

OMHSAS – COVID-19 Public Health Emergency Suspended Regulations List

Published: 08/14/2020

**The regulatory suspensions included in this chart are valid from March 6, 2020, and will remain in place while the Disaster Proclamation related to COVID-19 remains in effect or such other time as DHS/OMHSAS directs.*

Regulation Suspended	Regulation's Purpose	Scope of Suspension
Inpatient Psychiatric Services		
55 Pa. Code 1151.65. Plan of Care.	(a) Before authorization for payment for care provided to a recipient 21 years of age or older, the attending or staff physician shall establish, and include in the recipient's medical record, an individual written plan of care.	Limited Suspension: A certified registered nurse practitioner or a physician assistant may substitute for the physician to perform this function, provided it is within their scope of practice.
Outpatient Psychiatric Services		
55 Pa. Code 1153.14 Non-covered Services	Payment will not be made for the following types of services regardless of where or to whom they are provided: (1) A covered psychiatric outpatient clinic, MMHT or partial hospitalization outpatient service conducted over the telephone.	Limited Suspension: Services may be delivered via telehealth if clinically appropriate to do so. Telephone may be used if video technology is not available.



pennsylvania

DEPARTMENT OF HUMAN SERVICES
OFFICE OF MENTAL HEALTH AND
SUBSTANCE ABUSE SERVICES

<p>55 Pa. Code 1153.52. Payment conditions for various services.</p>	<p>(a) (1) A psychiatrist shall be present in the psychiatric outpatient clinic and partial hospitalization outpatient facility as required by the Office of Mental Health and Substance Abuse Services licensing regulations.</p> <p>(a) (7)..... a mental health professional or mental health worker under the supervision of a mental health professional, shall:</p> <ul style="list-style-type: none"> (iii) Date and sign the initial treatment plan. (iv) Request the individual to sign and date the treatment plan... <p>(a) (8) The initial treatment plan shall be reviewed and approved in accordance with the following:</p> <ul style="list-style-type: none"> (i) If the individual is receiving psychotherapy and other clinic services, the psychiatrist or advanced practice professional shall.... sign and date the initial treatment plan. (ii) If the individual is receiving medication management services only, the psychiatrist, physician, certified registered nurse practitioner or physician assistant responsible for prescribing and monitoring the use of the medications shall sign and date the initial treatment plan. (iii) The initial treatment plan shall be..... and signed... <p>(a) (9) The treatment plan shall be reviewed and updated at least every 180 days....</p> <ul style="list-style-type: none"> (ii) The treatment plan update shall be signed and dated by the mental health professional, mental health worker under the supervision of the mental health professional, certified 	<p>Limited Suspension: Services may be delivered via telehealth/telephone if clinically appropriate to do so, consistent with the waiver of 55 Pa. Code 5200.22 (a)(3).</p> <p>Limited Suspension: Signature requirements in the regulation, including signatures for treatment plans and written consent, are suspended although providers are strongly encouraged to obtain them electronically when possible. Verbal consent must be documented and signatures for treatment plans must be obtained within 60 days following the end of the disaster emergency declaration period.</p> <p>Limited Suspension: Treatment plans that are created during this disaster emergency declaration period will have 90 additional days after the currently required 180 days, to update treatment plans.</p>
--	---	---



	<p>registered nurse practitioner or physician assistant providing treatment services to the individual.</p> <p>(iii) The mental health professional or the mental health worker shall request the individual to sign and date the treatment plan update....</p>	
55 Pa. Code 1153.52. Payment conditions for various services.	<p>(b) (1) Individuals receiving partial hospitalization outpatient services shall meet the following criteria:</p> <p>(iii)..... prescribed services for a period of at least 3 hours but less than 24 hours in any 1 day to prevent hospitalization or to support the transition from inpatient treatment to outpatient services.</p>	Limited Suspension: Less than 3 hours may be provided in a day.
Intensive Behavioral Health Services (Medical Assistance Payment)		
55 Pa. Code 1155.31(b) General Payment Policy	<p>Payment will be made to an IBHS agency that complies with Chapter 5240 (relating to intensive behavioral health services) and holds an outpatient psychiatric clinic, a psychiatric partial hospitalization program or a family-based mental health license issued by the Department as of October 19, 2019, until the agency's license expires.</p>	Limited Suspension: Delay of enforcement. Payment will be made to an IBHS agency that complies with Chapter 5240 (relating to intensive behavioral health services) and holds an outpatient psychiatric clinic, a psychiatric partial hospitalization program or a family-based mental health license issued by the Department as of October 19, 2019, until 1/17/2021.
55 Pa. Code 1155.31 (c) General Payment Policy	<p>Payment will be made to an unlicensed IBHS agency that complies with Chapter 5240 and is approved to provide BHRS as of 10/19/19 for 1 year after promulgation of this chapter.</p>	Limited Suspension: 90-day delay of enforcement. Payment will be made to an unlicensed IBHS agency that complies with Chapter 5240 and is approved to provide BHRS as of 10/19/19 until 1/17/2021.



pennsylvania

DEPARTMENT OF HUMAN SERVICES
OFFICE OF MENTAL HEALTH AND
SUBSTANCE ABUSE SERVICES

55 Pa. Code 1155.31(d)	Payment will be made to an unlicensed IBHS agency that compiles with Chapter 5240 and is approved to provide ABA services as of 10/19/19 for 180 days after promulgation of this chapter.	Limited Suspension: 180-day delay of enforcement. Payment will be made to an unlicensed IBHS agency that complies with Chapter 5240 and is approved to provide ABA services as of 10/19/19 until 10/15/2020.
55 Pa. Code 1155.32 (a)(1) Payment conditions for individual services	There is a written order for services based on a face-to face interaction with the child, youth or young adult.	Limited Suspension: Method of contact for obtaining a written order may include telehealth.
55 Pa. Code 1155.32 (a)(2) Payment conditions for individual services	A face-to-face assessment has been completed by an individual qualified to provide behavior consultation services or mobile therapy services within 15 days of the initiation of individual services and prior to completing the ITP in accordance with 5240.21 (relating to assessment) or a face-to-face assessment has been reviewed and updated within 12 months of the previous face-to-face assessment.	Limited Suspension: Method of contact for assessment may include telehealth. Staff Qualifications are not waived. Limited suspension to completing the initial assessment within 15 days. It may be completed within 30 days during the emergency declaration period.
55 Pa. Code 1155.32(a)(5) Payment conditions for individual services	The ITP and all updates have been reviewed and signed by the youth, young adult, or parent or legal guardian of the child or youth, the staff person who completed the ITP and an individual who meets the qualifications of a clinical director in 5240.12 (relating to staff qualifications).	Limited Suspension: Signature requirements, including signatures for service plans/treatment plans and written consent, are suspended although providers are strongly encouraged to obtain them electronically when possible. Verbal consent must be documented and signatures for service plans/treatment plans must be obtained within 60 days following the end of the disaster emergency declaration period.



