

Guidance Document for Psychologists Providing BHRS

The purpose of this guidance document is:

1. To provide examples of arrangements a psychologist enrolled in the Medical Assistance (MA) Program to provide Behavioral Health Rehabilitation Services (BHRS) may use when rendering Mobile Therapy (MT), Behavioral Specialist Consultant (BSC), or Therapeutic Staff Support (TSS) services. The examples address both permissible and impermissible arrangements. If an arrangement is impermissible, an explanation of what can be done to make the arrangement permissible is provided.
2. To identify specified regulations and policies that apply to psychologists enrolled in the MA Program to provide BHRS. The Department is distributing this list for the convenience of psychologists, but psychologists enrolled in the MA Program to provide BHRS are responsible for being familiar and complying with all applicable policies and regulations, including those not identified in this guidance.

Examples

For purposes of the below examples, all staff hired to provide MT or BSC are not licensed psychologists.

Example A: Dr. 007 is enrolled in the MA Program and has an approved service description for MT, BSC, and TSS services. Dr. 007 hires 1 full-time BSC and 2 full-time MTs. Dr. 007 meets weekly with the BSC and MTs as part of her clinical supervision of these employees. She does not supervise any other unlicensed employee. Dr. 007 has also hired 15 TSS workers. The BSC and the MTs each supervise 5 TSS workers. The only services that are billed using Dr. 007's MA provider number are services delivered by the BSC, the 2 MTs, and the 15 TSS workers, and she is directly responsible for those services. She provides close oversight of the services her staff provides and clearly directs her staff in regard to her expectations.

This is a permissible arrangement.

Example B: Three licensed psychologists, Dr. A, Dr. B and Dr. C, are in a group practice and have each enrolled in the MA Program. Dr. A has chosen not to provide BHRS services to MA recipients. Dr. B and Dr. C have chosen to provide BHRS services to MA recipients. The Office of Mental Health and Substance Abuse Services (OMHSAS) have approved Dr. B's and Dr. C's service descriptions for MT and TSS. The 3 psychologists have submitted a Group Promise Application requesting a fee assignment so that payment for services billed under their individual MA provider

numbers will be paid to a common group number. Each psychologist remains fully responsible for services billed using his or her individual MA provider number.

Dr. B and Dr. C have hired 9 full-time MTs and 45 TSS workers. Dr. B supervises 4 of the MTs and each MT supervises 5 TSS workers, and the services are billed using Dr. B's individual MA provider number. Dr. C. supervises the other 5 MTs and each MT supervises 5 TSS workers, and the services are billed using Dr. C's individual MA provider number. Because both psychologists are responsible for all services billed using their individual MA provider number, both psychologists closely supervise the services provided by their staff.

This is an impermissible arrangement because Dr. B. and Dr. C. are each supervising more than 3 full-time equivalent MTs. No psychologist may be responsible for supervising more than 3 full time equivalent MTs at any one time. Dr. B and Dr. C could reduce the number of full-time MTs to 6 and each supervises 3 MTs. Dr. B and Dr. C could also ask another licensed psychologist or Dr. A to provide BHRS services. Once the additional psychologist or Dr. A has an approved service description for MT and TSS, the additional psychologist or Dr. A can then be responsible for supervising 3 MTs.

Example C: Ms. 123 owns the social service agency Help Now. She wants to provide MT, BSC, and TSS services. Because Help Now is not licensed as a mental health program or as an outpatient or partial hospitalization or family based program, it cannot enroll as a BHRS provider. Ms. 123 asks Dr. ABC, a licensed psychologist, to enroll in the MA Program as an individual BHRS provider using his psychologist license and enter into an agreement with Help Now to supervise the BHRS staff and conduct psychological evaluations. Under the agreement, Ms. 123 is responsible for overseeing all BHRS services, including enrolling Dr. ABC in the MA Program; writing and submitting service descriptions for MT, BSC, and TSS services on Dr. ABC's behalf; hiring staff to provide MT, BSC, and TSS services; making sure services are authorized before they are provided; and billing for services using Dr. ABC's MA provider number. Help Now intends to hire 6 people to provide MT or BSC and 60 TSS workers. All employees will work full time.

This is an impermissible arrangement for the following reasons:

- 1) Because Dr. ABC did not participate in developing or otherwise approve the service descriptions for MT, BSC, or TSS and is not involved in the clinical direction or supervision of the services, his MA provider number cannot be used to bill for these services. For Dr. ABC's MA provider number to be used, Dr. ABC must be actively involved in the development of the service descriptions for MT, BSC, and TSS and participate in discussions with the OMHSAS Bureau of Children's Behavioral Health Services about the service descriptions; supervise the delivery of services, including the hiring and oversight of staff; and must ensure that the services billed for have been provided.

