

ISSUE DATE:

March 8, 2011

EFFECTIVE DATE:

Immediately

NUMBER:

OMHSAS-11-05

SUBJECT: Clarification of Permissible Arrangements for Psychologists Who are Associated with the Provision of Behavioral Health Rehabilitation Services

BY:


Sherry Snyder
Acting Deputy Secretary
Office of Mental Health and Substance Abuse Services

PURPOSE:

The purpose of this bulletin is to clarify permissible arrangements for licensed psychologists that are associated with the provision of Behavioral Health Rehabilitation Services (BHRS) in the Medical Assistance (MA) Program.

SCOPE:

This bulletin applies to licensed psychologists enrolled in the MA Program who are associated with the provision of Mobile Therapy (MT), Behavioral Specialist Consultant (BSC) and Therapeutic Staff Support (TSS) services to MA recipients in the fee-for-service and managed care delivery system.

BACKGROUND/DISCUSSION

Licensed psychologists that are associated with the provision of BHRS must comply with the Pennsylvania Board of Psychology's licensing requirements for psychologists in addition to the Department of Public Welfare's (Department) requirements that govern MA payment and provision of BHRS.

COMMENT AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO:

Office of Mental Health and Substance Abuse Services, Bureau of Children's Behavioral Health Services, P.O. Box 2675, Harrisburg, PA 17105. General Office Number 717-705-8289.

The Pennsylvania Board of Psychology regulations limit the number of unlicensed professionals a licensed psychologist may supervise. As set forth in 49 Pa. Code § 41.58(c)(9), a psychologist may simultaneously supervise no more than 3 full-time equivalent unlicensed employees. Designation of full-time and part-time is made in accordance with the employer's personnel policy. The supervising psychologist bears full professional responsibility for the welfare of every patient served by the supervising psychologist's employees as per 40 Pa. Code § 41.58(b).

The Department requires that before rendering MT, BSC, and TSS services, a psychologist must enroll in the MA Program as a BHRS provider and have a service description approved by the Office of Mental Health and Substance Abuse Services (OMHSAS) Bureau of Children's Behavioral Health Services (Children's Bureau) for each service the psychologist provides. Because a psychologist is fully responsible for services billed using his or her MA provider number whether the psychologist bills directly or through a third party, such as an agency, a psychologist may only bill for services which are provided directly by the psychologist or under the psychologist's direct supervision. A psychologist is considered to have billed for a service when the psychologist's MA provider number is included as the Rendering Provider on the CMS 1500 Claim Form (currently Block 24j(a)).

The attached guidance document (Attachment 1) clarifies permissible arrangements for licensed psychologists who are enrolled to provide MT, BSC and TSS.

The Department's experience has shown that some psychologists may be unaware that they are enrolled as BHRS providers and/or that their provider number is being used to bill for services. Additionally, the psychologists do not understand the permissible arrangements for the provision of MT, BSC, and TSS services. This lack of knowledge exposes both the psychologist and the billing agency to sanctions, both by the Department and the Pennsylvania Board of Psychology. To preclude the risk of such sanctions, the Department is revising the service description form to include a "Verification of Responsibilities" form (Attachment 2) to be signed by the psychologist whose MA provider number will be used to bill for the services and who is therefore responsible for compliance with all requirements in the delivery of the services.

PROCEDURE:

Effective immediately a signed copy of the Verification of Responsibilities form will be included with the service description form submitted to the OMHSAS Children's Bureau for approval of MT, BSC, or TSS services.

ATTACHMENTS:

Attachment 1 - Guidance Document for Psychologists Providing BHRS
Attachment 2 - Verification of Responsibilities Form