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Memorandum

To: OMH-Licensed Article 31 Mental Health Clinics
From: Thomas Smith, MD, Chief Medical Officer, NYSOMH
Date: September 10, 2020
RE: Billing Guidance for Tobacco Use Disorder in Clinic Settings

Individuals with serious mental illness (SMI) die at a much younger age and have a much higher disease burden than individuals without mental illness due to primarily non-psychiatric causes, most of which can be attributed to higher rates of tobacco and e-cigarette use among individuals with SMI. For this reason, effective August 1, 2020 for Medicaid fee-for-service clients and November 1, 2020 for Medicaid managed care clients, New York State Medicaid is [expanding smoking cessation counseling \(SCC\)](#) sessions to allow for as many sessions as medically necessary for all Medicaid members. There no longer will be a yearly cap on the number of allowable SCC sessions.

Only physicians, physician assistants, nurse practitioners, or registered nurses are eligible to bill Medicaid for providing SCC (codes 99406 and 99407), as defined in the [Clinic Treatment Programs – Interpretive/Implementation Guidance](#). However, all clinical staff can and should integrate treatment for Tobacco Use Disorder into clinical treatment services for individuals who have identified this need in their treatment plan. Clinic staff may provide treatment for Tobacco Use Disorder as a part of individual or group clinical treatment billed as a psychotherapy service, using codes 90832, 90834, 90846, 90847, 90849, 90853. If treatment for Tobacco Use Disorder is part of a psychotherapy session (group or individual), the time spent on treatment for Tobacco Use Disorder can be counted toward the duration of the psychotherapy session; programs can claim a longer psychotherapy session because of time spent on tobacco use disorder. An additional SCC treatment can be provided by physicians, physician assistants, nurse practitioners, or registered nurses and billed for on the same day as the psychotherapy service (so long as the time spent is separate and discreet from the psychotherapy). If SCC is billed using the appropriate Health Service rate code, the payment will not be discounted as an additional procedure provided on the same day.

Psychiatrists, physician assistants, and nurse practitioners may also provide treatment for Tobacco Use Disorder as part of a psychiatric assessment or psychotropic medication treatment service, using the appropriate psychiatric evaluation and management (E&M) billing codes.

Clinical staff that provide treatment for Tobacco Use Disorder as a part of a clinic treatment service such as individual or group psychotherapy must do so within their scope of practice and under appropriate supervisory oversight.

Questions can be directed to Flavio Casoy, Medical Director, OMH Special Projects via email at flavio.casoy@nyspi.columbia.edu.

CC: OMH Senior Staff
OMH Field Office Directors
OMH Psychiatric Center Clinical Directors