- 2) Dr. ABC may only supervise 3 full-time equivalent unlicensed professionals. The arrangement would be permissible if there were 2 psychologists available to supervise the clinicians that provide MT or BSC or if the number of clinicians hired was limited to 3 full-time equivalent employees. The second psychologist would have to enroll in the MA Program as a BHRS provider and submit a service description for each service that will be billed using the psychologist's MA provider number.
- 3) Help Now intends to hire 60 TSS workers, but only 6 clinicians to provide MT or BSC services. Medical Assistance Bulletin 1-01-05 et al. "Revisions to Policies and Procedures Relating to Mobile Therapy, Behavioral Specialist Consultant and Therapeutic Staff Support Services," issued June 1, 2001, effective July 1, 2001, provides that a person qualified to supervise TSS services may provide supervision to no more than 9 full-time equivalent TSS workers. The arrangement would be permissible if another clinician was available to supervise the TSS workers or the number of TSS workers was limited to 54 full time equivalent employees.

Example D: Dr. John Doe, a licensed psychologist, owns and operates Child's Best Friend. Child's Best Friend is not licensed as a mental health program or as an outpatient or partial hospitalization or family based program. Dr. John Doe enrolled in the MA Program as a BHRS provider and has approved service descriptions for MT, BSC, and TSS. Dr. Doe hired 6 psychologists to supervise clinicians in his BHRS program and conduct psychological evaluations. Although the 6 psychologists are enrolled in the MA Program, none of the psychologists Dr. Doe hired is enrolled as a BHRS provider. Each psychologist provides clinical supervision to 3 full-time MTs at Child's Best Friend. Four of the psychologists provide similar services (clinical supervision and evaluations for BHRS) at other agencies. All of the services provided by Child's Best Friend are billed under Dr. Doe's MA provider number.

This is an impermissible arrangement. Although each psychologist supervises no more than 3 full-time equivalent MTs at Child's Best Friend, 4 of the psychologists supervise unlicensed individuals at other agencies. A psychologist may only supervise a total of 3 full-time equivalent unlicensed individuals regardless of who employs the unlicensed individuals or the psychologist. In addition, Dr. Doe's MA provider number cannot be used to bill for services supervised by the other psychologists. For the arrangement to be permissible the other psychologists would have to enroll as BHRS providers and submit a service description for each service that will be billed using the psychologist's MA provider number and none of the psychologists could provide clinical supervision to more than 3 full-time equivalent MTs.

Specified Regulations and Policies That May Apply to Psychologists Enrolled in the MA Program to Provide BHRs:

- 55 PA Code Chapter 1101. [General Provisions](#)
- 55 PA Code Chapter 1150. [MA Program Payment Policies](#)
- 49 PA Code Chapter 41. [State Board of Psychology](#)
- Medical Assistance Bulletin 01-94-01, Outpatient Psychiatric Services for Children Under 21 Years of Age
- Medical Assistance Bulletin 01-96-11, Procedures for Service Descriptions
- Medical Assistance Bulletin 01-97-08, Diagnostic and Psychological Evaluations
- Medical Assistance Bulletin 01-00-16, Freedom of Choice for Medical Assistance Recipients Requiring Behavioral Health Services
- Medical Assistance Bulletin 01-01-04, Behavioral Specialist Consultant and Mobile Therapist
- Medical Assistance Bulletin 01-01-05, Revisions to Policies and Procedures Relating to Mobile Therapy, Behavioral Specialist Consultant and Therapeutic Staff Support Services
- Medical Assistance Bulletin OMHSAS-02-01, The Use of Seclusion and Restraint in Mental Health Facilities and Programs
- Medical Assistance Bulletin 29-02-03, Documentation and Medical Record Keeping Requirements
- Medical Assistance Bulletin 01-02-07, Reminder to Providers Who Prescribe Behavioral Health Rehabilitation Services of Documentation Requirements
- Medical Assistance Bulletin 08-04-06, Discontinuance of the Provider Behavioral Health Rehabilitation Services Reports and Issuance of the [Behavioral Health Rehabilitation Services Provider Handbook](#), which contains a revised Interagency Service Planning Team Sign-In/Concurrence Form
- Medical Assistance Bulletin 07-05-01, Psychological/Psychiatric/Clinical Re-Evaluations and Re-Authorizations for Behavioral Health Rehabilitation (BHR) Services for Children and Adolescents with Behavioral Health Needs Compounded by Developmental Disorders.
- Medical Assistance Bulletin 08-06-15, Revision to Minimum Staff Qualifications of Therapeutic Staff Support (TSS) Workers
- Office of Mental Health and Substance Abuse Services Bulletin OMHSAS-10-04, Psychological/Psychiatric/Clinical Re-Evaluations and Re-Authorizations for Behavioral Health Rehabilitation (BHR) Services

The list of regulations and policies is not comprehensive. Each provider is responsible for being familiar and complying with the requirements of the MA Program and its practice.