pennsylvania

DEPARTMENT OF HUMAN SERVICES
OFFICE OF MENTAL HEALTH AND
SUBSTANCE ABUSE SERVICES

55 Pa. Code 1155.33 (a)(1) Payment conditions for ABA services	There is a written order for services based on a face-to face interaction with the child, youth or young adult.	Limited Suspension: Method of contact for obtaining a written order may include telehealth.
55 Pa. Code 1155.33 (a)(2) Payment conditions for ABA services	A face-to-face assessment has been completed by an individual qualified to provide behavior analytic or behavior consultation- ABA services within 30 days of the initiation of ABA services and prior to completing the ITP in accordance with 5240.85 (relating to assessment) or a face-to-face assessment has been reviewed and updated within 12 months of the previous face-to-face assessment.	Limited Suspension: Method of contact for assessment may include telehealth. Limited suspension to completing the initial assessment within 30 days. It may be completed within 60 days during the emergency declaration period.
55 Pa. Code 1155.33(a)(5) Payment conditions for ABA services	The ITP and all updates have been reviewed and signed by the youth, young adult, or parent or legal guardian of the child or youth, the staff person who completed the ITP and an individual who meets the qualifications of a clinical director in 5240.81 (relating to staff qualifications).	Limited Suspension: Signature requirements, including signatures for service plans/treatment plans and written consent, are suspended although providers are strongly encouraged to obtain them electronically when possible. Verbal consent must be documented and signatures for service plans/treatment plans must be obtained within 60 days following the end of the disaster emergency declaration period.
55 Pa. Code 1155.34 (a)(1) Payment conditions for Group services	There is a written order for services based on a face-to face interaction with the child, youth or young adult	Limited Suspension: A written order continues to be required but the interaction with the child, youth or young adult may occur via telehealth during the emergency declaration period.



pennsylvania

DEPARTMENT OF HUMAN SERVICES
OFFICE OF MENTAL HEALTH AND
SUBSTANCE ABUSE SERVICES

55 Pa. Code 1155.34 (a)(2) Payment conditions for Group services	A face-to-face assessment has been completed by a graduate level professional within 15 days of the initiation of group services and prior to completing the ITP in accordance with 5240.95 (relating to assessment) or a face-to-face assessment has been reviewed and updated within 12 months of the previous face-to-face assessment.	Limited Suspension: Method of contact for assessment may include telehealth. Staff Qualifications are not waived. Limited suspension to completing the assessment within 15 days. It may be completed within 30 days during the emergency declaration period.
55 Pa. Code 1155.34(a)(5) Payment conditions for group services	The ITP and all updates have been reviewed and signed by the youth, young adult, or parent or legal guardian of the child or youth, the staff person who completed the ITP and an individual who meets the qualifications of a clinical director in 5240.12 (relating to staff qualifications).	Limited Suspension: Signature requirements, including signatures for service plans/treatment plans and written consent, are suspended although providers are strongly encouraged to obtain them electronically when possible. Verbal consent must be documented and signatures for service plans/treatment plans must be obtained within 60 days following the end of the disaster emergency declaration period.
55 Pa. Code 1155.35 (a)(1) Payment conditions for EBT delivered through individual services, ABA services or group services	There is a written order for EBT that meets the requirements of 1155.32(a)(1), 1155.33(a)(1) or 1155.34(a)(1) (relating to payment conditions for individual services; payment conditions for ABA services; and payment conditions for group services).	Limited Suspension: A written order continues to be required, but the interaction with the child, youth or young adult may occur via telehealth during the emergency declaration period.
55 Pa. Code 1155.35 (a)(2) Payment conditions for EBT delivered through individual services, ABA services or group services	A face-to-face assessment has been completed by an individual with the qualifications required by the EBT within 15 days of the initiation of services and prior to completing the ITP in accordance with 5240.102 (relating to assessment and individual treatment plan) or a face-to-face assessment has been reviewed and updated within 12 months of the previous face-to-face assessment.	Limited Suspension: Method of contact for assessment may include telehealth. Limited suspension to completing the assessment within 15 days. It may be completed within 30 days during the emergency declaration period.



55 Pa. Code 1155.35 (a)(5)	The ITP and all updates have been reviewed and signed by the youth, young adult, or parent or legal guardian of the child or youth, the staff person who completed the ITP and an individual who meets the qualifications of a clinical director in § 5240.12 (relating to staff qualifications).	Limited Suspension: Signature requirements, including signatures for service plans/treatment plans and written consent, are suspended although providers are strongly encouraged to obtain them electronically when possible. Verbal consent must be documented and signatures for service plans/treatment plans must be obtained within 60 days following the end of the disaster emergency declaration period.
Outpatient Drug and Alcohol Clinic Services		
55 Pa. Code 1223.14 (2)	Payment will not be made for the following types of services regardless of where or to whom they are provided: (2) Clinic visits, psychotherapy, diagnostic psychological evaluations, psychiatric evaluations and comprehensive medical evaluations conducted over the telephone, that is, any clinic service conducted over the telephone.	Full Suspension: Services may be delivered via telehealth if clinically appropriate to do so. Telephone may be used if video technology is not available.
55 Pa. Code 1223.52. Payment conditions for various services	(a)(6)(i) Within 15 days following intake, the clinic’s supervisory physician shall review and verify each patient’s level of care assessment, psychosocial evaluation and initial treatment plan prior to the provision of any treatment beyond the 15th day following intake. ...	Limited Suspension: Initial Treatment plans can be completed within 60 days of intake during this emergency.
Mental Health Procedures		
55 Pa. Code 5100.54 Manual of rights for persons in treatment	Article I: 4. Right to Have Visitors. (a) Every patient has the right to receive visitors of his own choice daily.... (b) Established visiting hours shall attempt to meet the needs of individual patients and visitors.....	Limited Suspension: Suspend the right of individuals to have visitors in-person. Provider must facilitate other means of visitation including Skype/WebEx/teleconference.



Psychiatric Outpatient Clinics

<p>55 Pa. Code 5200.22 (a)(3), 5200.22(a)(4)</p>	<p>The psychiatrist must provide 50% of the required psychiatric time at the psychiatric outpatient clinic.</p> <p>The remaining 50% of the psychiatric time may be provided by:</p> <ul style="list-style-type: none"> (i) An advanced practice professional. (ii) A psychiatrist off-site by the use of tele-behavioral health. (iii) A combination of subparagraphs (i) and (ii). 	<p>Limited Suspension: Suspension of % limit for telehealth, 100% of psych services may be delivered via telehealth if clinically appropriate to do so.</p>
<p>55 Pa. Code 5200.31(b)</p> <p>5200.31(c)</p> <p>5200.31(d)</p>	<p>(b) For each individual receiving services.....</p> <ul style="list-style-type: none"> (1) The mental health professional.... sign and date the initial treatment plan. (2) If the individual is receiving psychotherapy and other clinical services.....sign and date the initial treatment plan. (3) If the individual is receiving medication management services only..... sign and date the initial treatment plan. (4) For individuals under an involuntary outpatient commitment.....sign and date the initial treatment plan <p>(c) The treatment plan must be based upon the assessment and shall:</p> <ul style="list-style-type: none"> (4) For children and adolescents under 14 years of age, ...with the consent of parents or guardians <p>(d) The treatment plan shall be reviewed and updated throughout the duration of treatment as follows:</p>	<p>Limited Suspension: Signature requirements in the regulation, including signatures for treatment plans and written consent, are suspended although providers are strongly encouraged to obtain them electronically when possible. Verbal consent must be documented and signatures for treatment plans must be obtained within 60 days following the end of the disaster emergency declaration period.</p>



