



DATE: November 8, 2023

Behavioral Health Information Notice No: 23-059

TO: California Alliance of Child and Family Services  
California Association for Alcohol/Drug Educators  
California Association of Alcohol & Drug Program Executives, Inc.  
California Association of DUI Treatment Program  
California Association of Mental Health Peer Run Organizations  
California Association of Social Rehabilitation Agencies  
California Consortium of Addiction Programs and Professional  
California Council of Community Behavioral Health Agencies  
California Hospital Association  
California Opioid Maintenance Providers  
California State Association of Counties  
Coalition of Alcohol and Drug Associations  
County Behavioral Health Directors  
County Behavioral Health Directors Association of California  
County Drug & Alcohol Administrators

SUBJECT: Medi-Cal Justice-Involved Reentry Initiative: State Guidance on Requirements for Medi-Cal Behavioral Health Delivery Systems

PURPOSE: To provide county Mental Health Plans, Drug Medi-Cal Counties and Drug Medi-Cal Organized Delivery System (DMC-ODS) Plans, hereinafter collectively referred to in this document as Medi-Cal Behavioral Health Delivery Systems, with information and directives to implement new requirements for reentry services to Medi-Cal members who are leaving incarceration. This requirement will help to ensure that all eligible all juvenile and adult inmates of state prisons, county correctional facilities, and county youth correctional facilities have access to needed Medi-Cal covered services and care upon their re-entry into the community.

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#### BACKGROUND:

This Behavioral Health Information Notice (BHIN) provides a brief summary of requirements that are further detailed in the “Policy and Operational Guide for Planning and Implementing the CalAIM Justice-Involved Reentry Initiative” (hereafter referred to as the “Guide”). The Guide may be accessed on the DHCS website at: [CalAIM JI Policy and Operations Guide FINAL October 2023 updated](#)

Assembly Bill (AB) 133 implements various components of the CalAIM initiative. As specified in Welfare and Institutions Code section 14184.400, and in the CA Penal Code 4011.11(h)(5), the Medi-Cal Justice Involved Reentry Initiative shall be implemented consistent with the Section 1115 CalAIM Special Terms and Conditions. AB 133 gives DHCS authority to implement this CalAIM initiative through a BHIN and The Guide referenced below.

On January 26, 2023, California became the first state in the nation to receive federal approval to offer a targeted set of Medicaid services to Medi-Cal-eligible youth and adults in state prisons, county jails, and youth correctional facilities for up to 90 days prior to release. Through a federal Medicaid 11151 demonstration waiver approved by the Centers for Medicare & Medicaid Services (CMS), DHCS will partner with state agencies, counties, providers, and community-based organizations to establish a coordinated community reentry process that will assist people leaving incarceration with connecting to the physical and behavioral health services they need prior to release and reentering their communities.

#### POLICY:

On October 20, 2023, DHCS released the “Policy and Operational Guide for Planning and Implementing the CalAIM Justice-Involved Initiative” (“The Guide”). The Guide provides detailed policy requirements and operational expectations for implementation of the CalAIM Justice-Involved Initiative. The audience of The Guide includes, but is not limited to correctional facilities, county social service departments, Managed Care Plans (MCPs), Medi-Cal Behavioral Health Delivery Systems, and community-based Medi-Cal providers. As implementing partners begin to advance in the process of standing up the CalAIM Justice-Involved Initiative, and as CMS continues to refine its sub-regulatory guidance for states that receive demonstration approval, it is expected that the Justice-Involved Policy and Operational Guide will be updated on an ongoing basis to reflect new policy decisions and operational requirements.

The Guide describes new requirements, and outlines corresponding roles and responsibilities, of correctional facilities, Medi-Cal Behavioral Health Delivery Systems, MCPs, and other Medi-Cal partners in implementing the CalAIM Justice-Involved Initiative. The goal of the CalAIM Justice-Involved Initiative is to build a bridge to community-based care for justice-involved Medi-Cal members, offering them services up to 90 days prior to their release to stabilize their health conditions and establish a plan for their community-based care (collectively referred to as “pre-release services”). To receive pre-release services, justice-involved members must:

- Be part of a Medi-Cal or CHIP eligibility group  
AND
- Be a youth under 21 in custody of a Youth Correctional Facility  
OR
- Be an adult and meet one or more health care needs criteria as defined in section 6.2 of The Guide

Covered pre-releases fee-for-services Medi-Cal services including the following:

- Reentry case management services;
- Physical and behavioral health clinical consultation services;
- Laboratory and radiology services;
- Medications and medication administration;
- Medications for addiction treatment for all U.S. Food and Drug Administration (FDA) approved medications;
- Medication Services including medications clinically effective at treating substance use disorders outside of the FDA-approved indications, including coverage for medication-related counseling; and,
- Services provided by Community Health Workers and Medi-Cal Peer Support Specialists with lived experience.

