

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL	1. TRANSMITTAL NUMBER: 08-07	2. STATE Nebraska
	3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)	
FOR: HEALTH CARE FINANCING ADMINISTRATION		4. PROPOSED EFFECTIVE DATE October 1, 2008
TO: REGIONAL ADMINISTRATOR HEALTH CARE FINANCING ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES		

5. TYPE OF PLAN MATERIAL (Check One):

NEW STATE PLAN AMENDMENT TO BE CONSIDERED AS NEW PLAN AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)

6. FEDERAL STATUTE/REGULATION CITATION:	7. FEDERAL BUDGET IMPACT: a. FFY 2009 \$0 b. FFY 2010 \$0
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT: Attachment 3.1-A, Item 4b, pp 7 and 8 Attachment 3.1-A, Item 6d, pp 1 and 1a AMENDED Attachment 3.1-A, Item 4b, pp 7 - 13 Attachment 3.1-A, Item 6d, pp 1, 1a, and 1b Attachment 4.19-B, Item 4b, pp 1-3 Attachment 4.19-B, Item 6d, pp 2 and 3	9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable): Attachment 3.1-A, Item 4b, pp 7 -11 Attachment 3.1-A, Item 6d, page 1 AMENDED Attachment 4.19-B, Item 4d, pp 1-3 Attachment 4.19-B, Item 6d, single page

10. SUBJECT OF AMENDMENT:
Licensed Independent Mental Health Practitioners

11. GOVERNOR'S REVIEW (Check One):

GOVERNOR'S OFFICE REPORTED NO COMMENT OTHER, AS SPECIFIED:
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED Governor has waived review
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

12. SIGNATURE OF STATE AGENCY OFFICIAL:	16. RETURN TO:
13. TYPED NAME: Vivianne M. Chaumont	Patricia (Pat) Taft Division of Medicaid & Long-Term Care Nebraska Department of Health & Human Services 301 Centennial Mall South Lincoln, NE 68509
14. TITLE: Director, Division of Medicaid & Long-Term Care	
15. DATE SUBMITTED: December 29, 2008	

FOR REGIONAL OFFICE USE ONLY	
17. DATE RECEIVED: December 29, 2008	18. DATE APPROVED: June 3, 2010
PLAN APPROVED - ONE COPY ATTACHED	
19. EFFECTIVE DATE OF APPROVED MATERIAL: October 1, 2008	20. SIGNATURE OF REGIONAL OFFICIAL:
21. TYPED NAME: James G. Scott	22. TITLE: Associate Regional Administrator for Medicaid and Children's Health Services
23. REMARKS: Pen and ink changes per 6/1/10 e-mail	

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State Nebraska

LIMITATIONS - EARLY AND PERIODIC SCREENING, DIAGNOSIS, AND
TREATMENT OF CONDITIONS FOUND

MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES FOR CHILDREN AND
ADOLESCENTS COVERED UNDER EPSDT:

Nebraska Medicaid covers certain mental health and substance abuse services as a part of the Health Check (EPSDT) benefit. Each client must participate in a Health Check screening prior to or following the initiation of mental health services. Treatment plans must be developed and intervention services must be implemented under the clinical supervision of a licensed psychologist, physician (preferably a psychiatrist), a Licensed Independent Mental Health Practitioner (effective 12/1/08 for outpatient services only.) Services must be provided within the scope of practice of the practitioner. Medicaid eligible children/families are able to access services from any Medicaid enrolled mental health/substance abuse provider who is able to meet the mental health/substance abuse treatment needs of the client by providing medically necessary services within their scope of practice.

STAFF

The following staff are able to provide mental health/substance abuse services provided they are an enrolled provider of Nebraska Medicaid in the MH/SA program.