5200.41(a)	<p>(1) For individuals under an involuntary outpatient commitment..... signed by the psychiatrist as part of the oversight of treatment services provided.</p> <p>(3) The treatment plan update shall be signed and dated by</p> <p>(4) The mental health professional or mental health worker shall request the individual to sign and date the treatment plan update.</p> <p>(a) The record must include the following:</p> <p>(4) Appropriately signed consent forms.</p>	
55 Pa. Code 5200.52 (c)	(c) Treatment plans shall be updated at a minimum every 180 days.	Limited Suspension: Treatment plans that are created during this disaster emergency declaration period will have 90 additional days after the currently required 180 days, to update treatment plans.
Partial Hospitalization		
55 Pa. Code 5210.7 Program Standards	<p>(b) <i>General description.</i></p> <p>(2) When adolescents are treated in the adult program, a specialized program appropriate to their needs shall be developed including arrangements for education. ...</p>	Full suspension of the requirement to provide education.



pennsylvania

DEPARTMENT OF HUMAN SERVICES
OFFICE OF MENTAL HEALTH AND
SUBSTANCE ABUSE SERVICES

55 Pa. Code 5210.21 (b)	Staff/patient ratio. Adult partial hospitalization programs shall have a minimum of one full-time equivalent (FTE) clinical staff member to every six patients.	Full suspension of the requirement for staffing ratios.
55 Pa. Code 5210.31 (b)	Staff/patient ratio. Children and youth partial hospitalization programs require a minimum of one FTE clinical staff member for every five patients.	Full suspension of the requirement for staffing ratios.
55 Pa. Code 5210.25 Contents and review of a comprehensive treatment plan. 55 Pa. Code 5210.35 Contents and review of a comprehensive treatment plan	5210.25. Contents and review of a comprehensive treatment plan. The treatment plan shall include the following: (4) Be maintained and updated with signed daily notes, and be kept in the patient’s medical record or a form developed by the facility; (5) Be developed within the first 5 days of service and reviewed by the treatment team a minimum of once every 20 days of service to the individual patient and modified as appropriate. 5210.35. Contents and review of a comprehensive treatment plan – (4) Be maintained and updated with signed daily notes, and be kept in the patient’s medical record on a form developed by the facility; (b) Treatment plans for children and youth partial hospitalization programs shall be developed within the first 5 days of service and reviewed by the treatment team and psychiatrist a minimum of once every 20 days of service and modified as appropriate.	Limited suspension for both 5210.25 and 5210.35: Signature requirements, including signed daily notes, signatures for service plans/treatment plans and written consent, are suspended although providers are strongly encouraged to obtain them electronically when possible. Verbal consent must be documented and signatures for service plans/treatment plans must be obtained within 60 days following the end of the disaster emergency declaration period.
55 Pa. Code 5210.28. Size of program. 55 Pa. Code 5210.38. Size of program.	5210.28. Size of program. Adult partial programs shall operate a minimum of 3 full days a week and shall have a minimum program capacity of 15 patients. 5210.38. Size of program. Children and youth partial hospitalization programs shall operate a minimum of 3½ days a week and shall have a minimum program capacity of 10 patients.	Full suspension of the requirement for size of program and days/hours of operation.



<p>55 Pa. Code 5210.37 Linkages with educational programs.</p>	<p>Basic education and, in particular, special education are an essential and required part of service for emotionally disturbed children and youth.....</p>	<p>Full Suspension: The requirement to provide education is suspended, but providers are encouraged to use best efforts to satisfy this education requirement through remote learning means.</p>
<p>55 Pa. Code 5210.39</p>	<p>Patients in partial hospitalization programs shall receive a minimum of 3 hours of planned treatment programs per hospitalization day...</p>	<p>Full Suspension: Minimum number of hours of planned treatment programming per hospitalization day is suspended, but providers are encouraged to achieve this 3-hour planned treatment requirement to the extent feasible while still complying with the current social distancing guidelines.</p>
<p>Mental Health Intensive Case Management</p>		
<p>55 Pa. Code 5221.23 Staffing patterns and limits.</p>	<p>(b) The number of cases in a caseload shall be based on the intensity of the need for service but may not exceed 30.</p> <p>(d) A supervisor may supervise no more than seven intensive case managers. A supervisor shall maintain a minimum of three contacts one meeting per week with intensive case managers with additional supervision depending upon the performance of the case manager, the activity of the caseload and administrative judgment.</p> <p>(e) If there are less than seven intensive case managers providing intensive case management, supervisory staff time shall be at least proportionate to the ratio of one full-time supervisor to seven intensive case managers.</p>	<p>(b) Full Suspension</p> <p>(d) Limited Suspension: Suspension of this regulation applies only to the requirement for a supervisor to maintain a minimum of three contacts one meeting per week depending upon the performance of the case manager, the activity of the caseload and administrative judgment. The meetings that do occur may be conducted through telehealth or telephone during the emergency declaration period.</p> <p>(e) Full Suspension</p>



55 Pa. Code 5221.31. Mental Health Intensive Case Management -Responsibilities of providers.	(6) Providing intensive case management services as needed in the place where the consumer resides or needs the service.	Limited Suspension: Services may be provided via telehealth/telephone as needed.
55 Pa. Code 5221.33. Intensive case management records - statement of policy.	(3) Written service plan. The initial plan shall: (i) Be developed within 1 month of registration and reviewed at least every 6 months. (iv) Be signed by the consumer, the family if the consumer is a child, the intensive case manager.... (4) Documentation of Services... (i) (E) Case notes. The case notes shall: Be dated and signed by the individual providing the service (iii) Encounter Forms	Limited Suspension: During the emergency declaration period, the written service plan shall be-reviewed as needed, but at least annually. Telehealth may be utilized to develop the initial plan and for the subsequent reviews during this emergency. Limited Suspension: The requirements for signatures by consumers and case managers in case notes, encounter forms and service plans are suspended although providers are strongly encouraged to obtain them electronically when possible. Verbal consent must however be documented and signatures for service plans must be obtained within 60 days of the end of the disaster emergency declaration period.
Psychiatric Rehabilitation Services		
55 Pa Code 5230.23. Access to individual record.	An individual may review, provide written comments and sign daily entries in the individual record.	Full Suspension: Individual’s signature requirements are suspended; providers are however strongly encouraged to obtain electronic signatures when possible.



