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**CHAPTER 2: BEHAVIORAL HEALTH SERVICES**

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**SECTION 2.1: PROVIDER REQUIREMENTS****PAGE(S) 1**

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**PROVIDER REQUIREMENTS**

All providers must meet the provider qualifications at the time service is rendered to be eligible to receive reimbursement directly from Medicaid or from a Medicaid managed care contractor. Providers must also be enrolled in Medicaid in order to be reimbursed when rendering and billing for services to members in Medicaid's Fee for Service program (non-Managed Care), or to Medicaid members that are dually enrolled in Medicare and are receiving Medicare eligible services. For more information regarding billing for specialized behavioral health services for dual eligible members, refer to the Louisiana Department of Health (LDH) Information Bulletin 15-17 posted at <http://ldh.la.gov/index.cfm/page/1198>.

Providers should refer to Chapter 1 – General Information and Administration of the *Medicaid Services Manual* for additional information on provider enrollment and requirements, including general standards for participation. (See Appendix A for information on accessing Chapter 1).

Healthy Louisiana managed care organizations (MCOs) and the Coordinated System of Care (CSoC) contractor are responsible for ensuring providers with whom they contract to provide specialized behavioral health services (SBHS), meet the minimum qualification requirements in accordance with the below provisions, all applicable state and federal laws, rules and regulations, and Centers for Medicare and Medicaid Services' (CMS) approved waivers and Medicaid State Plan amendments.

**Licensure and Specific Provider Requirements**

Providers must meet licensure and/or certification requirements, as well as other additional requirements as outlined in the sections below:

Section	Subject	Topic
2.2	Bed-Based Services	Therapeutic Group Homes
2.2	Bed-Based Services	Psychiatric Residential Treatment Facilities
2.3	Outpatient Services	Behavioral Health Services in a Federally Qualified Health Center or Rural Health Clinic
2.3	Outpatient Services	Outpatient Therapy by Licensed Practitioners
2.3	Outpatient Services	Rehabilitation Services for Children, Adolescents, and Adults
2.3	Outpatient Services	Peer Support Services
2.4	Addiction Services	Same

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**Bed Based Services****Crisis Stabilization for Adults**

Crisis Stabilization (CS) for adults is a short-term bed-based crisis treatment and support service for members who have received a lower level of crisis services and are at risk of hospitalization or institutionalization, including nursing home placement. CS is utilized when additional crisis supports are necessary to stabilize the crisis and ensure community tenure in instances in which more intensive inpatient psychiatric care is not warranted or when the member's needs are better met at this level. CS operates 24 hours a day, seven days a week as short-term mental health crisis response, offering a voluntary home-like alternative to more restrictive settings, such as the emergency departments, or coercive approaches, such as Physician Emergency Certificates (PECs), law enforcement holds, or Orders of Protective Custody (OPCs). This voluntary service is designed to ameliorate a psychiatric crisis and/or reduce acute symptoms of mental illness and to provide crisis relief, resolution, and intensive supportive resources for adults who need intensive temporary support and is not intended to be a housing placement.

CS assists with deescalating the severity of a member's level of distress and/or need for urgent care associated with a mental health disorder. The goal is to support members in ways that will mitigate the need for higher levels of care, further ensuring the coordination of a successful return to community placement at the earliest possible time. Short-term crisis bed based stabilization services include a range of resources that can meet the needs of the member with an acute psychiatric crisis and provide a safe environment for care and recovery. Care coordination is a key element of crisis services, coordinating across the services and beyond depending on the needs of the member.

Services are provided in an organized bed-based non-medical setting, delivered by appropriately trained staff that provide safe 24-hour crisis relieving/resolving intervention and support, medication management, observation and care coordination in a supervised environment where the member is served. While these are not primary substance use treatment facilities, the use of previously initiated medication assisted treatment (MAT) may continue.

