

APA-1

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control No: 560 Department or Agency: Alabama Medicaid Agency

Rule No: 560-X-47-.04

Rule Title: Minimum Qualifications for Mental Health, Substance Abuse, and Child & Adolescent Services/Adult Protective Services Professional Staff

\_\_\_\_\_ 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

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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.

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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

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**ALABAMA MEDICAID AGENCY**

**NOTICE OF INTENDED ACTION**

**RULE NO. & TITLE:** 560-X-47-.04 Minimum Qualifications for Mental Health, Substance Abuse, and Child & Adolescent Services/Adult Protective Services Professional Staff

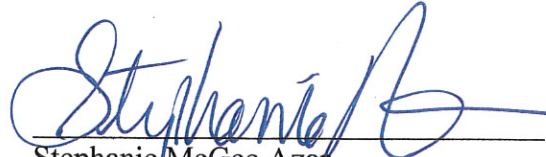
**INTENDED ACTION:** Amend 560-X-47-.04

**SUBSTANCE OF PROPOSED ACTION:** The above referenced rule is being amended to remove the specific disciplines of eligible providers of rehabilitation option services for DMH and DYS

**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-.04 Minimum Qualifications for Mental Health, Substance Abuse, and Child & Adolescent Services/Adult Protective Services Professional Staff**

(1) ~~Mental Health Professional Staff qualifications are as follows: delineated within the specifications for each covered mental health rehabilitation service as described in the applicable Alabama Medicaid Agency Provider Manual, Rehabilitative Services, Chapter 105.~~

~~(a) A physician licensed under Alabama law to practice medicine or osteopathy;~~

~~(b) A psychologist licensed under Alabama law;~~

~~(c) A professional counselor licensed Alabama law;~~

~~(d) A marriage and family therapist licensed under Alabama law;~~

~~(e) A certified social worker licensed under Alabama law;~~

~~(f) A registered nurse who has completed a master's degree in psychiatric nursing;~~

~~(g) An individual possessing a master's degree or above from a university or college with an accredited program for the respective degree in psychology, social work, counseling or other areas that require equivalent clinical course work and who:~~

~~1. has successfully completed a practicum as a part of the requirements for the degree; or~~

~~2. has six months post master's level clinical experience supervised by a master's level or above clinician with two years of post graduate clinical experience as described in DMH/MR standards;~~

~~(h) Services rendered to persons with a primary psychiatric diagnosis must be delivered by a person meeting the criteria listed above unless an exception is specifically noted and defined in the Medicaid Provider Manual, Rehabilitative Services.~~

~~(i) A pharmacist licensed under Alabama law may provide medication monitoring.~~

(2) ~~Substance Abuse Professional Staff qualifications are as follows: delineated within the specifications for each covered mental health rehabilitation service as described in the applicable Alabama Medicaid Agency Provider Manual, Rehabilitative Services, Chapter 105.~~

~~(a) Clinical screening and assessments of a substance abuse client shall be performed by a person with at least two years substance abuse treatment experience and meeting any one or more of the following:~~

~~1. A person licensed as a physician, psychologist, certified social worker, or counselor; or~~

~~2. A person with a master's degree in a clinical area.~~

~~(b) Treatment planning and counseling of substance abuse clients shall be performed by any one or more of the following qualified professionals:~~

~~1. A person who meets the qualifications stated in (2)(a) above;~~

~~2. A person with a master's degree in a clinical area with a clinical practicum;~~

~~3. A person with a master's degree in a clinical area that did not require a clinical practicum and one year of supervised clinical experience in a substance abuse treatment/rehabilitation setting;~~

~~4. A person with a bachelor's degree or an RN and two years of supervised substance abuse clinical experience;~~

~~5. A person certified as a qualified substance abuse professional by an independent board established for the purpose of providing an experience based, voluntary~~

~~credentialing process. Such certification must have mutual reciprocity with surrounding states and be nationally recognized. Services will be provided by practitioners as defined above consistent with their training, experience, and scope of practice as established by their respective disciplines and Alabama law.~~

~~(c) Services rendered to persons with a primary alcoholism or drug abuse diagnosis must be delivered by a person meeting the criteria listed above unless an exception is specifically noted and defined in the Medicaid Provider Manual, Rehabilitative Services.~~

(3) Alabama Department of Youth Services Child and Adolescent Services/Adult Protective Services Professional Staff qualifications are as follows:

(a) A physician licensed under Alabama law to practice medicine or osteopathy;  
(b) A psychologist licensed under Alabama law;  
(c) A professional counselor licensed under Alabama law;  
(d) A marriage and family therapist licensed under Alabama law;  
(e) A social worker licensed under Alabama law;  
(f) A registered nurse who has completed a master's degree in psychiatric nursing;  
(g) An individual possessing a master's degree or above from a university or college with an accredited program for the respective degree in psychology, social work, counseling or ~~other areas that require equivalent clinical course work and who:~~ other human service field areas and who meets at least one of the following qualifications:

1. has successfully completed a practicum as a part of the requirements for the degree; or  
2. has six months post master's level professional experience supervised by a master's level or above with two years of ~~post-graduate~~ post-graduate professional experience.

(h) Services rendered to persons with a primary psychiatric diagnosis must be delivered by a person meeting the criteria listed above unless an exception is specifically noted and defined in the Medicaid Provider Manual, Rehabilitative Services, Chapter 105.

(i) A pharmacist licensed under Alabama law may provide medication monitoring;

(4) Alabama Department of Youth Services Child and Adolescent Services Professional Staff Qualifications are delineated within the specifications for each covered mental health rehabilitation services as described in the current version of the Alabama Medicaid Agency Provider Manual, Rehabilitative Services, Chapter 105.

**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 1, 1994; and June 14, 1994. **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 May 20, 2015.