- A. Psychiatrist (or physician) (MD) – The physician must be licensed with the Department of Health and Human Services Division of Public Health and practicing within the state or licensed within the state which he or she is practicing.
- B. Licensed Psychologist (Ph.D.) – A psychologist licensed with Department of Health and Human Services Division of Public Health and practicing within the scope as defined by Division of Public Health.
- C. Advanced Practice Registered Nurse (APRN)
Physician Assistants (PA)
Licensed Independent Mental Health Practitioners (LIMHP)
- D. Additional practitioners who do require clinical supervision of a psychologist, a psychiatrist (or physician) (MD) or a licensed independent mental health practitioner (effective 12/1/08 for outpatient services only) are:

Transmittal # NE-08-07

Supersedes

Approved JUN 03 2010 Effective OCT 01 2008

Transmittal # MS-00-06

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- E. Licensed Mental Health Practitioner (LMHP)
- F. Provisionally Licensed Mental Health Practitioner (PLMHP)
- G. Specially Licensed Psychologist (Ph.D.)
- H. Provisionally Licensed Psychologist (PPhD)
- I. Qualified Registered Nurse (R.N.)
- J. Licensed Alcohol and Drug Abuse Counselor (LADAC)
- K. Community Treatment Aid Service (CTA)

Services of practitioners E-K must be supervised by a physician (preferably a psychiatrist), psychologist or licensed independent mental health practitioner.

Nebraska Medicaid covers an array of mental health/substance abuse services under EPSDT which include:

- A. Outpatient Services: The following outpatient mental health/substance abuse services may be provided to Nebraska Medicaid eligible children and adolescents.
 - 1) Pre-Treatment Assessment: A comprehensive organized assessment comprised of a biopsychosocial assessment completed by a licensed clinician and an initial diagnostic interview provided by a licensed psychiatrist, psychologist, or licensed independent mental health practitioner.
 - 2) Psychological Testing: An outpatient testing service/s offered and provided by a Medicaid enrolled licensed psychologist when presenting symptoms and problems require the testing services to clarify diagnosis or future treatment intervention.

Transmittal # NE-08-07

Supersedes

Approved JUN 03 2010 Effective OCT 01 2008

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- 3) Individual Psychotherapy: A psychotherapy service provided to the client by a licensed clinician identifying and addressing treatment issues related to the treatment plan.
- 4) Family psychotherapy: A psychotherapy service provided by a licensed clinician to a Medicaid eligible client and family that identifies and addresses family dynamics and issues.
- 5) Group Psychotherapy: A treatment modality service offered to three or more clients who have common objectives for participation and who can benefit from a group interaction and facilitated by a licensed clinician.
- 6) Community Treatment Aides: Psychoeducational skill building and teaching services provided by a trained and skilled paraprofessional who has at a minimum a bachelor degree in some human services related field who provides a psychoeducational service as a member of an outpatient treatment team. The client's licensed clinician (therapist) provides assessment and psychotherapy services and direction to the Community Treatment Aide.

Professionals Involved. Licensed clinicians must provide services within their scope of practice. Clinicians who require supervision identified by the Division of Public Health must be clinically supervised by a licensed practitioner (licensed psychologists, licensed psychiatrists, and licensed independent mental health practitioners). Clinicians who are able to enroll as an outpatient provider are: psychiatrists, psychologists, advanced practice registered nurses, physician assistants, licensed independent mental health practitioners, licensed mental health practitioners, provisionally licensed mental health practitioners, specially licensed psychologists, provisionally licensed psychologists, registered nurses and licensed alcohol and drug counselors.

- B. Intensive Outpatient Programs: A community based service that is comprised of a combination of outpatient services such as assessments, individual, group and family psychotherapy services. Services are offered in a highly structured organized community based program and available to clients three hours per day two to four times weekly.

Transmittal # NE-08-07

Supersedes

Approved JUN 03 2010 Effective .OCT 01 2008

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Professionals Involved. This service can be provided by two or more clinicians practicing within their scope such as psychiatrists, psychologists, advance practice registered nurses, physician assistants, licensed independent mental health practitioners, licensed mental health practitioners, provisionally licensed mental health practitioners, specially licensed psychologists, provisionally licensed psychologists, registered nurses and licensed alcohol and drug counselors.

