



February 23, 2024

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](mailto: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  
MS0000  
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 Stephanie Hockman for

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) 24-0015 to the federal Centers for Medicare and Medicaid Services (CMS) to expand behavioral health services in rural, remote, and underserved areas for Medi-Cal members.

**BACKGROUND**

There is a significant unmet need for behavioral health specialists, due to the Medi-Cal member demand for these services and the existing shortage of staff. Associate Professional Clinical Counselors (APCCs) and Psychological Associates are graduate-level health care professionals trained to evaluate an individual's behavioral 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 APCC and Psychological Associate services will increase access to behavioral health services for Medi-Cal members in medically underserved, rural, and remote areas in California. APCC and Psychological Associate services provided under supervision of a licensed health professional are currently included in the Medi-Cal State Plan for non-FQHC providers under Psychology and Counseling services, and as health professionals for Indian Health Services Memorandum of Agreement 638 clinics (IHS-MOA clinics). APCCs and Psychological Associates are not licensed and are therefore not billable practitioners. APCC and Psychological Associate services will be billed under the National Provider Identifier (NPI) of a qualified, licensed supervising health care practitioner.

**SUMMARY OF PROPOSED CHANGES**

DHCS plans to submit SPA 24-0015 to CMS with a proposed effective date of April 1, 2024. The SPA seeks to authorize APCC and Psychological Associate services as eligible reimbursable Medi-Cal behavioral health services, when provided under supervision of a qualified, licensed health professional 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 IHS-MOA clinic as APCCs and Psychological Associates are currently billable providers. However, if a THP participates in Medi-Cal as a Tribal FQHC, this proposed SPA will make services provided by APCCs and Psychological Associates supervised by a qualified, licensed health professional billable. Adding APCC and Psychological Associate services to the list of behavioral health services at Tribal FQHCs will expand flexibility and access for Medi-Cal members to receive the various 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 Medi-Cal members served by FQHCs and RHCs. Adding APCC and Psychological Associate services to the list of behavioral health services will expand flexibility and access for Medi-Cal members to receive the various 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 behavioral health services, which may 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](mailto:Angeli.Lee@dhcs.ca.gov) or by mail to the address below:

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