

APA-1

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No: 560 Department or Agency: Alabama Medicaid Agency

Rule No: 560-X-47-.03

Rule Title: Service Providers

_____ New Rule; X Amend; _____ Repeal; _____ Adoption by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? _____ no

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? _____ yes

Is there another, less restrictive method of regulation available that could adequately protect the public? _____ no

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? _____ no

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? _____ no

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? _____ yes

Does the proposed rule have any economic impact? _____ no

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975 and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer: Stephanie Lindsay

Date: 5/20/15

FOR APD USE ONLY

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ALABAMA MEDICAID AGENCY

NOTICE OF INTENDED ACTION

RULE NO. & TITLE: 560-X-47-.03 Service Providers

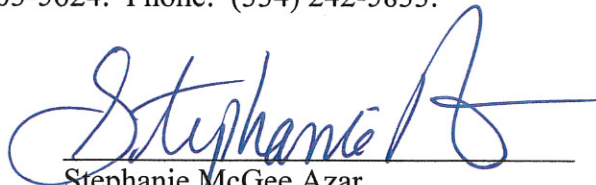
INTENDED ACTION: Amend 560-X-47-.03

SUBSTANCE OF PROPOSED ACTION: The above referenced rule is being amended to define community mental health centers.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written or oral comments may be submitted to the Alabama Medicaid Agency, 501 Dexter Avenue, Post Office Box 5624, Montgomery, Alabama 36103-5624. Agency business hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Written/Oral comments concerning this change must be received by the Alabama Medicaid Agency no later than July 6, 2015.

CONTACT PERSON AT AGENCY: Stephanie Lindsay, Administrative Secretary, Alabama Medicaid Agency, 501 Dexter Avenue, Post Office Box 5624, Montgomery, Alabama 36103-5624. Phone: (334) 242-5833.



Stephanie McGee Azar
Acting Commissioner

Rule No. 560-X-47-.03 Service Providers

Service providers must demonstrate that they meet the criteria in either (1), (2), OR (3) and both (4) AND (5) below.

(1) ~~A provider must be certified as a community mental health center by DMH/MR and must have demonstrated the capacity to provide access to the following services through direct provision or referral arrangements:~~ A provider must be a Community Mental Health Center who is a 310 Board that is certified and under contract with the Alabama Department of Mental Health (DMH) as defined by the Alabama Medicaid Administrative Code, Administrative Standards for 310 Boards and the DMH Contract Services Delivery Manual. The provider must have demonstrated the capacity to provide access to the following services through direct provision or referral arrangements:

- (a) Inpatient services through referral to community hospitals and/or through the provider physician serving as the attending physician for community hospitalizations;
- (b) Substance abuse services including intensive outpatient services and residential services.

(2) For the provision of Substance Abuse Rehabilitative Services an entity:

- (a) Must be an organization that is currently certified by the Alabama Department of Mental Health ~~and Mental Retardation~~ (DMH/MR) to provide alcohol and other drug treatment services under the provisions of Chapter 580 of the Alabama Administrative Code; and
- (b) Must submit an application to and receive approval by DMH/MR to provide Substance Abuse Rehabilitative Services under the Medicaid Rehabilitative Option program.

(3) For individuals under 21 years of age who need rehabilitative services and who are being served by the Alabama Department of Human Resources (DHR), the Alabama Department of Public Health (DPH), the Alabama Department of Youth Services (DYS), or the Department of Children's Affairs (DCA), these state agencies shall also be eligible rehabilitative services providers if they have demonstrated the capacity to provide either directly or through contract an array of medically necessary services. Additionally, DHR may provide these services to adults in protective service status. At a minimum this array will include:

- (a) Individual, group, and family counseling;
- (b) Crisis intervention services;
- (c) Consultation and education services;
- (d) Case management services;
- (e) Assessment and evaluation.

(4) A provider must demonstrate the capacity to provide services off-site in a manner that assures the client's right to privacy and confidentiality and must demonstrate reasonable access to services as evidenced by service location(s), hours of operation, and coordination of services with other community resources.

(5) A provider must assure that Medicaid recipients receive quality services in a coordinated manner and have reasonable access to an adequate array of services delivered in a flexible manner to best meet their needs. Not all services listed above are covered by Medicaid, but the provider must have demonstrated the capacity to provide these services.

Author: Karen M. Smith , Associate Director, Clinics and Mental Health Programs
Statutory Authority: 42 CFR Section 440.130 (d); Social Security Act, Title XIX, Omnibus Budget Reconciliation Act of 1987, P.L. 100-203, Section 4105. State Plan for Medical Assistance, Attachment 3.1-A.

History: Rule effective August 11, 1990. Amended August 14, 1991; March 13, 1993; March 1, 1994; June 14, 1994; and December 12, 1996. **Amended:** Filed October 20, 2000; effective January 10, 2001. **Amended:** Filed March 20, 2001; effective June 15, 2001. **Amended:** Filed March 21, 2005; effective June 16, 2005. **Amended:** Filed June 20, 2006; effective September 15, 2006. **Amended:** Filed November 17, 2006; effective February 15, 2007. **Amended:** Filed May 20, 2015.