



**Office of
Mental Health**

**Office of Addiction
Services and Supports**

Certification Process Overview

Behavioral Health Services Advisory Council Presentation
Wednesday, December 7, 2022

Title 14 NYCRR

OMH - Part 551

OASAS - Part 810

- Provides the legal authority and guides the mission of the OMH & OASAS Bureaus of Inspection and Certification (BIC) in establishing a process for the review of OMH Prior Approval Review (PAR) and OASAS Certification applications
- Identifies the level of review required, process, timelines, expectations
- Identifies roles of the local government unit (LGU) or Counties, OMH Field and OASAS Regional Offices, Central Office Staff



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Certification Applications

The process for ensuring entities providing behavioral health services meet appropriate criteria for quality, safety, and fiscal viability.

OMH

- Administrative Action
- EZ PAR
- Comprehensive PAR

OASAS

- Administrative Review Application
- Full Application



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OMH

Types of Comprehensive PAR Applications

New OMH Providers	<ul style="list-style-type: none"> • New to OMH Providers
Change of Sponsor	<ul style="list-style-type: none"> • New to OMH Sponsors
Capital Projects (non-residential)	<ul style="list-style-type: none"> • \geq \$600,000
All Inpatient Programs	<ul style="list-style-type: none"> • New Program • Closure • Bed Expansion or Reduction >15% or > 10 beds, whichever is less



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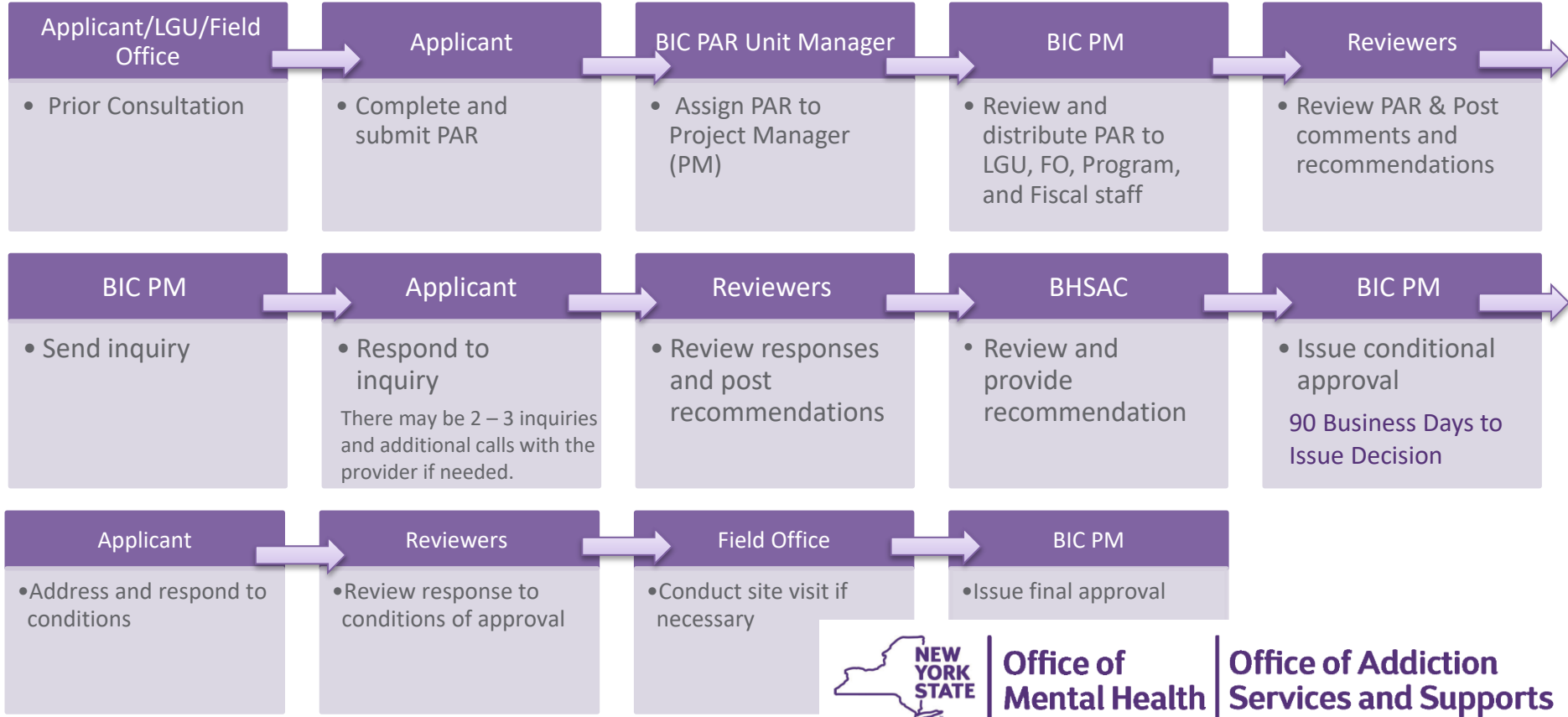
OASAS

