



November 22, 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. Comment 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, SPA 24-0018
P.O. Box 997413, MS 0000
Sacramento, CA 95899-7413

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

Page 2

November 22, 2024

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

Sincerely,

Original signed by

Andrea Zubiate, 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:

1. Add psychological associate services, provided under the supervision of a licensed behavioral health provider as identified by the Board of Psychology, for Federally Qualified Health Centers (FQHCs), Rural Health Centers (RHCs), and Tribal FQHCs.
2. Remove the mandatory Change in Scope-of-Service Request (CSOSR) requirement when newly adding Marriage and Family Therapist (MFT) services for FQHCs and RHCs.
3. Make a technical correction to align Intermittent Clinic and Mobile Unit allowable hours of operation with state law.

BACKGROUND

Medi-Cal reimburses FQHCs and RHCs for allowable outpatient medical services at an all-inclusive Prospective Payment System (PPS) reimbursement rate for visits with billable providers, and Tribal FQHCs receive the federal All-Inclusive Rate (AIR) through an Alternative Payment Methodology (APM). This includes behavioral health services provided by various licensed behavioral health providers as well as certain associate behavioral health practitioners under the supervision of a licensed behavioral health provider. However, Medi-Cal does not currently reimburse FQHCs and RHCs for visits with psychological associates. Associate practitioners are registered with the applicable clinical licensing board and work under the supervision of a licensed behavioral health practitioner while completing the requirements for full licensure.

Currently, FQHCs and RHCs that wish to newly add marriage and family therapists as a billable provider must undergo a mandatory CSOSR even if the FQHC's or RHC's scope of services already includes behavioral health services provided by other licensed behavioral health practitioners. The mandatory CSOSR requirement does not apply to newly adding other types of licensed behavioral health practitioners.

SUMMARY OF PROPOSED CHANGES

DHCS is seeking federal approval of SPA 24-0018 from the Centers for Medicare & Medicaid Services (CMS) to add psychological associate services, provided under the supervision of a licensed behavioral health practitioners as identified by the Board of Psychology, and to remove the CSOSR requirement for FQHCs and RHCs when newly adding MFT services, effective January 1, 2025. This SPA also seeks to make a technical correction related to Intermittent Clinic and Mobile Unit allowable hours of operation to align with Health & Safety Code (HSC) 1206(h).

IMPACT TO TRIBAL HEALTH PROGRAMS

The proposed changes may positively impact access to behavioral health services by providing Tribal Health Programs that participate in Medi-Cal as a Tribal FQHC with more flexibility in the types of specialized Behavioral Health practitioners that may receive the APM/AIR reimbursement. Tribal health programs that participate in Medi-Cal as Indian Health Services-Memorandum of Agreement providers already have the ability to be reimbursed at the AIR for services provided by psychological associates.

IMPACT TO FEDERALLY QUALIFIED HEALTH CENTERS (FQHCs)

The proposed changes may positively impact access to behavioral health services by providing FQHCs more flexibility in the types of specialized Behavioral Health practitioners that may receive PPS.

IMPACT TO AMERICAN INDIAN MEDI-CAL MEMBERS

DHCS anticipates a positive impact to Indian Medi-Cal members because adding psychological associate will likely increase access to behavioral health services.

CONTACT INFORMATION

If additional information is needed, please send an email to Angeli.Lee@dhcs.ca.gov or by mail to the address below:

Department of Health Care Services
Director's Office
ATTN: Angeli Lee, SPA 24-0018
P.O. Box 997413, MS 0000
Sacramento, CA 95899-7413