pennsylvania

DEPARTMENT OF HUMAN SERVICES
OFFICE OF MENTAL HEALTH AND
SUBSTANCE ABUSE SERVICES

55 Pa. Code 5230.51 Staff Qualifications	(b) A psychiatric rehabilitation specialist shall have one of the following: (1) A bachelor's degree and 2 years work experience in mental health direct service, 1 year of which must be work experience in PRS. CPRP certification shall be attained within 2 years from the date of hire as a psychiatric rehabilitation specialist.	Full suspension of the requirement that individuals receive CPRP certification within 2 years from the date of hire as a psychiatric rehabilitation specialist. CPRP testing and exam has been suspended by the Psychiatric Rehabilitation Association.
55 Pa Code 5230.52. General staffing requirements.	(a) A PRS agency shall staff the service according to the following: (1) The location of services is consistent with the agency service description. (2) The service may range from individual service to group service. (3) The service and the choice of service locations shall be determined by the IRP of the individual.	Full suspension of locations of service in service description. Services may be provided through telehealth.
55 Pa Code 5230.52. General staffing requirements.	(g) When a PRS agency operates more than one PRS facility, the PRS director shall be present at each licensed PRS facility an average of 7.5 hours per week in a calendar month.	Limited suspension of the PRS Director being present. PRS director may be present via audio video technology.
55 Pa Code 5230.52. General staffing requirements.	(h) A minimum of 25% of the FTE staff complement shall meet the qualifications of a psychiatric rehabilitation specialist provided under § 5230.51(b) (relating to staff qualifications) within 1 year of initial licensing.	Full suspension of the requirement that 25% of the FTE staff complement meet qualifications of a psychiatric rehabilitation specialist within 1 year of initial licensing. CPRP testing and exam has been suspended by the Psychiatric Rehabilitation Association which would not allow a psychiatric rehabilitation specialist to obtain certification.



pennsylvania

DEPARTMENT OF HUMAN SERVICES
OFFICE OF MENTAL HEALTH AND
SUBSTANCE ABUSE SERVICES

55 Pa Code 5230.52. General staffing requirements.	(i) A minimum of 25% of the FTE staff complement shall have CPRP certification within 2 years of initial licensing.	Full suspension of the requirement that 25% of the FTE staff complement shall have a CPRP certification within 2 years of initial licensing. CPRP testing and exam has been suspended by the Psychiatric Rehabilitation Association which would not allow a psychiatric rehabilitation specialist to obtain certification.
55 Pa Code 5230.53. Individual services.	A PRS agency shall provide individual services in a PRS facility or in the community on a one staff to one individual (1:1) ratio.	Full suspension of the provision of service in facility or in the community. Services can be provided via telehealth.
55 Pa Code 5230.54. Group services	A PRS agency shall provide group services in a PRS facility or in the community.	Full suspension of Group Services. Services can be provided via telehealth.
55 Pa Code 5230.55. Supervision	(c) A PRS director or psychiatric rehabilitation specialist designated as a supervisor shall meet with staff individually, face-to-face, no less than two times per calendar month. (d) A PRS director or psychiatric rehabilitation specialist designated as a supervisor shall provide group supervision utilizing the following methods: (1) Monitoring active PRS delivery. (2) Discussing approaches to assist individuals in goal attainment. (3) Conducting staff meetings.	Full suspension of the face to face requirement and group supervision. Supervision can be provided via Telehealth.
55 Pa Code 5230.56. Staff Training Requirements	(1) Staff providing services in a PRS agency shall complete a Department-approved 12-hour psychiatric rehabilitation orientation course no later than 1 year after hire. This course shall be credited to the annual training requirement listed under paragraph (2) for the calendar year in which it is completed.	Full suspension of the requirement that staff shall complete a 12-hour psychiatric rehabilitation orientation course no later than 1 year after hire.



pennsylvania

DEPARTMENT OF HUMAN SERVICES
OFFICE OF MENTAL HEALTH AND
SUBSTANCE ABUSE SERVICES

<p>55 Pa Code 5230.61. Assessment</p>	<p>(b) The assessment shall be completed in collaboration with the individual and must:</p> <p>(6) Be signed by the individual and staff.</p> <p>(7) Be updated annually and when one of the following occurs.</p> <ul style="list-style-type: none"> i. The individual requests an update. ii. The individual completes a goal. iii. The individual is not progressing on stated goals. 	<p>Full suspension of individuals’ signature requirement. Providers are however strongly encouraged to obtain electronic signatures when possible.</p> <p>Full suspension of any assessment updates that are due within the time frame of this emergency.</p>
<p>55 Pa Code 5230.62. Individual rehabilitation plan.</p>	<p>(a) A PRS staff and an individual shall jointly develop an IRP that is consistent with the assessment and includes the following: ... (7) Dated signatures of the individual, the staff working with the individual and the PRS director.</p>	<p>Limited Suspension: Signature requirements, including signatures for rehabilitation plans and written consent, are suspended although providers are strongly encouraged to obtain them electronically when possible. Verbal consent must be documented and signatures for rehabilitation plans must be obtained within 60 days following the end of the disaster emergency declaration period.</p>
<p>Psychiatric Rehabilitation 55 Pa. Code 5230.62 (b), (c), (1), (2),(3)</p>	<p>b. A PRS agency shall complete an IRP by day 20 of admittance, but no more than 60 days after initial contact.</p> <p>c. A PRS agency and an Individual shall update IRP at least 90 days and when</p> <ul style="list-style-type: none"> 1. A goal is complete. 2. No significant progress is made. 3. An individual requests a change. 	<p>Full suspension of the requirement for completion or updates to the IRP within the timeframes required by the regulation, but providers should use best efforts to comply with the regulatory time frames.</p>
<p>55 Pa Code § 5230.62 (d). Individual rehabilitation plan.</p>	<p>(d) An IRP update must include a comprehensive summary of the individual’s progress that includes the following: ... (5) The dated signature of the individual. (6) Documentation of the reason if the individual does not sign.</p>	<p>Limited Suspension: Signature requirements, including signatures for rehabilitation plans and written consent, are suspended although providers are strongly encouraged to obtain them electronically when possible. Verbal consent must be documented and signatures for rehabilitation plans must be obtained within 60 days following the end of the disaster emergency declaration period.</p>



55 Pa Code § 5230.63. Daily entry	A PRS agency shall include an entry for the day service that was provided in the record of an individual as follows: ... (4) Includes the signature of the individual, or if the individual does not sign, documents the reason.	Full suspension of individuals’ signature requirement although providers are strongly encouraged to obtain electronic signatures when possible.
Community Residential Rehabilitation Services for the Mentally Ill		
55 Pa. Code 5310.14(e)	(e) Each staff member is required to have a physical examination within 6 months prior to employment and every 2 years thereafter. (1) The examination report must include screening for tuberculosis and other communicable diseases, a statement from the physician that the staff member has no contagious diseases, and information on any medical problems, which might interfere with the health of the clients.	Limited suspension of the requirement that each staff member obtain a statement from a physician that the staff member has no contagious disease. A certified registered nurse practitioner (CRNP) or physician assistant (PA), rather than a physician, may certify that a staff member does not have any contagious disease and sign the health appraisal for the client.
55 Pa. Code 5310.32(c)(2)	(c) The CRRS staff shall obtain the following information about each client prior to the client’s enrollment in the CRRS. (2) A health appraisal signed by a licensed physician, which includes: (i) A review of health history. (ii) A complete physical examination dated not more than 6 months prior to client’s enrollment. (iii) Drug or alcohol history. (iv) Recommendations pertaining to medication and limitations of the client’s activities or diet.	Limited suspension of the requirement that each client must receive a health appraisal signed by a licensed physician prior to the client’s enrollment to the CRR. If a client is unable to see a physician, the client may receive a health appraisal from a licensed medical professional, such as a CRNP or PA. If a client is unable to obtain a health appraisal prior to their enrollment to the CRR, the client may obtain a health appraisal up to 15 days after enrollment. Documentation of attempts to see a physician must be kept.
55 Pa. Code 5310.33 (a)	(a) The community residential rehabilitation service (CRRS) staff shall develop with each client an individualized written client residential service plan upon the client’s enrollment in the CRRS.	Limited suspension of the requirement that staff shall develop with each client an individualized written client residential service plan upon the client’s enrollment in the CRRS.



