

## **METHOD OF INDICATING CHANGES**

This Accessible PDF version of the proposed emergency regulation text includes the phrase [begin underline] at the beginning of each addition, [end underline] at the end of each addition, [begin strikeout] at the beginning of each deletion, and [end strikeout] at the end of each deletion.

A standard PDF version of this proposed emergency regulation text is also available on the Department's Office of Regulations Internet site.

**Amend Section 51516.1 to read:**

**§ 51516.1. Reimbursement Rates for Drug Medi-Cal Substance Abuse Program Services.**

(a) Reimbursement for Naltrexone treatment, outpatient drug free treatment, day care rehabilitative, and perinatal residential treatment services shall be based on the lowest of the following:

(1) The provider's usual and customary charge to the general public for the same or similar services;

(2) The provider's allowable cost of providing the services, as specified in Section 11818 of the Health and Safety Code; or

(3) The statewide maximum allowances (SMAs) for Fiscal Year 2003-2004, 2004-2005, 2005-2006, 2006-2007, 2007-2008, 2008-2009, 2009-2010, 2010-2011, 2011-2012, ~~and~~ 2012-2013, and 2013-2014, which the Department shall establish in accordance with Sections 14021.6 and 14021.9(c) of the Welfare and Institutions Code.

*The SMA Rate Tables in Subsection (a)(3) for Fiscal Years 2003-2004 through 2012-2013 are unchanged.*

The SMAs for the following Drug Medi-Cal substance use disorder services for Fiscal Year 2013-2014 are:

**Service Function**

Naltrexone services, per face-to-face visit

**Maximum Allowance Non-Perinatal Unit of Service**

\$19.07

**Maximum Allowance Perinatal Unit of Service**

N/A

**Service Function**

Outpatient drug free treatment services, face-to-face individual counseling session, per

person

**Maximum Allowance Non-Perinatal Unit of Service**

\$72.32

**Maximum Allowance Perinatal Unit of Service**

\$103.52

**Service Function**

Outpatient drug free treatment services, face-to-face group counseling session, per person

**Maximum Allowance Non-Perinatal Unit of Service**

\$29.39

**Maximum Allowance Perinatal Unit of Service**

\$62.24

**Service Function**

Day Care Rehabilitative, (July 1, 2013 to December 31, 2013) Per face-to-face visit

**Maximum Allowance Non-Perinatal Unit of Service**

\$62.15

**Maximum Allowance Perinatal Unit of Service**

\$79.39

**Service Function**

Intensive Outpatient Treatment, (January 1, 2014 to June 30, 2014) Per face-to-face visit

**Maximum Allowance Non-Perinatal Unit of Service**

\$62.15

**Maximum Allowance Perinatal Unit of Service**

\$79.39

**Service Function**

Perinatal residential treatment services, per day

**Maximum Allowance Non-Perinatal Unit of Service**

N/A

**Maximum Allowance Perinatal Unit of Service**

\$97.72[end underline]

(A) The SMA for counseling sessions for outpatient drug free treatment services shall be prorated annually as follows:

1. The SMA for an individual counseling session shall be prorated annually using the percentage computed by dividing the total actual time for all counseling sessions by the total time which would have been spent if all counseling sessions were 50 minutes in duration. This percentage (not to exceed 100 percent) shall be applied to

the SMA to determine the maximum reimbursement rate.

For example:  $\text{Total Session Time} / (50 \text{ minutes} \times \text{Number of Sessions}) \times \text{SMA} = \text{Prorated SMA}$ .

2. The SMA for a group counseling session shall be prorated annually using the percentage computed by dividing the total actual time for all counseling sessions by the total time which would have been spent if all counseling sessions were 90 minutes in duration. This percentage (not to exceed 100 percent) shall be applied to the SMA per person to determine the maximum reimbursement rate.

For example:  $\text{Total Session Time} / (90 \text{ minutes} \times \text{Number of Sessions}) \times \text{SMA} = \text{Prorated SMA}$ .

3. To qualify as a group counseling session there shall be at least one Medi-Cal beneficiary in a group of no less than four and no more than ten individuals.

(b) Reimbursement for narcotic treatment program services shall be limited to the lower of the following:

(1) A uniform statewide reimbursement (USR) rate; or

(2) The provider's usual and customary charge to the general public for the same or similar services.

(c) The USR rate for ~~the~~ narcotic treatment program ~~services~~ daily dosing service shall be based on the following:

(1) A per capita rate for each beneficiary receiving narcotic replacement therapy dosing, core, and lab work services:

(A) The narcotic replacement therapy dosing fee for methadone or LAAM shall include ingredient costs for an average daily dose of methadone or an average dose of

LAAM dispensed to Medi-Cal beneficiaries;

(B) Where available, core and lab work services shall be based on and not exceed, for individual services or in the aggregate, outpatient rates for the same or similar service under the Medi-Cal fee-for-service program.

[begin underline] (d) For the narcotic treatment program daily dosing service, the USR rate shall consist of Core; laboratory work; and dosing which are described below:

(1) Core consists of a physical exam, a test/analysis for drug determination, intake assessment, initial treatment plan, and physician supervision.