Types of Certification Applications

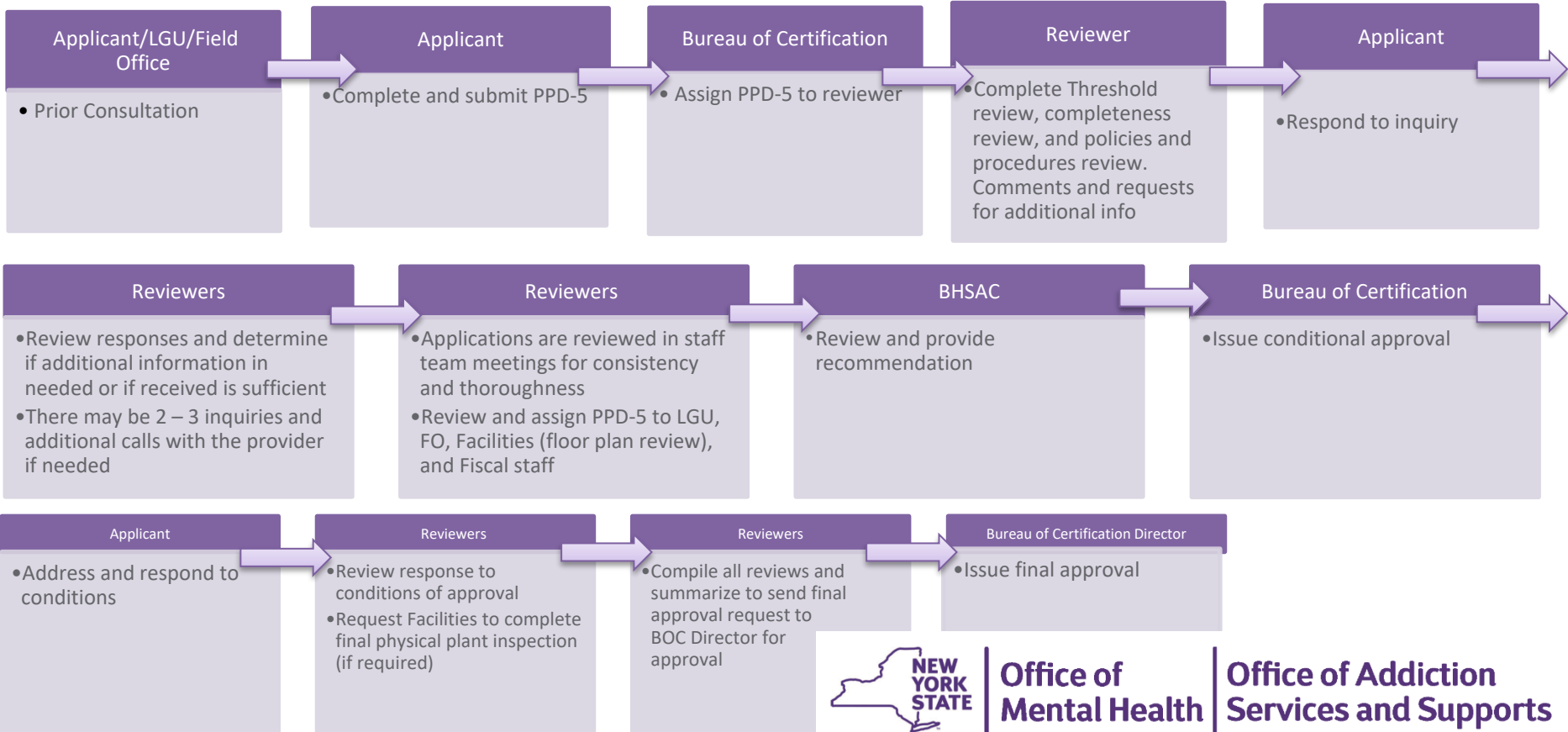
<u>Administrative Reviews:</u>	<u>Full Reviews:</u>
Relocation Additional Location Space Expansion	New OASAS Provider
New Treatment Service Changes to sites (Residential/prevention counseling)	Capital Projects
Transfer of Ownership Merger Capacity Increase	Change in Ownership of 10% or more