pennsylvania

DEPARTMENT OF HUMAN SERVICES
OFFICE OF MENTAL HEALTH AND
SUBSTANCE ABUSE SERVICES

		<p>This will allow providers to continue to serve all clients appropriately in the event of staffing shortages and not spend valuable staff time completing documentation.</p> <p>During the emergency declaration period, providers will have seven (7) calendar days to complete the psychosocial evaluation and initial residential service plan. The provider must document the reasons why the individual residential service plan was not completed upon enrollment.</p>
55 Pa. Code 5310.33 (d)	(d) The CRRS staff shall evaluate the client's adjustment to the program within 30 days of enrollment and modify the service plan as needed. The residential service plan must be reviewed and updated every 60 days thereafter	Limited suspension of the requirement that CRRS staff shall evaluate the client's adjustment to the program within 30 days of enrollment and modify the service plan as needed and the residential service plan must be reviewed and updated every 60 days thereafter, during the emergency declaration period. Instead, OMHSAS would allow 35 and 65 days, respectively. The program must document the reason(s) why the updates were not completed within the timeframes listed in the regulation.
55 Pa. Code 5310.33 (e)	(e) Each client in a CRRS must spend a major portion of his time out of the residence. The goal of such involvement outside the residence is to increase the client's use of community resources and participation in community activities which the client can continue to use upon program termination. The method for achieving this goal must be reflected in each client's residential services plan.	Full suspension of the requirement that each client in a CRRS must spend a major portion of his time out of the residence.
55 Pa. Code 5310.41 Staffing and training. (a)	(a) The community residential rehabilitation service (CRRS) must have staff sufficient in number and qualifications to carry out the functions of CRRS which include supervision, personal assistance, and psychosocial rehabilitation services as indicated in the CRRS program description.	Limited suspension , provided due diligence is taken to maintain direct-care staffing requirements as outlined in the provider's program description. A conditional plan must be reviewed and approved by OMHSAS if the provider anticipates they will not be in compliance with this regulation.



pennsylvania

DEPARTMENT OF HUMAN SERVICES
OFFICE OF MENTAL HEALTH AND
SUBSTANCE ABUSE SERVICES

55 Pa. Code 5310.41(f)	(f) A mental health professional shall supervise the client service plan process and shall sign each individual residential service plan and service plan review.	Limited suspension of the requirement that a mental health professional shall sign each individual residential service plan and service plan review. Providers are however strongly encouraged to have the mental health professional sign the service plan electronically when possible. Signatures will need to be obtained within 60 days of the end of the emergency period.
55 Pa. Code 5310.51. Case record. (b) (4) (ii) (iv)	(b) Each case record must include the following information: (4) The following program information must be in the case record: (ii) Individual’s residential service plan, dated and signed. (iv) Service plan reviews and other reports of performance and progress which must be dated and signed.	Limited Suspension: Signature requirements, including signatures for residential service plans and written consent, are suspended although providers are strongly encouraged to obtain them electronically when possible. Verbal consent must be documented and signatures for residential service plans must be obtained within 60 days following the end of the disaster emergency declaration period.
55 Pa. Code 5310.72 (a). Safety procedures.	(a) The community residential rehabilitation service (CRRS) staff shall arrange for the local fire department or another outside safety consultant to inspect and approve each physical site for fire safety and to determine the number, location and type of fire extinguishers and smoke detectors. This fire safety inspection shall be done for initial occupancy and then at least every 2 years thereafter. All inspections must be documented.	Limited suspension , provided due diligence is taken to obtain fire safety inspection within the timeframe required by the regulation and documentation is kept regarding inability to obtain required services timely. A conditional plan must be reviewed and approved by OMHSAS if the provider anticipates they will not meet compliance with this regulation.
55 Pa. Code 5310.72(d) Safety procedures	(d) Fire drills at each CRRS site must be: (1) Held every 2 months. (2) Held during the night at least semiannually. (3) Recorded, including date, time, time required for evacuation, and number of persons taking part.	Limited suspension , provided due diligence is taken to hold fire drills within the required timeframes and documentation is kept regarding inability to hold required fire drills. A conditional plan must be reviewed and approved by OMHSAS if the provider anticipates they will not meet compliance with this regulation.



pennsylvania

DEPARTMENT OF HUMAN SERVICES
OFFICE OF MENTAL HEALTH AND
SUBSTANCE ABUSE SERVICES

<p>55 Pa Code 5310.73(d)(2)</p>	<p>(e) Each CRRS site shall meet the following requirements for client residential living areas or spaces:</p> <p>(2) Bedrooms shall be either single or double occupancy. A single occupancy room shall have 80 square feet or more of floor space. A double occupancy room shall have 60 square feet or more of floor space for each client.</p>	<p>Limited suspension of the requirement that a single occupancy room shall have 80 square feet or more of floor space and that a double occupancy room shall have 60 square feet or more of floor space for each client in the event that a client must be moved or isolated/self-quarantined while participating in the program due to the program’s adherence to CDC guidelines to COVID-19-related symptoms.</p> <p>This will allow programs to maintain compliance with room space requirements, if the need to isolate any resident arises, but the building layout does not support the CDC recommended space.</p>
<p>55 Pa. Code 5310.81(b)(3)(iii) Medication</p>	<p>(b) CRRS programs shall establish and implement written policies and procedures regarding medications which meet legal restrictions regarding administration of medication. Medication policies and procedures shall include:</p> <p>(3) The circumstances under which the CRRS stores medications for clients. Storing medications is subject to the following limitations:</p> <p>(iii) Medications shall be kept in their original prescription containers.</p>	<p>Limited Suspension: All prescribed medications for the week may be put into a weekly pill container for the beneficiary. Medications should still be stored and locked in a locked room. Visual monitoring of resident self-administration should continue. Signatures confirming resident self-administration should continue to be obtained by staff and residents.</p>
<p>55 Pa. Code 5310.82(c)(1) 5310.82 (c)(5)</p>	<p>c) In the unusual circumstance where CRRS staff rather than clients purchase and prepare the food, the following additional requirements apply:</p> <p>(1) Each client shall be involved in the meal planning, shopping, food preparation, service and kitchen chores as evidenced in task schedules and in the client’s individual service plan.</p> <p>(5) Menus shall be prepared for 1 week in advance and must be retained on file for at least 8 weeks.</p>	<p>Full suspension of the requirement that (1) each client shall be involved in the meal planning, shopping, food preparation, service and kitchen chores as evidenced in task schedules and in the client’s individual service plan, and (5) menus shall be prepared for 1 week in advance.</p>



