



ISSUE DATE:

May 12, 2020

EFFECTIVE DATE:

May 12, 2020

NUMBER:

OMHSAS-20-04

SUBJECT:

Payment for IBHS Prior to Licensure

BY:

**Kristen Houser, Deputy Secretary
Office of Mental Health and Substance Abuse**

SCOPE:

This bulletin applies to providers enrolled in the Medical Assistance (MA) Program rendering services in both the fee-for-service and managed care delivery systems that are approved by the Office of Mental Health and Substance Abuse Services (OMHSAS) to provide Behavioral Health Rehabilitation Services (BHRS) and render Intensive Behavioral Health Services (IBHS) but have not yet obtained an IBHS license.

PURPOSE:

The purpose of this bulletin is to inform providers currently approved to provide BHRS of the requirements for receiving payment through the MA Program for providing IBHS prior to obtaining an IBHS license.

BACKGROUND:

On October 19, 2019 the Department of Human Services (Department) promulgated 55 Pa Code Chapters 1155 and 5240, which codified the minimum standards for licensing and MA payment conditions for agencies that deliver IBHS to children, youth and young adults under 21 years of age with mental, emotional and behavioral health needs. The regulations replace the requirements for BHRS previously set forth in bulletins issued by OMHSAS. IBHS includes individual services, applied behavior analysis (ABA) services, group services, and evidence-based therapy (EBT) delivered through individual services, ABA services or group services.

The regulations allow providers approved to provide BHRS to receive payment through the MA Program for the delivery of IBHS from January 17, 2020 until they are required to obtain a license under 55 Pa. Code § 5240.3(c)-(e). See 55 Pa. Code § 1155.31(b)-(d).

DISCUSSION:

Providers that are approved to provide BHRS and want to receive payment through the MA Program for the delivery of IBHS prior to obtaining an IBHS license must meet the qualification, training and supervision requirements included in the IBHS regulations. To receive payment through the MA Program the provider must have a clinical director and an administrative director that meet the qualifications in the IBHS regulations and have staff that provide IBHS

COMMENTS AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO:
Office of Mental Health and Substance Abuse Services, Bureau of Policy, Planning & Program Development, P.O. Box 2675, Harrisburg, PA 17105. General Office Number 717-772-7900.

that meet the qualifications in the IBHS regulations and receive the supervision and training required by the IBHS regulations.

Providers that are approved to provide BHRS and continue to meet the requirements for providing BHRS may continue to provide BHRS and receive payment for the services provided.

PROCEDURE:

Providers that render BHRS in the fee-for-service delivery system and want to receive payment through the MA Program for the delivery of IBHS prior to obtaining an IBHS license must submit the attached IBHS attestation form to the OMHSAS field office for the location where they are providing services before billing for IBHS. If one OMHSAS field office does not cover all of the areas where a provider delivers IBHS, the provider must submit an attestation form to each field office for the locations where the provider is providing services.

Providers that render BHRS in the managed care delivery system and want to receive payment for the delivery of IBHS prior to obtaining an IBHS license must in addition to submitting the attached IBHS attestation form to the OMHSAS field offices identified above follow the instructions for submitting the IBHS attestation form provided by the behavioral health managed care organization from which they are seeking payment.

A provider can sign the attestation form if the provider employs a clinical director and an administrative director who meet the qualifications in the IBHS regulations for the services the provider is providing and the provider's staff who are providing IBHS for which the provider is seeking payment for meet the qualification, training and supervision requirements included in the IBHS regulations. Providers may only receive payment through the MA Program for IBHS provided by qualified staff. Other staff that meet the requirements for providing BHRS may continue to provide BHRS until the provider is required to obtain an IBHS license. Providers must maintain records that substantiate that the IBHS they received MA payment for met the qualification, training and supervision requirements included in the IBHS regulations. These records may be reviewed retrospectively, including during the licensing of the provider.

All providers that are currently approved to provide BHRS and complete the attestation form can receive payment through the MA Program for IBHS without an IBHS license until October 19, 2020.

ATTACHMENT: Intensive Behavioral Health Services (IBHS) Attestation Form