- C. Day Treatment. Day treatment consists of a combination of assessment services, psychotherapy and psychoeducational services offered in a community based setting and provided by licensed clinicians working within their scope of practice and by direct care staff who provide support and assistance with milieu. This service is supervised by a psychiatrist or psychologist. The program also offers medication evaluation and management, nursing services, psychological testing, dietary and pharmacy services as necessary. This level of care must be accredited by a national accreditation body and offers a minimum of three hours per day for half day of day treatment while six hours or more is offered as a full day of treatment and must be available for clients five days per week.

Professionals Involved. A multi-disciplinary team of individuals which may consist of a psychiatrist, psychologist, advance practice registered nurses, physician assistants, licensed independent mental health practitioners, licensed mental health practitioners, provisionally licensed mental health practitioners, specially licensed psychologists, provisionally licensed psychologists, registered nurses and licensed alcohol and drug counselors are practicing within their scope.

- D. Treatment Foster Care. A treatment level of service provided in a foster care setting offering a combination of assessment and treatment services as well as psychoeducational teaching and skill building. The treatment foster care parent is a highly skilled and trained paraprofessional who is available to the child for skill building and teaching activities on a 24-hour per day basis and works aggressively with the parent or committed caregiver to improve the family relationship and address the child's mental health issue. Family psychotherapy and family intervention are an essential part of treatment intervention and must be available and provided by a licensed clinician. The treatment foster care program is supervised by a psychiatrist or a psychologist who also supervises the treatment planning activities for the child.

Transmittal # NE-08-07

Supersedes

Approved JUN 09 2010 Effective .OCT 01 2008

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Professionals Involved. Services are provided by a psychologist or psychiatrist, program director who is a fully licensed clinician, treatment foster care specialist and family therapist, treatment foster care parents, each providing services within their scope and role as identified in the program description.

- E. Treatment Group Home. A 24-hour treatment service offered in a community based setting with a minimum of 21 hours per week of psychiatric and/or substance abuse services which include assessment, individual, group, and family psychotherapy and psychoeducational teaching services. The multi-disciplinary team of staff may include a psychiatrist, psychologist, licensed clinicians, nurses, psychology consultants, dietary consultants and pharmacy consultants. The program must be licensed as a mental health and/or substance abuse treatment center and must acquire national accreditation with a national accrediting body.

Professionals Involved. A multi-disciplinary team of people may include a psychiatrist, psychologist, licensed independent mental health practitioners, licensed mental health practitioners, provisionally licensed mental health practitioners, licensed alcohol and drug counselors, and nurses who are practicing within their scope as defined by the Nebraska Division of Public Health. Direct care staff who are paraprofessionals, skilled and trained to provide services to youth provide direct care and assistance within the treatment milieu.

- F. Residential Treatment Center. A 24-hour community based or hospital based service offering a minimum of 42 hours of treatment services per week. These include assessment, individual, group, and family psychotherapy and psychoeducational services. The program is made up of a multi-disciplinary team of treatment staff which may include psychiatrist, psychologist, licensed clinicians, nurses, and dietary, psychology and pharmacy consultants. The facility must have acquired national accreditation and must be licensed as a mental health and/or substance abuse treatment center.

Professionals Involved. A multi-disciplinary team of individuals practicing within their scope and may be comprised of a psychiatrist, psychologist, licensed independent mental health practitioners, mental health practitioners, nurses, licensed alcohol and drug counselors, all practicing within their scope as defined by the Nebraska Division of Public Health. Trained and skilled direct care staff provide daily support and guidance within the treatment milieu. Licensed clinicians are providing services within their scope of practice.

Transmittal # NE-08-07

Supersedes
Transmittal # MS-00-06

Approved JUN 08 2010 Effective .OCT 01 2008

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G. Inpatient Psychiatric Hospital Services. An intensive 24-hour assessment and stabilization treatment service provided in a licensed accredited hospital and under the direct supervision of a licensed psychiatrist. The program provides access to consultants and provides a 24-hour service to the client based on individualized treatment planning.

Inpatient psychiatric hospitalization is available to individuals age 20 and younger. The facility is not an Institute of Mental Disease (IMD) since the individuals are age 20 and younger and the IMD regulation does not apply to this age group.