Requirements for Long-Term Structured Residence Licensure

<p>55 Pa. Code § 5320.41.</p>	<p>The provider shall require and document preemployment and biennial physical examinations for direct-care and support staff to include screening for:</p> <ul style="list-style-type: none"> (1) Tuberculosis (2) Hepatitis 	<p>Limited Suspension: If CRNP or PA signs off that they examined the staff member and feels comfortable to verify that the staff member is free of communicable diseases, without ordering the extra tests to verify, that is sufficient prior to hire; the staff member has a 90-day grace period to complete the screening requirements. Staff already working for a program may also have a 90-day grace period for their biennial physical exams and screenings.</p>
<p>55 Pa. Code § 5320.42. (3)(4)(5)(8)</p>	<p>The provider of LTSR services shall:</p> <ul style="list-style-type: none"> (3) Have a minimum of two direct-care staff persons awake and on duty within the LTSR whenever 10 to 16 residents inclusive are on the premises. A third direct-care staff person shall be either onsite or available to respond onsite within 30 minutes. (4) Have a minimum of two direct-care staff, awake and on duty within the LTSR whenever fewer than 10 residents are on the premises. (5) Have sufficient psychiatric time available to meet the psychiatric needs of the resident. At least 1/2 hour of psychiatric time per resident per week is required. (8) Employ substitute staff with equivalent qualifications when staff are absent so that minimum direct-care staffing requirements are always met. 	<p>Limited suspension for (3) and (4). A conditional plan must be reviewed and approved by OMHSAS if the provider anticipates they will not meet compliance with these regulatory provisions.</p> <p>Limited suspension of the requirement that the psychiatrist is available to meet with each resident a minimum of ½ hour per week. It can be 15 minutes per week instead</p> <p>Limited suspension of the requirement that substitute staff have equivalent qualifications to absent staff. Please see regulation 5320.43(c) below regarding direct-care staff qualifications. However, the substitute staff must receive adequate training to provide service to program residents.</p>



55 Pa Code 5320.43(c)	(c) A mental health worker shall be a person who has completed 12 semester hours of college training in a mental health related field or has at least a high school diploma or equivalency and 6 months of formal training in mental health or a related field.	Full suspension of the requirement that a mental health worker shall have completed 12 semester hours of college training in a mental health related field. The staff member may be working on fulfilling that requirement at the time of hire. Staff may also have at least a high school diploma OR equivalency with 4 months of formal training in mental health. Staff members with these qualifications will have an extra 24 hours of “shadowing” a seasoned staff member, which will be documented as a part of their orientation and completed prior to working independently on the floor.
55 Pa Code 5320.45(4)	The program director shall oversee orientation and training of the staff, including: 4) Written documentation that ongoing training includes review and update of all policies and procedures including those listed under topics for orientation.	Full suspension of the requirement that staff are retrained on all policies and procedures along with all topics listed under orientation requirements (5320.45.3) annually. Training should focus on CDC recommendations and service provision, along with any new policies and procedures. Regular training of standard topics may commence after emergency declaration is lifted. All onboarding staff must still review all topics required under 5320.45(3).
55 Pa. Code § 5320.51. (2)(4)	The interdisciplinary treatment team shall: (1) Complete an initial assessment on admission by the interdisciplinary team of the resident’s mental, physical and social needs including a mobility assessment. (2) Develop an initial treatment plan, within 72 hours, based on the initial assessment by the interdisciplinary team. (4) Develop a comprehensive treatment plan within 10 days of admission.	Limited suspension of the requirement that an initial assessment be completed on admission (1), an initial treatment plan be developed within 72 hours (2), and that a comprehensive treatment plan be developed within 10 days of admission (4) by the interdisciplinary treatment team. Programs will be given a 7 calendar-day grace period to complete the initial assessment and the initial treatment plan. Programs will be given a 10 calendar-day grace period to complete the comprehensive treatment plan. The due dates will be as follows: <ul style="list-style-type: none"> ● Initial assessment: by day 7 with all required treatment team signatures. ● Initial treatment plan: by day 10 with all required treatment team signatures. ● Comprehensive treatment plan: by day 20 with all required treatment team signatures.



pennsylvania

DEPARTMENT OF HUMAN SERVICES
OFFICE OF MENTAL HEALTH AND
SUBSTANCE ABUSE SERVICES

<p>55 Pa. Code 5320.52. (4)(i)</p>	<p>The interdisciplinary treatment team shall review treatment plans at least every 30 days or more frequently as the resident’s condition changes. A report of the review and findings and the resident’s progress toward meeting program goals and objectives shall be documented by the interdisciplinary team in the resident’s record.</p> <p>(4) Reassessment of each resident’s mental, physical and social needs, including a mobility assessment as follows:</p> <p>(i) Annually</p>	<p>Limited suspension of the requirement that the interdisciplinary treatment team review treatment plans at least every 30 days and that a reassessment of each resident’s mental, physical, and social needs be completed annually (4). Programs will be given a 10 calendar-day grace period to complete 30 calendar-day updates and the annual reassessment. The due dates will be as follows:</p> <ul style="list-style-type: none"> • 30-day updates: at least every 40 days with all required treatment team signatures. • Annual reassessment: 30 calendar-day grace period from the date it is due. (assessments due 4/1/20 will not be due until 5/1/20).
<p>55 Pa. Code § 5320.53.</p>	<p>(a)(5) Recording of physicians’ orders in each resident’s clinical record that is reviewed, renewed and signed by the physician every 30 days.</p> <p>(c) Pharmaceutical services shall include:</p> <p>(1) A written quarterly review of the drug regimen of each resident by a licensed pharmacist and the findings submitted to the program director and prescribing physicians</p>	<p>Full suspension, of requirement that the recording of the physician’s orders in each client’s clinical record is signed by the physician every 30 days, although the providers are strongly encouraged to obtain the signature electronically when possible.</p> <p>Full suspension of the requirement for a written quarterly review of the drug regimen of each resident by a licensed pharmacist and the findings submitted to the program director and prescribing physicians.</p>
<p>55 Pa Code 5320.54(a)</p>	<p>(a) The use of seclusion is prohibited in LTSRs.</p>	<p>Full suspension of the requirement that the use of seclusion is prohibited in the LTSR only if there is a documented reason to believe the resident has a communicable disease or COVID-19 related symptoms.</p> <p>Self-isolation for the health, safety, and well-being of other residents and staff (within reason and ability) is not seclusion. LTSR programs should follow CDC guidelines if they believe a resident has COVID-19-related symptoms.</p>