**Components****Assessment**

1. The psychiatric diagnostic evaluation of risk, mental status and medical stability must be conducted by a licensed mental health professional (LMHP) or psychiatrist with experience regarding this specialized mental health service and practicing within the scope of their professional license. This assessment should build upon what is learned by previous crisis response providers or the Assertive Community Treatment (ACT) provider and should include contact with the

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member, family members or other collateral sources (e.g., caregiver, school personnel) with pertinent information for the purpose of the evaluation and/or referral to and coordination with other alternative behavioral health services at an appropriate level. If the member expressly refuses to include family or other collateral sources, it must be documented in the member record. If a psychiatric diagnostic evaluation was completed within 30 days, another evaluation does not need to be completed at this time, but an update to capture the member's current status must be added to the previous evaluation; and

2. A registered nurse (RN) or licensed practical nurse (LPN) practicing within the scope of their license performs a medical screen to evaluate for medical stability.

**Interventions**

1. The intervention is driven by the member and is developed by the LMHP, psychiatrist, or non-licensed staff in collaboration with the LMHP or the psychiatrist building on and updating the strategies developed by the mobile crisis response (MCR), behavioral health crisis care (BHCC), and/or community brief support service (CBCS) service providers. Through this process, short-term goals are set to ensure stabilization, symptom reduction and restoration to a previous level of functioning.

Intervention should be developed with input from the member, family and other collateral sources. Strategies are developed for the member to use post current crisis to mitigate risk of future incidents until the member engages in alternative services, if appropriate.

2. The service will include brief interventions using person centered approaches, such as, crisis resolution, self-help skills, peer support services, social skills, medication support, and co-occurring substance use disorder treatment services through individual and group interventions. Service must be provided under the supervision of an LMHP or psychiatrist with experience regarding this specialized behavioral health service;
3. Substance use should be recognized and addressed in an integrated fashion, as it may add to the risk, increasing the need for engagement in care; and
4. Support, education, and consultation is provided to the member, family, and collateral supports.

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**Care Coordination**

CS providers shall coordinate care for the member following the crisis event as needed. Care coordination includes the following activities:

1. Coordinating the transfer to alternate levels of care within 24 hours when warranted, including but not limited to:
  - a. **Primary medical care** - Member requires primary medical care with an existing provider;
  - b. **Community based behavioral health provider** - Member requires ongoing support at a lower level of care with the member's existing behavioral health provider. The member should return to existing services as soon as indicated and accessible;
  - c. **Community Brief Crisis Support (CBCS)** - Member requires ongoing support at home or in the community, if the member does not have an existing behavioral health provider who can meet their current critical needs as defined in the discharge plans;
  - d. **Crisis Stabilization (CS)** – Member may need additional time outside of the home without being at immediate risk for inpatient treatment due to experiencing severe intoxication or withdrawal episodes that cannot be managed safely in this setting, at immediate suicide risk, or currently violent;
  - e. **Inpatient treatment** – Member is in medical crisis, experiencing severe intoxication or withdrawal episodes, or is actively suicidal, homicidal, gravely disabled, or currently violent; and
  - f. **Residential substance use treatment** - Member requires ongoing support outside of the home for a substance use disorder.

**NOTE:** Crisis care should continue until the crisis is resolved and the member no longer needs crisis services. Readiness for discharge is evaluated on a daily basis.

2. Coordinating contact through a warm handoff with the member's managed care organization (MCO) managed care entity (MCE) to link the member with no current behavioral health provider and/or primary medical care provider to outpatient services as indicated;

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3. Coordinating contact through a warm handoff with the member's existing or new behavioral health provider; and
4. Providing any member records to the existing or new behavioral health provider or to another crisis service to assist with continuing care upon referral.

**Follow-Up**

Provide follow up to the member and authorized member's caretaker and/or family up to 72 hours to ensure continued stability post crisis for those not accessing CBCS or higher levels of care, including but not limited to:

1. Telephonic follow-up based on clinical individualized need; and
2. Additional calls/visits to the member following the crisis unless the member indicates no further communication is desired as documented in the member's record.

**Eligibility Criteria**

The medical necessity for these rehabilitative services must be determined by and recommended by an LMHP or physician to promote the maximum reduction of symptoms and/or restoration of an individual to their best age-appropriate functional level. Referrals to CS must be completed by the MCR, BHCC, CBCS providers or ACT teams.

Other referrals will be considered on a case by case basis. This service is intended for any member in mental health crisis, needing immediate intervention to stabilize the situation and needing help now but is whose needs do not meet a higher level of care (examples include not at medical risk or currently violent).