Professionals Involved. A multi-disciplinary team of individuals each practicing within their scope, must be comprised of a psychiatrist, nurses, psychologist, licensed independent mental health practitioners, licensed and provisionally licensed mental health practitioners and licensed alcohol and drug counselors all providing services based upon the role and responsibility as identified in the program.

Treatment foster care, treatment group home and residential treatment services must be prior authorized by Nebraska's administrative service organization (ASO). Medicaid and the Nebraska's ASO have developed admission guidelines, exclusion guidelines, continued stay guidelines as well as discharge guidelines for all Medicaid eligible clients who have symptomatology which may suggest the appropriateness of admission for any of the services. Nebraska Medicaid does not limit the availability of any of these services due to the client's living arrangements but the service is available to any Medicaid eligible client age 20 years and younger with a mental health/substance abuse diagnosis who meet the medical necessity criteria established for the State Medicaid services.

Treatment must be medically necessary, community-based, family-centered, developmentally appropriate and involve family whenever is possible. Providers need to be aware of evidence based practice and incorporate those methods into their treatment programming when possible. They must be knowledgeable of trauma based issues in assessment and treatment planning and in the provision of services. Treatment is a time limited benefit and providers must establish and must provide a comprehensive assessment from which a goal directed treatment plan is developed, implemented, and updated and identifying a discharge plan in support of the recovery philosophy.

All mental health and substance abuse services must be medically necessary and provide active treatment to the Medicaid client.

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Approved JUN 03 2010 Effective OCT 01 2008

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Psychiatrists and psychologists practice within their scope as defined by the Nebraska Division of Public Health. Psychiatrists and advance practice registered nurses generally provide medication evaluation and titration and monitoring of medication effectiveness. Licensed psychologists provide psychological testing and therapy as necessary, licensed mental health practitioners generally provide the individual, group and family psychotherapy services and the nursing staff provide nursing assessments, supervision of medication administration and generally carry out the orders of a psychiatrist/physician.

Telehealth

EPSDT services are covered when provided via telehealth technologies subject to the limitations.

Services include any of the outpatient services described in No. 1 and may be provided by any licensed clinician qualified by the policy to provide the outpatient service.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

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LIMITATIONS - OTHER PRACTITIONERS SERVICES

MENTAL HEALTH/SUBSTANCE ABUSE PRACTITIONERS

The following licensed mental health and substance abuse practitioners who are licensed in the State of Nebraska to diagnose and treat mental illness or substance abuse acting within the scope of all applicable state laws and their professional license may be enrolled as an individual provider of mental health/substance abuse services. The following individuals are licensed to practice independently and may act as a supervising practitioner:

- Licensed psychologist
- Licensed Independent Mental Health Practitioner (LIMHP)

The following individuals are licensed to practice under supervision or direction:

- Licensed Mental Health Practitioner (LMHP)

Supervision must be provided by a person who is eligible to provide Medicaid services and who is licensed at the clinical level under State law as eligible to provide supervision or is a physician.

The following individuals who are licensed to practice in the State of Nebraska and treat mental illness or substance abuse, acting within the scope of all applicable state laws and their professional license, may be enrolled as a provider of mental health/substance abuse services. These individuals may not act as a supervising practitioner.

- Advanced Practice Registered Nurses (APRN-NP) with a specialty in mental health or family practice nursing.

All services have an initial authorization level of benefit. Prior authorization is required prior to service delivery for medically necessary outpatient psychotherapy services which exceed the limitation of the initial authorization. All services provided while a person is a resident of an IMD are considered content of the institutional service and not otherwise reimbursable by Medicaid.

A unit of service is defined according to the CPT and HCPCS approved code set unless otherwise specified.

Testing and evaluations must be performed by a licensed clinical psychologist or supervised by a licensed psychologist.

NMAP does not cover mileage and conference fees for home-based family therapy providers of outpatient psychiatric services for individuals age 21 and older.