(2) Laboratory work consists of a tuberculin skin test, a serological test for syphilis, drug screening (urinalysis), and pregnancy tests for female LAAM beneficiaries.

(3) Dosing consists of an ingredient and dosing fee.[end underline]

~~[(begin strikeout)d[end strikeout] [begin underline]e[end underline]]~~ The USR rate for the narcotic treatment program daily dosing services shall be prorated to a daily rate per beneficiary if the beneficiary receives less than a full month of services. The daily rate shall be based on:

(1) The annual rate per beneficiary; and

(2) A 365-day year.

~~[begin strikeout] (e) Reimbursement for narcotic treatment program services shall not be provided for services not rendered to or received by a beneficiary.~~

~~(f) For narcotic treatment program services, the USR rate shall consist of the following service components:~~

~~(1) Core; laboratory work; and dosing which are described below:~~

~~(A) Core consists of a physical exam, a test/analysis for drug determination, intake assessment, initial treatment plan, and physician supervision.~~

~~(B) Laboratory work consists of a tuberculin skin test, a serological test for syphilis, drug screening (urinalysis), and pregnancy tests for female LAAM beneficiaries.~~

~~(C) Dosing consists of an ingredient and dosing fee.~~

~~(2) Counseling services:[end strikeout]~~

[begin underline] (f) The USR rate for the narcotic treatment program Individual Counseling service shall be based on the Outpatient Drug Free Individual Counseling service SMA, and is billable per ten-minute increment of counseling.

~~(g) The USR rate for the narcotic treatment program Group Counseling service shall be based on the Outpatient Drug Free Group Counseling service SMA, and is billable per ten-minute increment of counseling.~~

~~(h) Reimbursement for narcotic treatment program daily dosing services shall not be provided for services not rendered to or received by a beneficiary. [end underline]~~

*Former Subsection (g) has been redesignated to Subsection (i). The USR Rate Tables in redesignated Subsection (i) for Fiscal Years 2003-2004 through 2012-2013 are unchanged*

~~[begin strikeout]-(g) [end strikeout] [begin underline]\_(i)~~

For narcotic treatment program services, the Fiscal Year 2013-2014 USR rate for each service component shall be as follows:

**Fiscal Year 2013-2014 Rates for USR Components by Type of Medication with Administrative Costs Shown in Parentheses**

**Narcotic Treatment Service Components**  
**Core, Laboratory Work, and Dosing**  
**Methadone Non-Perinatal Daily**

\$11.49

(\$1.04)

**Methadone Perinatal Daily**

\$12.57

(\$1.14)

**Narcotic Treatment Counseling**

Narcotic Treatment Counseling is delivered in 10 minute increments

Individual

**Methadone Non-Perinatal Daily**

\$14.46

(\$1.33)

**Methadone Perinatal Daily**

\$20.70

(\$1.89)

**Narcotic Treatment Counseling**

Narcotic Treatment Counseling is delivered in 10 minute increments

Group

**Methadone Non-Perinatal Daily**

\$3.27

(\$0.30)

**Methadone Perinatal Daily**

\$6.91

(\$0.63)[end underline]

The USR rates include administrative costs for the county or the Department when the Department assumes the role of the county as described in Section 51341.1(f).

Provider reimbursement shall be adjusted to reimburse the county or the Department for administrative costs.

For narcotic treatment program services, counseling sessions shall be individual and/or group counseling that meets the requirements of Section 10345, Title 9, CCR, and Section 51341.1(b)(11) and/or (b)(12), Title 22, CCR, and meet the requirements specified in Section 10345, Title 9, CCR, and

(1) Each beneficiary shall be provided a A

minimum of fifty (50) minutes of counseling per calendar month~~[begin underline]. [end underline] [begin strikeout]shall be provided to each beneficiary. Counseling shall be individual and/or group counseling which meets the requirements of Section 51341.1(b)(11) and/or (b)(12). [end strikeout]~~ Any waiver of the fifty (50) minute minimum for counseling shall be in accordance with Section 10345, Title 9, CCR.

(2) The Department shall reimburse a provider for up to a maximum of 200 minutes of counseling per calendar month, per beneficiary. ~~[begin strikeout]Counseling shall be individual and/or group counseling which meets the requirements of Section 51341.1(b)(11) and (b)(12). [end strikeout]~~

[begin underline] (3) Notwithstanding paragraph (2), and effective for a date of service on or after January 1, 2014, the Department shall reimburse a provider for up to a maximum of 200 minutes of counseling per calendar month, per beneficiary. The Department shall reimburse a provider for additional counseling exceeding the maximum 200 minutes in a calendar month, per beneficiary, when such level of service is deemed medically necessary in accordance with Section 51341.1. [end underline]  
~~(3)~~ (4) A provider shall claim reimbursement for counseling in 10-minute increments.

NOTE: Authority cited: Sections 10725, 14021.5, 14021.6, 14021.30, 14105, and 14124.5, Welfare and Institutions Code; and Section 20, Health and Safety Code. Reference: Sections 14021.5, 14021.51, 14021.6, 14021.9, 14021.30, 14121.24, and 14132.90, Welfare and Institutions Code; and Section 11818, Health and Safety Code.