OMH CPAR Process



OASAS Certification Process



Prior Consultation

- OMH
 - Applicant - Letter of intent to LGU and OMH Field Office
 - Applicant consultation(s) with the LGU and OMH Field Office
 - Review project description, need, and service impact
 - FO provides feedback, overview of CPAR application, and process
- OASAS
 - Prior Consultation with LGU and OASAS Regional Office
 - Review proposal, need and service impact



Criteria for Project Approval

General Review Criteria:

- Need
- Character and Competence of the Applicant
- Accessibility, Linkages, and Competence to Serve the Target Population
- Financial Viability
- Ability to Operate a Program in Substantial Compliance with Standards and Regulations



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Demonstrated Need For the Project

Applicants are expected to provide concrete information and data which include:

- Population to be served and demographics
- Cultural needs
 - OMH/OASAS are amending certification applications to strengthen the focus on behavioral health equity.
- Clinical service needs of population
- Community and geographic needs - e.g. a new mental health report indicating need; hospital or program closures; lack of services; wait lists, etc.



Demonstrated Need For the Project

- Data sources may include:
 - LGU data (e.g., county plans)
 - US Census
 - Patient Characteristic Survey (PCS)
- OMH/OASAS Determination of Need:
 - Information from provider – needs assessment included with application
 - LGU & FO/RO knowledge of need



Powers and Duties of Local Government Units - NYS MHY 41.13

- Determine public needs
- Develop long range goals and intermediate plans
- Review services and their relationship to local need
- Encourage programs on prevention, diagnosis, care, treatment, rehabilitation, education and training
- Direct and administer the development of a local comprehensive plan
 - Adequate service availability for all population groups
 - Coordination among local providers of services
 - Ensure continuity of care



Character and Competence

Review of applicant history and background

- Review of Board of Directors / governing entity / agency / owner
- Experience operating MH / SUD program
- Experience delivering human services
- If the entity is licensed by another State agency (e.g., DOH), contact with that agency to inquire about the applicant's standing.



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Access

- Ensure diversity, inclusion, equity, and linguistic competence
- Increase the availability of services to the medically indigent
- Physical program space
- Transportation and availability

Community Linkages

- Describe current community relationships
- Provide MOUs
- Identify need and plan for additional linkages
- Engagement from the local mental health system demonstrates community support and need



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Staffing

- Staffing and lines of supervision are consistent with regulatory requirements and sound clinical practices
- Staff is representative of the population and cultures to be served

Fiscal Viability

- Reasonable assurance provider can operate the program
- Projected budget for year 1 and 2
- Provide three years of financial statements



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Program Information

- Organizational Structure
- Treatment Philosophy
- Goal, objectives, and anticipated outcomes
- Description of all services to be provided by the program in accordance with applicable regulations



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Premises

- Ensure premises are safe, therapeutic, confidential and accessible
- Renovation / Construction
 - Feasibility Studies and Construction documents are reviewed by OMH's consultant architects
- Pre-occupancy visit
 - Signage (exit signs, recipient rights, evacuation plan)
 - Assurance that the environment is clean and therapeutic



Recommendations

- LGU and OMH/OASAS reviewers make a recommendation on the project prior to it being presented to the BHSAC
- BHSAC Project Review Committee reviews applications for consistency with criteria specified in regulations and advises the full BHSAC.
- LGU, OMH/OASAS reviewers, and BHSAC's recommendations are forwarded to OMH/OASAS Commissioner for a final determination
- Issue one of the following decisions:
 - Approval
 - Approval with Conditions
 - Deferral
 - Disapproval



OMH - CPAR resources

- [14 NYCRR Part 551](#)
- [Prior Approval Review \(ny.gov\)](#)
- [Prior Approval Review - Project Categories \(ny.gov\)](#)

OASAS – Full Application resources

- [14 NYCRR Part 810](#)
- [OASAS Program Certification](#)



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Questions?



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