

Medicaid Managed Care Article 31 Clinic Staffing Reimbursement Standards

Updated October 10, 2012

Subject to Managed Care Organization (MCO) utilization review and determinations of medical necessity, MCOs must reimburse Part 599 clinic psychotherapy procedures in OMH Article 31 licensed clinics (free-standing, hospital-based, Diagnostic & Treatment Center (D&TC)) when the procedure is provided by qualified personnel. This requirement went into effect on September 1, 2012 and will remain as long as the New York State Social Work Licensing Exemption remains in place. Should the exemption be eliminated, OMH will revise these requirements as appropriate.

Qualified personnel include:

1. All salaried and contracted personnel affiliated with the clinic who are licensed by the NYS Education Department and whose scope of practice allows them to deliver Part 599 clinic procedures. This includes:
 - a. Licensed Clinical Social Workers
 - b. Licensed Masters Social Workers
 - c. Licensed Mental Health Counselors
 - d. Licensed Psychoanalysts
 - e. Licensed Family and Marriage Counselors
 - f. Licensed Creative Arts Therapists
 - g. Licensed Psychologists
 - h. Psychiatrists
 - i. Nurse Practitioners in Psychiatry
 - j. Registered Nurses
 - k. Physicians
2. Clinically supervised psychotherapy procedures provided by:
 - a. Students in a program leading to a license listed in 1 above.
 - b. Individuals that have graduated from a program leading to a license listed in 1 above and hold a limited permit issued by the State Education Department.
 - c. Individuals with a baccalaureate degree or higher who are currently enrolled in an education program directly leading to a NYS license listed in 1 above.
 - d. Individuals working in an OMH licensed clinic that possess an undergraduate or graduate degree in social work, counseling, psychology, creative arts therapy, marriage and family therapy, and occupational therapy.

- e. Individuals working in an OMH licensed clinic that have completed a course of training in a psychoanalytic institute chartered by the Board of Regents.

This list of qualifying degrees is **not** final. OMH licensed clinics may as necessary apply to OMH for consideration of other similar degrees.

- 3. Health monitoring and medication treatment authorized to be delivered in an OMH licensed clinic delivered by:
 - a. Psychiatrists, physicians, Psychiatric Nurse Practitioners (NPP), Physician Assistants (PA)
 - b. Registered nurses – subject to appropriate orders
 - c. Licensed Practical Nurses (LPN) - subject to appropriate orders
- 4. Other Staffing Options

In addition, MCOs may reimburse OMH licensed clinics for procedures delivered by any staff authorized in OMH regulations and/or guidelines. OMH Part 599 guidelines authorize procedures performed by a broader array of staff than those listed above pursuant to a statutory exemption of State Education Department licensing requirements for programs licensed or funded by OMH. An MCO agreement to reimburse for procedures pursuant to one more of the options following should be reflected in the contract between the clinic and the MCO.

- a. MCOs may limit reimbursement for procedures delivered by staff **not** listed in bullets 1-4 to particular procedures.
- b. MCOs may limit reimbursement for procedures delivered by staff **not** listed in bullets 1-4 to staff that meet specific education or training qualifications. For example, the MCO could require that staff have at least an Associate's degree in _____, or a baccalaureate degree in _____, or a combination of qualifications and experience, e.g., an Associate's degree and 3 years of experience as a case manager.
- c. MCOs may limit the types of procedures they will reimburse when delivered by staff without qualifications listed in bullets 1-4 above.
- d. MCOs may not select individuals from a group of similarly qualified individuals to be eligible for or ineligible for reimbursement.