Telehealth:

Services provided by licensed mental health and substance abuse practitioners via telehealth technologies are covered subject to the limitations as set forth in state regulations.

TN No. MS-08-07

Supersedes

TN No. MS-00-06

Approval Date JUN 03 2010

Effective Date OCT 01 2008

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LIMITATIONS – OTHER PRACTITIONERS SERVICES

- D. The following practitioners must be supervised by a psychiatrist (or physician) (MD), a psychologist, or a licensed independent mental health practitioner (effective 12/1/08 for outpatient services only).

Licensed Mental Health Practitioner (LMHP)
Provisionally Licensed Mental Health Practitioner (PLMHP)
Specially Licensed Psychologist (SPhD)
Provisionally Licensed Psychologist (PPhD)
Registered Nurse (RN)

Psychiatric services provided must meet the definition of active treatment in that the client's condition is evaluated, directed and supervised by a psychiatrist (or physician) (MD), a psychologist or a licensed independent mental health practitioner (effective 12/1/08 for outpatient services only). The psychologist, psychiatrist (or physician) (MD), or licensed independent mental health practitioner participation in the service is an essential ingredient of active treatment. The psychiatrist (or physician) (MD), psychologist or licensed independent mental health practitioner must evaluate the treatment program and determine if treatment goals are being met and if any changes in direction or emphasis are needed on a regular basis through a face-to-face session as defined by the level of care being provided. Each client must have an individualized treatment plan based on the comprehensive assessment provided by the psychologist, psychiatrist (or physician) (MD), licensed independent mental health practitioner and other mental health practitioners involved in treatment.

Treatment is intended to be a time-limited intervention in which the treatment team identifies discharge goals in the treatment plan and each treatment plan update.

Outpatient Psychiatric. These services for individuals age 21 and above include the Pre-Treatment Assessment (PTA) which is a comprehensive assessment comprised of a biopsychosocial assessment conducted by a Nebraska enrolled licensed clinician and an initial diagnostic interview provided by a licensed psychiatrist, psychologist, or a licensed independent mental health practitioner. Psychological testing by a Medicaid enrolled licensed psychologist is also covered. Individual, group, and family psychotherapy provided by a Medicaid enrolled licensed clinician is also a covered outpatient service. A licensed clinician is defined as a psychiatrist, psychologist, licensed independent mental health practitioner, licensed mental health practitioner, provisional licensed psychologist, licensed mental health practitioner and provisional licensed mental health practitioner.

Transmittal # NE-08-07

Supersedes

Approved JUN 03 2010 Effective .OCT 01 2008

Transmittal # MS-00-06

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LIMITATIONS – OTHER PRACTITIONERS SERVICES

Day Treatment. Day treatment is a service which provides combination of psychotherapy services which may be individual, group and family psychotherapy and psychoeducational services such as medication education groups, anger management and coping skills provided by licensed clinicians under the supervision of a psychiatrist or psychologist. The service also offers nursing, psychological, dietary, and pharmacy services as necessary. The service is provided in a supportive milieu environment which also is supported by skilled trained direct care staff.

Inpatient Psychiatric Hospitalization. Inpatient psychiatric hospitalization is an intensive 24-hour assessment and stabilization psychiatric treatment service provided in a licensed and accredited hospital under the direction of a psychiatrist. Treatment must be directed by a licensed psychiatrist. The treatment staff consists of licensed nurses, therapists, psychologist and direct care staff. Acute medical surgical hospitals in Nebraska offer psychiatric services in a psychiatric wing of the hospital. The facilities are not considered an Institute of Mental Diseases (IMD) because the majority of total hospital beds are dedicated to the medical-surgical population.

Testing and evaluations must be performed by a licensed clinical psychologist or supervised by a licensed psychologist.

NMAP does not cover mileage and conference fees for home-based family therapy providers of outpatient psychiatric services for individuals age 21 or older.

Telehealth:

Services provided by a licensed psychologist via telehealth technologies are covered subject to the limitations.

Transmittal # NE-08-07

Supersedes

Approved JUN 03 2010 Effective .OCT 01 2008

Transmittal # MS-00-06