		<p>The LTSR must document attempts for the resident to see a physician to be tested within 24 hours of the first documented symptoms.</p>
<p>55 Pa Code 5320.74(1)</p>	<p>The LTSR provider shall:</p> <p>(1) Develop written arrangements for providing routine and emergency medical and dental care for residents.</p> <p>(3) Have first aid supplies available and adhere to current Centers for Disease Control and the Department of Health’s recommendations for universal precautions in the administration of first aid and CPR.</p>	<p>Limited suspension of the requirement for annual and routine exams and medical and dental care for residents. Documentation of the appointment scheduling in the resident’s record will illustrate the closest date available to the due date that the medical or dental provider was able to serve the resident.</p> <p>Limited suspension of the requirement that LTSR programs strictly adhere to current Centers for Disease Control and the Department of Health’s recommendations for universal precautions, related to the care of residents who have displayed symptoms of COVID-19. All attempts to attain PPE’s and facemasks, along with any other supply requirement, will be documented.</p>
<p>55 Pa. Code 5320.82. Fire protection and safety.</p>	<p>(a) The program director shall arrange for the local fire department or another outside safety consultant to inspect and approve each LTSR site for fire safety and to determine the number, location and type of fire extinguishers and smoke detectors required. This fire safety inspection shall be done before initial occupancy and repeated at least every 2 years thereafter. Inspections shall be documented.</p> <p>(e) Fire drills at each LTSR site shall be documented and held at least every 2 months; nighttime drills shall be conducted semiannually</p>	<p>(a) Limited suspension of the annual requirement of fire safety inspections provided due diligence is taken to obtain fire safety inspection within the timeframe required by the regulation and documentation is kept regarding inability to obtain required services timely. A conditional plan must be reviewed and approved by OMHSAS if the provider anticipates they will not meet compliance with this regulation.</p> <p>(e) Limited suspension, provided due diligence is taken to hold fire drills within the required timeframes and documentation is kept regarding inability to hold required fire drills. A conditional plan must be reviewed and approved by OMHSAS if the provider anticipates they will not meet compliance with this regulation.</p>



<p>55 Pa Code 5320.83(b)</p>	<p>(b) A single occupancy room shall have at least 80 square feet of floor space. Bedrooms for two persons shall have at least 60 square feet of floor space per person and have sufficient floor space to accommodate the items required in §5320.84 (relating to furnishings and equipment).</p>	<p>Limited suspension of the requirement that a single occupancy room shall have 80 square feet or more of floor space and that a double occupancy room shall have 60 square feet or more of floor space for each client in the event that a client must be moved or isolated/self-quarantined while participating in the program due to the program’s adherence to CDC guidelines to COVID-19-related symptoms. This will allow programs to maintain compliance with room space requirements, if the need to isolate any resident arises, but the building layout does not support the CDC recommended space.</p>
<p>Intensive Behavioral Health Services (Licensing)</p>		
<p>55 Pa. Code 5240.3 (c) Provider eligibility</p>	<p>An IBHS agency that holds an outpatient psychiatric clinic, a psychiatric partial hospitalization program or a family-based mental health license issued by the Department as of October 19, 2019, shall obtain a license under this chapter when the license expires.</p>	<p>Limited Suspension: Delay of enforcement. An IBHS agency that holds an outpatient psychiatric clinic, a psychiatric partial hospitalization program or a family-based mental health license issued by the Department as of October 19, 2019, shall obtain a license by 1/17/2021.</p>
<p>55 Pa Code 5240.3(d) Provider eligibility</p>	<p>An IBHS agency that is approved to provide ABA services shall obtain a license under this chapter within 180 days of October 19, 2019.</p>	<p>Limited Suspension: 180-day delay of enforcement. An IBHS agency that is approved to provide ABA services shall obtain a license by 10/15/2020.</p>
<p>55 Pa. Code 5240.3(e) Provider eligibility</p>	<p>An unlicensed IBHS agency that is currently approved to provide BHRS shall obtain a license under this chapter within 1 year of October 19, 2019.</p>	<p>Limited Suspension: 90-day delay of enforcement. An unlicensed IBHS agency that is currently approved to provide BHRS shall obtain a license by January 17, 2021.</p>



pennsylvania

DEPARTMENT OF HUMAN SERVICES
OFFICE OF MENTAL HEALTH AND
SUBSTANCE ABUSE SERVICES

55 Pa. Code 5240.21(a) Assessment	Within 15 days of the initiation of services and prior to completing an ITP, a face-to-face assessment shall be completed for the child, youth or young adult by an individual qualified to provide behavior consultation services or mobile therapy services.	Limited Suspension: Method of contact for assessment may include telehealth during the emergency declaration period. Limited suspension to completing the assessment within 15 days. It may be completed within 30 days during the emergency declaration period.
55 Pa. Code 5240.22 (a) Individual Treatment Plan	A written ITP shall be completed within 30 days after the initiation of a service and be based on the assessment completed in accordance with 5240.21 (relating to the assessment).	Limited suspension to completing the ITP within 30 days. It may be completed within 45 days during the emergency declaration period.
55 Pa. Code 5240.22 (h) Individual Treatment Plan	The ITP and all updates shall be reviewed, signed and dated by the youth, young adult or parent of legal guardian of the child or youth, and the staff person who completed the ITP.	Limited Suspension: Signature requirements, including signatures for service plans/treatment plans and written consent, are also suspended although providers are strongly encouraged to obtain them electronically when possible. Verbal consent must be documented and signatures for service plans/treatment plans must be obtained within 60 days following the end of the disaster emergency declaration period.
55 Pa. Code 5240.22 (i) Individual Treatment Plan	The ITP and all updates shall be reviewed, signed and dated by an individual who meets the qualifications of a clinical director in 5240.12 (relating to staff qualifications).	Limited Suspension: Signature requirements, including signatures for service plans/treatment plans and written consent, are also suspended although providers are strongly encouraged to obtain them electronically when possible. Verbal consent must be documented and signatures for service plans/treatment plans must be obtained within 60 days following the end of the disaster emergency declaration period.



pennsylvania

DEPARTMENT OF HUMAN SERVICES
OFFICE OF MENTAL HEALTH AND
SUBSTANCE ABUSE SERVICES

<p>55 Pa. Code 5240.72(b)(2) 5240.72(b)(3) Supervision of staff who provide individual services</p>	<p>Onsite supervision and direct observation requirements for individuals providing BHT services.</p>	<p>Limited Suspension: Onsite supervision and direct observation requirements are suspended during the emergency declaration period. The provision of supervision via video technology is acceptable to meet the regulation during the emergency declaration.</p>
<p>55 Pa. Code 5240.72 (e) Supervision of staff who provide individual services</p>	<p>...two-way audio and video transmission must meet HIPAA standards per public law No 104-191.</p>	<p>Limited Suspension: Providers that deliver services through telehealth must comply with federal Department of Health and Human Services’ Office of Civil Rights (OCR) guidance regarding compliance with Health Insurance Portability and Accountability Act (HIPAA) as outlined in https://www.hhs.gov/hipaa/for-professionals/special-topics/emergency-preparedness/notification-enforcement-discretion-telehealth/index.html.</p>
<p>55 Pa. Code 5240.82(b)(2) 5240.82 (c)(2) 5240.82 (c)(3) Supervision of staff who provide ABA services</p>	<p>Onsite supervision and direct observation requirements for individuals providing BHT-ABA services</p>	<p>Limited Suspension: Onsite supervision and direct observation requirements are suspended during the emergency declaration period. The provision of supervision via video technology is acceptable to meet the regulation during the emergency declaration.</p>
<p>55 Pa. Code 5240.82 (g) Supervision of staff who provide ABA services</p>	<p>....two-way audio and video transmission must meet HIPAA standards per public law No 104-191.</p>	<p>Limited Suspension: Providers that deliver services through telehealth must comply with federal Department of Health and Human Services’ Office of Civil Rights (OCR) guidance regarding compliance with Health Insurance Portability and Accountability Act (HIPAA) as outlined in https://www.hhs.gov/hipaa/for-professionals/special-topics/emergency-preparedness/notification-enforcement-discretion-telehealth/index.html.</p>



