **OR** PNP must sign service plans and discharge summaries.
2. OMH will accept an **ACT Program Guidelines Waiver Request** for a time-limited approval to allow ACT teams to utilize a licensed PNP for the team in either of the following ways:
  - a. Split time between a psychiatrist and a PNP when combined equal the total scheduled psychiatric coverage - at a minimum of 0.68 FTE for a 68 team and 0.48 FTE for a 48 team.
    - For example, a 68-recipient team may have 26 hours of PNP time with two (2) hours of psychiatrist time for 28 hours of total psychiatric time (.68 FTE).
  - OR
  - b. A PNP scheduled 1.0 FTE for psychiatric coverage, who will receive supervision from a psychiatrist through a supervisory agreement/contract (see ACT Program Guideline Waiver Requirements section #2 below).

- For example, a 68-recipient team may have a 1.0 FTE PNP working 37-40 hours per week while receiving supervision by a non-ACT psychiatrist for at least four (4) hours per month.

### **ACT Program Guidelines Waiver Request Procedure**

To receive a waiver, ACT teams will need to submit an ACT Program Guidelines Waiver for Psychiatric Coverage Request Form to the local OMH Field Office. Requests will be reviewed by the Field Office, Central Office, and OMH Chief Medical Officer(s), and will also be shared with the Local Government Unit (LGU).

Waiver requests must include:

- Detailed efforts undertaken to meet existing ACT Program Guidelines for psychiatric time;
- State future efforts for hiring for psychiatrists;
- How the agency will ensure highly complex psychopharmacology needs will be met if a waiver is granted;
- Verification that all ACT Program Guidelines Waiver Requirements, below, have been met, including a copy of the supervisory agreement with a psychiatrist if applicable; and
- Sign off from provider leadership.

OMH will issue a letter to the provider approving or denying their waiver request. Approval will be for a period of up to one (1) year, and may be extended in additional annual increments through submission of an updated ACT Program Guidelines Waiver Request. If for any reason during the approved timeframe, the provider is no longer meeting all Waiver Requirements (listed below), OMH reserves the right to revoke the provider's waiver approval at any time.

### **ACT Program Guideline Waiver Requirements**

The following ACT Program Guideline Waiver Requirements must be met at time of waiver request and must continue to be met during the waiver period:

1. The PNP must be currently licensed as Psychiatric Nurse Practitioner by the NYS Education Department.
2. The PNP must be supervised by a psychiatrist on the team, from within the agency, or external psychiatric supervision may be permitted in situations where a psychiatrist is not available from within the agency. A supervisory agreement with the psychiatrist must be completed and submitted with the request (only needed for option b. above). The supervising psychiatrist should have a clear understanding of the NYS ACT Program model, and associated guidelines and regulations. Supervision will include PNP consultations, pharmaceutical consult, and caseload supervision. The supervising psychiatrist must provide no fewer than four (4) hours of supervision per month.
  - Examples of internal psychiatric supervision: ACT team psychiatrist, agency medical director, psychiatrist at another program within the agency.

- Examples of external psychiatric supervision: OMH licensed programs in community, private psychiatrist, contract for remote supervision with a psychiatrist licensed and based in NYS.
3. The PNP in conjunction with the team leader, will have overall clinical responsibility for monitoring recipient treatment and staff delivery of clinical services. The PNP provides psychiatric and medical assessment and treatment; clinical supervision, education, and training of the team; and supervision of medication administration.
  4. PNP must be knowledgeable and/or willing to be trained regarding prescribing Clozapine, injectables, Medication-assisted treatment (MAT) for substance use disorders, including tobacco use disorder.
  5. Psychiatrist and/or PNP shall attend the daily meeting on scheduled work days at a minimum of three (3) days/week.
  6. Consistent with ACT program guidelines, the PNP will have scheduling flexibility and, when needed, can see recipients on a weekly basis. The psychiatrist and/or PNP must provide community based services as per the following:
    - The PNP must complete an initial assessment visit in the community and visits in the community at least 80% of the time thereafter.
    - If the recipient will not meet the PNP at the ACT office, the PNP must provide services in the community at least monthly, or as clinically indicated for that individual.
  7. PNP must complete all ACT Institute Psychiatric Practitioner role recommended trainings, ACT core trainings, participate in Psychiatric Practitioner support calls at least six (6) times a year, and any other required trainings, per the ACT Program Guidelines.