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Commissioner

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Executive Deputy Commissioner

Memorandum

To: Commercial, Child Health Plus, Essential, and Medicaid Managed Care Health Plan Administrators
Date: November 4, 2020
From: Thomas E. Smith, Chief Medical Officer, NYS Office of Mental Health
Re: New York State Office of Mental Health Best Practices Manual for Utilization Review for Adult and Child Mental Health Services

The New York State Office of Mental Health (OMH) is releasing the Best Practices Manual for Utilization Review for Adult and Child Mental Health Services (hereinafter, “Manual”). The Manual outlines OMH’s recommendations regarding practices and approaches to utilization review that align with the OMH [Guiding Principles](#) as well as state and federal laws related to utilization review and behavioral health parity. Feedback from insurers and providers provided during July 2020 stakeholder meetings was also incorporated into the Manual.

The Manual is intended to assist insurers in determining their response to OMH’s initial reviews of insurer clinical review criteria, which identified specific areas of noncompliance.

Insurers must respond to the OMH review letters by December 4, 2020 by choosing either of the following options:

1. Insurers can notify OMH that they will adopt the best practices for utilization review as described in the manual and also adopt the Level of Care Utilization System for Psychiatric and Addiction Services (LOCUS) and Child and Adolescent Level of Care Utilization System (CALOCUS), published by the American Association for Community Psychiatry, to support level of care determinations for mental health services for adults and children, respectively.¹

OMH will work with insurers that choose this option to develop a feasible timeline for implementation.

OR:

2. Insurers can request approval to use a level of care determination tool other than the LOCUS/CALOCUS and/or approaches different from those outlined in the manual. Insurers that choose this approach must submit modified clinical review criteria and policies and procedures that address deficiencies identified by OMH in its initial review.

¹ The CALOCUS is also distributed as the Child and Adolescent Service Intensity Instrument (CASII) published by the American Academy of Child and Adolescent Psychiatry (AACAP) and has an accompanying instrument for services for children up to age five called the Early Childhood Service Intensity Instrument (ECSII).

A brief summary document must accompany the submission to describe where (file name, document title, page number, etc.) in the insurer's submitted clinical review criteria and/or policies and procedures changes have been made to address identified deficiencies. Additional explanatory documents may also be submitted. However, final determination will rely upon the review of the clinical review criteria and policies and procedures.

Insurers that choose this option must also submit documentation (clinical review criteria, policies and procedures, and comparative analyses of clinical review criteria and policies and procedures, etc.) demonstrating that their revised utilization review approach is comparable to and no more restrictive than the insurer's medical management approaches to treatments for medical and surgical conditions. OMH will review these submissions against the OMH Guiding Principles document.

Payers must submit responses following the above instructions by December 4, 2020 to OMH.Parity@omh.ny.gov.

Also note:

- NYS is extending conditional approval to continue using the clinical review criteria and the associated policies and procedures for these services for all payers until January 8, 2021.
- In the future, if an insurer intends to implement new or revised clinical review criteria for a mental health service, the insurer must submit such criteria to OMH no later than 60 days prior to the date of implementation for review. New or revised clinical review criteria may not be implemented without prior approval from the State.

Any additional questions may also be submitted to OMH.Parity@omh.ny.gov.