

August 25, 2023

To: Tribal Chairpersons, Designees of Indian Health Programs, and  
Urban Indian Organizations

Subject: Notice of Proposed Change to the Medi-Cal Program

The purpose of this letter is to provide information regarding a proposed change to the Department of Health Care Services' (DHCS) Medi-Cal Program that will be submitted to the Centers for Medicare and Medicaid Services (CMS). DHCS is forwarding this information for your review and comment.

DHCS is required to seek advice from designees of Indian Health Programs and Urban Indian Organizations on Medi-Cal matters having a direct effect on Indians, Indian Health Programs or Urban Indian Organizations per the American Recovery and Reinvestment Act of 2009 (ARRA). DHCS must solicit the advice of designees prior to submission to CMS of any State Plan Amendment (SPA), waiver requests or modifications, or proposals for demonstration projects in the Medi-Cal program.

Please see the enclosed summary for a detailed description of this DHCS proposal.

### **QUESTIONS AND COMMENTS**

Indian Health Programs and Urban Indian Organizations may also submit written comments or questions concerning this proposal within 30 days from the receipt of notice. Comments may be sent by email to [PublicInput@dhcs.ca.gov](mailto:PublicInput@dhcs.ca.gov) or by mail to the address below.

### **Contact Information**

Department of Health Care Services  
Director's Office  
1500 Capitol Avenue, MS 0000  
Sacramento, CA 95814

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In addition to this notice, DHCS plans to cover this SPA in the next quarterly Medi-Cal Indian Health webinar. Please note that Indian Health Programs and Urban Indian Organizations may request a consultation on this proposal at any time as needed.

Sincerely,

Original signed by

Andrea Zubiarte, Chief  
Office of Tribal Affairs  
Department of Health Care Services

Enclosure



**Department of Health Care Services (DHCS)  
Tribal and Designees of Indian Health Programs Notice**

**PURPOSE**

To seek federal approval to make changes to the Rehabilitative Mental Health Services, Targeted Case Management, Substance Use Disorder Treatment Services, Expanded Substance Use Disorder Treatment Services, Medication-Assisted Treatment, and Community-Based Mobile Crisis Intervention Services provider types and qualifications. These services are provided through the Specialty Mental Health Services (SMHS), Drug Medi-Cal (DMC), and Drug Medi-Cal-Organized Delivery System (DMC-ODS) programs.

**BACKGROUND**

As part of DHCS' California Advancing and Innovating Medi-Cal (CalAIM) initiative, DHCS is implementing the Behavioral Health Administrative Integration project. This project aims to facilitate greater access to services, improve quality of services, and provide a more integrated care experience for beneficiaries with co-occurring mental health and substance use disorder conditions. To further the goals of this project, DHCS is proposing changes to the types and qualifications of providers that can provide SMHS, DMC, and DMC-ODS services in order to achieve greater consistency and allow more providers to provide behavioral health care across these delivery systems.

**SUMMARY OF PROPOSED CHANGES**

State Plan Amendment (SPA) 23-0026 proposes the following changes:

- Add Licensed Vocational Nurses as a Licensed Practitioner of the Healing Arts (LPHA) that may provide specified DMC and DMC-ODS services;
- Add Licensed Psychiatric Technicians as a LPHA that may provide specified DMC and DMC-ODS services;
- Define and add Medical Assistants as a provider of specified SMHS, DMC and DMC-ODS services;
- Define and add Clinical Trainees as a provider of specified SMHS, DMC and DMC-ODS services;
- Add Licensed Occupational Therapists as a LPHA that may provide specified DMC and DMC-ODS services;
- Add Licensed Occupational Therapists as a Licensed Mental Health Professional that may provide specified SMHS;
- Update the definition of "registered" as it pertains to social worker candidates, marriage and family therapist candidates; and professional clinical counselor candidates;
- Update the definition of Other Qualified Provider, Licensed Mental Health Professional and "under the direction of" definitions for Targeted Case Management Services; and,
- Make other conforming and technical changes.

The proposed effective date for SPA 23-0026 is July 1, 2023.

**IMPACT TO TRIBAL HEALTH PROGRAMS (THPs)**

To the extent that a THP provides SMHS, DMC and/or DMC-ODS and are enrolled/certified SMHS, DMC and/or DMC-ODS providers, this proposed SPA may impact the provision of covered services. Under this proposal, THPs will be able to utilize the providers that are being added to the State Plan in the provision of SMHS, DMC, and/or DMC-ODS services to Medi-Cal beneficiaries as outlined in Behavioral Health Information Notices (BHIN) [22-020](#), [22-053](#), and [23-027](#). Please note that this SPA does not propose the addition of new billable providers to [Supplement 6, Attachment 4.19b](#) of the state plan.

**IMPACT TO FEDERALLY QUALIFIED HEALTH CENTERS (FQHCs)**

To the extent that a Federally Qualified Health Center is contracted and certified to provide SMHS, DMC and/or DMC-ODS services, this proposed SPA may impact the provision of covered services. Under this proposal, FQHCs will be able to utilize the providers that are being added to the State Plan in the provision of SMHS, DMC and/or DMC-ODS services to Medi-Cal beneficiaries as outlined in BHINs [22-020](#), [22-053](#), and [23-027](#). Please note FQHCs are required to carve-out SMHS (including TCM), DMC-ODS and DMC services from their Prospective Payment Systems (PPS) rate per Welfare and Institutions Code 14132.100(I) and (m). Further, this SPA does not propose the addition of new billable FQHC providers to [Section 4.19b, Limitations on Attachment 3.1-A or Limitations on Attachment 3.1-B of the state plan](#).

**IMPACT TO INDIAN MEDI-CAL BENEFICIARIES**

DHCS anticipates this proposed SPA will increase access to SMHS, DMC and/or DMC-ODS services for American Indian Medi-Cal beneficiaries as it will allow more providers to provide behavioral health care across these delivery systems.

**RESPONSE DATE**

Indian Health Programs and Urban Indian Organizations may submit written comments or questions concerning this proposal within 30 days from the receipt of this notice. Comment may be sent by email to [PublicInput@dhcs.ca.gov](mailto:PublicInput@dhcs.ca.gov) or by mail to the address below:

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