

SENATE BILL NO. 213

BY SENATOR LUNEAU

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AN ACT

To amend and reenact R.S. 40:2162(A)(3) and (7), (C)(3), (D)(1), (2)(a)(i) and (c), (3)(b), (H)(1), and (K), to enact R.S. 40:2162(L), and to repeal R.S. 40:2162(C)(2)(c), relative to behavioral health rehabilitation services in the medical assistance program; to provide for community psychiatric support and treatment services; to provide for psychosocial rehabilitation services; to provide for licensure requirements of individuals providing services; to provide for technical updates of outdated provisions; to require approval of the reduction of certain services by committees of the legislature; to ensure that recipients of certain programs are authorized to receive customized treatment; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:2162(A)(3) and (7), (C)(3), (D)(1), (2)(a)(i) and (c), (3)(b), (H)(1), and (K) are hereby amended and reenacted and R.S. 40:2162(L) is hereby enacted to read as follows:

§2162. Specialized behavioral health rehabilitation services in the Louisiana medical assistance program

A. For purposes of this Section, the following definitions shall apply:

* * *

(3) "Community psychiatric support and treatment services", hereinafter referred to as "CPST" services, means CMS-approved Medicaid mental health rehabilitation services ~~defined as services associated with assisting individuals with skill building to restore stability, support functional gains, and adapt to community living,~~ designed to ~~focus on reducing the~~ **reduce** disability from mental illness, ~~restoring~~ **restore** functional skills of daily living, ~~and building~~ **build** natural

1 supports, and ~~solution-oriented interventions, or such other successor services or~~
 2 ~~requirements subsequently approved by CMS or the department for CPST services~~
 3 ~~for the Louisiana medical assistance program~~ **achieve identified person-centered**
 4 **goals or objectives through counseling, clinical psycho-education, and ongoing**
 5 **monitoring needs as set forth in an individualized treatment plan.**

6 * * *

7 (7) "Psychosocial rehabilitation services", hereinafter referred to as "PSR"
 8 services, means CMS-approved Medicaid mental health rehabilitation services
 9 ~~defined as psycho-educational services provided to individuals with mental illness~~
 10 ~~in order to assist with skill building, restoration, and rehabilitation, designed to assist~~
 11 ~~the individual with compensating for or eliminating functional deficits and~~
 12 ~~interpersonal or environmental barriers associated with mental illness, or such other~~
 13 ~~successor services or requirements subsequently approved by CMS or the department~~
 14 ~~for PSR services for the Louisiana medical assistance program.~~ **through skill**
 15 **building and supportive interventions to restore and rehabilitate social and**
 16 **interpersonal skills and daily living skills.**

17 * * *

18 C. In order to be eligible to receive Medicaid reimbursement, all behavioral
 19 health services providers providing PSR or CPST services to Medicaid recipients
 20 shall meet all of the following requirements:

21 * * *

22 (3) ~~Effective January 1, 2019, have~~ **Have** a National Provider Identification
 23 number, hereinafter referred to as "NPI". The behavioral health services provider
 24 agency shall include its NPI number and the NPI number of the individual rendering
 25 the PSR or CPST services on its behalf on all claims for Medicaid reimbursement
 26 submitted for PSR or CPST services, ~~for dates of service on or after January 1, 2019.~~

27 * * *

28 D. In order to be eligible to receive Medicaid reimbursement, all behavioral
 29 health services providers shall ensure that any individual rendering PSR or CPST
 30 services for the licensed and accredited provider agency meets all of the following

1 requirements:

2 (1) ~~Effective for services rendered on or after January 1, 2019, the~~ The
3 individual rendering the PSR or CPST services for the licensed and accredited
4 provider agency shall have an individual NPI number and that NPI number shall be
5 included on any claim by that provider agency for reimbursement related to such
6 services.

7 (2)(a) Any individual rendering PSR services for a licensed and accredited
8 provider agency shall hold a minimum of one of the following:

9 (i) A bachelor's degree from an accredited university or college in the field
10 of counseling, social work, psychology, sociology, rehabilitation services, special
11 education, early childhood education, secondary education, family and consumer
12 sciences, **criminal justice**, or human growth and development.

13 * * *

14 (c) Any individual rendering ~~any CPST services for a licensed and accredited~~
15 ~~provider agency shall hold a minimum of a bachelor's degree from an accredited~~
16 ~~university or college in the field of counseling, social work, psychology, or~~
17 ~~sociology;~~ **the assessment and treatment planning components of CPST services**
18 **for a licensed and accredited provider agency shall be a fully licensed mental**
19 **health professional. Any individual rendering any of the other components of**
20 **CPST services for a licensed and accredited provider agency shall be a fully**
21 **licensed mental health professional, a provisionally licensed professional**
22 **counselor, a provisionally licensed marriage and family therapist, a licensed**
23 **master social worker, a certified social worker, or a psychology intern from an**
24 **American Psychological Association approved internship program.**

25 (3) * * *

26 (b) ~~Within thirty days of May 31, 2018, the~~ The department shall commence
27 any actions that are required to amend any existing department rule or regulation that
28 is in conflict with the requirements of this Section, including but not limited to any
29 required approval by CMS.

30 * * *

1 H.(1) ~~Effective July 1, 2018, the~~ The Medicaid managed care organizations
2 shall take appropriate actions to recoup Medicaid payments or funds from any
3 behavioral health services provider that renders Medicaid services in violation of the
4 provision of this Section.

5 * * *

6 K. The department shall not take any final action that will result in the
7 elimination or reduction of PSR or CPST services unless ~~such~~ the action is
8 affirmatively approved by the House Committee on Health and Welfare and the
9 Senate Committee on Health and Welfare.

10 **L. The department and the Medicaid managed care organizations shall**
11 **take appropriate actions to ensure that recipients of CPST and PSR services are**
12 **authorized to receive customized treatment based on the medical necessity of**
13 **the recipients.**

14 Section 2. R.S. 40:2162(C)(2)(c) is hereby repealed.

15 Section 3. This Act shall become effective on January 1, 2023.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____