In addition to the above pre-release services, qualifying individuals will receive covered outpatient prescribed medications and over-the-counter drugs and durable medical equipment upon release, consistent with approved Medi-Cal state plan coverage authority and policy.

It is the responsibility of the correctional facilities to ensure pre-release services are provided. Correctional facilities may contract with other entities to ensure pre-release services are provided, including but not limited to, county behavioral health agencies.

Upon release, justice-involved members shall be promptly connected to appropriate community-based services, including mental health and substance use treatment through coordinated behavioral health links (BH Links). This BHIN and the corresponding Guide describe new requirements for Medi-Cal Behavioral Health Delivery Systems to implement behavioral health links in collaboration with correctional facilities, for members who meet the access criteria to specialty mental health services or DMC/DMC-ODS services.

Minimum requirements for Medi-Cal Behavioral Health Delivery Systems to implement BH Links are summarized below:

- Correctional facilities will be required to leverage their existing processes to screen and identify individuals who may qualify for BH Links.
- Pre-release care managers should review all available records related to behavioral health care (in the correctional facility and the community) and if standard screening was not already performed, complete the standardized BH screening to identify BH needs, determine whether a BH link is needed, and build the care plan.
- As part of BH Links, Medi-Cal Behavioral Health Delivery Systems will be required, within 14 days prior to release (if known) and in coordination with the care manager, to ensure processes are in place for a BH Link between the correctional behavioral health provider, a county behavioral health provider, and the member.

Medi-Cal Behavioral Health Delivery Systems are required to implement all components of BH Links, including ability to receive referrals from all counties, by October 1, 2024.

The following sections are included in The Guide:

- Section 1: Legal Authority
- Section 2: Providing Access to Transforming Health Initiative Funding
- Section 3: Approach to Planning
- Section 4: Enrolling in Medi-Cal Coverage
- Section 5: Pre-Release Service Readiness Assessments
- Includes Readiness Assessment requirements for Medi-Cal Behavioral Health Delivery Systems
- Section 6: Pre-Release Services and Eligibility Screening Processes
- Section 7: Compliance with Section 1902(a) of the Social Security Act
- Section 8: Providing Pre-Release Services Delivery Model
- Section 9: Provider Enrollment and Payment

- Section 10: Pre-Release Service Rate Setting
- Section 11: Reentry Planning
- Describes Medi-Cal Behavioral Health Delivery System requirements for BH Links
- Section 12: Monitoring and Evaluation
- Section 13: Managed Care Plan Requirements

DHCS will require implementing partners, including but not limited to correctional facilities and county behavioral health agencies, to submit data on DHCS-specified measures to monitor program performance and integrity. DHCS is in the process of defining these measures and anticipates the measures will address key priorities such as:

- increasing coverage and continuity of coverage for individuals who are incarcerated;
- covering and ensuring access to the minimum set of pre-release services for individuals who are incarcerated to improve care transitions upon return to the community;
- promoting continuity of care;
- connecting services available post-release to meet the needs of the reentering population;
- ensuring cross-system collaboration; and
- other reentry related metrics and health equity measures.

Medi-Cal Behavioral Health Delivery Systems are responsible for ensuring compliance with all applicable state and federal laws and regulations, contract requirements, and other DHCS guidance, including BHINs. DHCS may impose Corrective Action Plans (CAPs), as well as administrative and/or monetary sanctions for non-compliance. For additional information regarding administrative and monetary sanctions, see [BHIN 22-045](#). Any failure to meet the requirements of this BHIN may result in a CAP and subsequent sanctions.

Additional guidance on DHCS's approach to monitoring and oversight will be released at a later date.

Questions on this BHIN or other parts of the CalAIM Justice-Involved Initiative may be directed to [CalAIMJusticeAdvisoryGroup@dhcs.ca.gov](mailto:CalAIMJusticeAdvisoryGroup@dhcs.ca.gov).

For CalAIM Justice-Involved Initiative updates and additional information, please visit: <https://www.dhcs.ca.gov/CalAIM/Pages/Justice.aspx>.

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Sincerely,

Original signed by

Ivan Bhardwaj, Chief  
Medi-Cal Behavioral Health Policy Division