

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

_____ 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: 9/21/2015

FOR APD USE ONLY

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EDITED AND APPROVED BY _____ DOCUMENT NO. _____

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.

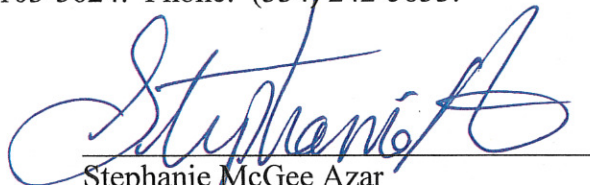
INTENDED ACTION: Amend 560-X-47-.04

SUBSTANCE OF PROPOSED ACTION: The above referenced rule is being amended to remove Youth Services and insert Human Resources.

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 November 4, 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.

A handwritten signature in blue ink, appearing to read "Stephanie McGee Azar", written over a horizontal line.

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 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.

(2) Substance Abuse Professional Staff qualifications are 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.

(3) Alabama Department of ~~Youth Services~~Human Resources 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 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 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 July 13, 2015; effective August 17, 2015. **Amended:** Filed September 21, 2015.