pennsylvania

DEPARTMENT OF HUMAN SERVICES
OFFICE OF MENTAL HEALTH AND
SUBSTANCE ABUSE SERVICES

55 Pa. Code 5240.85(a) Assessment	Within 30 days of the initiation of services and prior to completing an ITP, a face-to-face assessment shall be completed for the child, youth or young adult by an individual qualified to provide behavior consultation services or mobile therapy services.	Limited Suspension: Method of contact for assessment may include telehealth during the emergency declaration period. Limited suspension to completing the assessment within 30 days. It may be completed within 60 days during the emergency declaration period.
55 Pa. Code 5240.86 (a) Individual Treatment Plan	A written ITP shall be completed by an individual qualified to provide behavior analytic services or behavior consultation-ABA services within 45 days after the initiation of a service and be based on the assessment completed in accordance with 5240.85 (relating to the assessment).	Limited suspension to completing the ITP within 45 days. It may be completed within 75 days during the emergency declaration period.
55 Pa. Code 5240.86(h) Individual Treatment Plan	The ITP and all updates shall be reviewed, signed and dated by the youth, young adult or parent of legal guardian of the child or youth, and the staff person who completed the ITP.	Limited Suspension: Signature requirements, including signatures for service plans/treatment plans and written consent, are also providers are strongly encouraged to obtain them electronically when possible. Verbal consent must be documented and signatures for service plans/treatment plans must be obtained within 60 days following the end of the disaster emergency declaration period.
55 Pa. Code 5240.86(i) Individual Treatment Plan	The ITP and all updates shall be reviewed, signed and dated by an individual who meets the qualifications of a clinical director in 5240.81 (relating to staff qualifications).	Limited Suspension: Signature requirements, including signatures for service plans/treatment plans are suspended although providers are strongly encouraged to obtain them electronically when possible. Signatures for service plans/treatment plans must be obtained within 60 days following the end of the disaster emergency declaration period.



pennsylvania

DEPARTMENT OF HUMAN SERVICES
OFFICE OF MENTAL HEALTH AND
SUBSTANCE ABUSE SERVICES

55 Pa. Code 5240.92(f) Supervision of staff who provide group services two-way audio and video transmission must meet HIPPA standards per public law No 104-191.	Limited Suspension: Providers that deliver services through telehealth must comply with federal Department of Health and Human Services' Office of Civil Rights (OCR) guidance regarding compliance with Health Insurance Portability and Accountability Act (HIPAA) as outlined in https://www.hhs.gov/hipaa/for-professionals/special-topics/emergency-preparedness/notification-enforcement-discretion-telehealth/index.html .
55 Pa. Code 5240.96(h) Individual Treatment Plan	The ITP and all updates shall be reviewed, signed and dated by the youth, young adult or parent or legal guardian of the child or youth, and the staff person who completed the ITP.	Limited Suspension: Signature requirements, including signatures for service plans/treatment plans and written consent, are suspended although providers are strongly encouraged to obtain them electronically when possible. Verbal consent must be documented and signatures for service plans/treatment plans must be obtained within 60 days following the end of the disaster emergency declaration period.
55 Pa. Code 5240.96(i) Individual Treatment Plan	The ITP and all updates shall be reviewed, signed and dated by an individual who meets the qualifications of a clinical director in § 5240.12 (relating to staff qualifications).	Limited Suspension: Signature requirements, including signatures for service plans/treatment plans are suspended although providers are strongly encouraged to obtain them electronically when possible. Signatures for service plans/treatment plans must be obtained within 60 days following the end of the disaster emergency declaration period.
55 Pa. Code 5240.97(d)	Requirement for Group Services to be provided in school, community settings, and community like settings.	Limited Suspension: Subject to OMHSAS's approval, group services can be delivered via telehealth.



pennsylvania

DEPARTMENT OF HUMAN SERVICES
OFFICE OF MENTAL HEALTH AND
SUBSTANCE ABUSE SERVICES

55 Pa. Code 5240.101(b) EBT initiation requirements	Prior to the initiation of EBT, the IBHS agency shall obtain written consent to receive the EBT identified in the written order from the youth, young adult or parent or legal guardian of a child or youth.	Limited Suspension: Signature requirements and written consent are suspended although providers are strongly encouraged to obtain them electronically when possible. Verbal consent must be documented, and signatures obtained within 60 days following the end of the disaster emergency declaration period.
55 Pa. Code 5240.96(a) Individual Treatment Plan	A written ITP shall be completed within 30 days after the initiation of group services and be based on the assessment completed in accordance with 5240.95 (relating to assessment).	Limited suspension to completing the ITP within 30 days. It may be completed within 45 days during the emergency declaration period.
55 Pa. Code 5240.95(a) Assessment	Within 15 days of the initiation of services and prior to completing an ITP, a face-to-face assessment shall be completed for the child, youth or young adult by a graduate level professional.	Limited Suspension: Method of contact for assessment may include telehealth during the emergency declaration period. Limited suspension to completing the assessment within 15 days. It may be completed within 30 days during the emergency declaration period.
55 Pa. Code 5240.102(a)(b)(c) Assessment and individual treatment plan	Timelines for assessment, and ITPs in individual, ABA and Group sections.	Refer to responses to the following provisions: <ul style="list-style-type: none"> • 1155.32 (a)(2) Payment conditions for individual services (assessment) • 1155.32(a)(5) Payment conditions for individual services (ITP) • 1155.33 (a)(2) Payment conditions for ABA services (assessment) • 1155.33(a)(5) Payment conditions for ABA services (ITP) • 1155.34 (a)(2) Payment conditions for Group services (assessment) • 5240.21(a) Assessment (Individual Services) • 5240.22 (a) Individual Treatment Plan (Individual Services)



pennsylvania

DEPARTMENT OF HUMAN SERVICES
OFFICE OF MENTAL HEALTH AND
SUBSTANCE ABUSE SERVICES

		<ul style="list-style-type: none">• 5240.22 (h) Individual Treatment Plan (Individual Services)• 5240.22 (i) Individual Treatment Plan (Individual Services)• 5240.85 (a) Assessment (ABA)• 5240.86 (a) Individual Treatment Plan (ABA)• 5240.86(h) Individual Treatment Plan• 5240.86(i) Individual Treatment Plan (ABA)
--	--	--