



November 7, 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 Angeli.Lee@dhcs.ca.gov or by mail to the address below:

Contact Information

Department of Health Care Services
Director's Office
ATTN: Angeli Lee
MS 0000
P.O. Box 997413
Sacramento, CA 95899-7413

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and Urban Indian Organizations

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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

The Department of Health Care Services (DHCS) proposes to submit State Plan Amendment (SPA) 23-0037 to the Centers for Medicare and Medicaid Services (CMS) to expand behavioral health services in rural, remote, and underserved areas.

BACKGROUND

There is a significant unmet need for behavioral health specialists, due to the patient demand for these services and the existing shortage of staff. Licensed Professional Clinical Counselors (LPCCs) are masters-level health care professionals trained to evaluate a person's mental health and use therapeutic techniques based on specific training programs. Allowing Federally Qualified Health Centers (FQHCs), Rural Health Clinics (RHCs), and Tribal FQHCs to bill for LPCC encounters will increase access to behavioral health services for patients in medically underserved, rural and remote areas in California. LPCCs are already included in the Medi-Cal State Plan as billable practitioners for non-FQHC providers under Psychology and Counseling services, and as a health professional for Indian Health Services Memorandum of Agreement (IHS-MOA) and Tribal FQHCs.

SUMMARY OF PROPOSED CHANGES

DHCS plans to submit SPA 23-0037 to CMS with a proposed effective date of January 1, 2024. The SPA seeks to authorize LPCCs as a health care professional eligible to provide reimbursable Medi-Cal mental and behavioral health services to patients served by FQHCs, RHCs, and Tribal FQHCs.

IMPACT TO TRIBAL HEALTH PROGRAMS (THPs)

DHCS does not anticipate an impact to THPs if they participate in Medi-Cal as an Indian Health Services-Memorandum of Agreement clinic. However, if a THP participates in Medi-Cal as a Tribal FQHC, this proposed SPA will make LPCC a billable provider. Adding LPCCs to the list of behavioral health professionals at Tribal FQHCs will expand flexibility and access for Medi-Cal members to receive the various mental and behavioral health services they need.

IMPACT TO FEDERALLY QUALIFIED HEALTH CENTERS AND RURAL HEALTH CLINICS

To the extent that FQHCs and RHCs provide behavioral health services, this SPA is expected to expand access by increasing the number of health care professionals eligible to provide these services to patients served by FQHCs and RHCs. Adding LPCCs to the list of behavioral health professionals will expand flexibility and access for Medi-Cal members to receive the various mental and behavioral health services they need.

IMPACT TO AMERICAN INDIAN MEDI-CAL MEMBERS

As a result of this proposal, American Indian Medi-Cal members served by FQHCs, RHCs, and Tribal FQHCs will have increased access to mental and behavioral health services, which is expected to improve health outcomes for those receiving services.

RESPONSE DATE

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 Angeli.Lee@dhcs.ca.gov or by mail to the address below:

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