While medical clearance will not be required, members admitted to this level of care should be medically stable. Members who have a co-morbid physical condition that requires nursing or hospital level of care or who are a threat to themselves or others and require an inpatient level of care are not eligible for CS services.

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**Service Utilization**

CS requires concurrent review after the initial 24-hour period, is based on medical necessity, and is intended to assure ongoing access to medically necessary crisis response services and supports until the current crisis is resolved, or until the member can access alternative behavioral health supports and services. The CS provider must immediately notify the MCE of the member's admission. The member's treatment record must reflect relief, resolution and problem solving of the identified crisis or referral to an alternate provider.

The LMHP or psychiatrist must be available at all times to provide back up, support and/or consultation through all services delivered during a crisis.

**NOTE:** Such encounters will be subject to retrospective review. In this way, IF it is determined that the available/reviewed documentation does **not** support the crisis, the payment may be subject to recoupment.

**Service Delivery**

All mental health services must be medically necessary in accordance with the Louisiana Administrative Code 50:I.1101. The medical necessity for services shall be determined by an LMHP or physician who is acting within the scope of their professional license and applicable state law. There shall be member involvement throughout the planning and delivery of services.

Services shall be:

1. Delivered in a culturally and linguistically competent manner;
2. Respectful of the individual receiving services;
3. Appropriate to individuals of diverse racial, ethnic, religious, sexual or gender identities and other cultural and linguistic groups; and
4. Appropriate for age, development; and education.

**Allowed Modes of Delivery**

1. On-site

**Provider Responsibilities**

1. All services shall be delivered in accordance with federal and state laws and regulations, the applicable Louisiana Medicaid Provider manual and other notices

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or directives issued by the Department. The provider shall create and maintain documents to substantiate that all requirements are met. (See Section 2.6 Record Keeping);

2. Any licensed practitioner providing behavioral health services must operate within the scope of practice of their license; and
3. Provider shall maintain treatment records that include the name of the individual, a treatment plan, the dates of services provided, the nature and content of the services provided, and progress made toward functional improvement and goals in the treatment plan.

**Supervision of Non-Licensed Staff**

Crisis Stabilization providers must employ at least one LMHP or psychiatrist to specifically serve as a clinical supervisor to assist in the design and evaluation of crisis planning and crisis stabilization services. LMHPs serving in the role of clinical supervisor are restricted to medical psychologist, licensed psychologist, licensed clinical social worker (LCSW), licensed professional counselor (LPC), licensed marriage and family therapist (LMFT), or licensed advanced practice registered nurse (APRN) with a psychiatric specialization. The supervisor must be available for supervision responsibilities 24 hours a day and seven days a week to respond to supervision needs of non-licensed staff responding to crises.

Services provided by non-licensed staff must be provided under regularly scheduled supervision listed below and if applicable in accordance with requirements established by the practitioner's professional licensing board under which they are pursuing a license.

Non-licensed staff must receive regularly scheduled supervision from a person meeting the qualifications of an LMHP (excluding licensed addiction counselors (LACs)) or a psychiatrist. LMHP or psychiatrist supervisors must have the practice-specific education, experience, training, credentials, and licensure to coordinate an array of mental and/or behavioral health services. Providers may have more than one LMHP or psychiatrist supervisor providing required clinical supervision to non-licensed staff.

1. Supervision refers to clinical support, guidance and consultation afforded to non-licensed staff rendering rehabilitation services, and should not be replaced by licensure supervision of master's level individuals pursuing licensure;
2. Staff shall receive a minimum of **four** hours of clinical supervision per month for full time staff and a minimum of **one** hour of clinical supervision per month for part time staff, which shall consist of **no less than one hour of individual supervision**. Each month, the remaining hours of supervision may be in a group

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setting. Given consideration of case load and acuity, additional supervision may be indicated;

3. LMHP (excluding LACs) or the psychiatrist supervisor must ensure services are in compliance with the established requirements of this service;
4. Group supervision means one LMHP (excluding LACs) or psychiatrist supervisor and not more than six supervisees in supervision session.;
5. Maximum of 75 percent of the individual and group supervision may be telephonic or via a secure Health Insurance Portability and Accountability Act (HIPAA) compliant online synchronous videoconferencing platform. Texts and/or emails cannot be used as a form of supervision to satisfy this requirement; and
6. Supervision with the LMHP or psychiatrist must:
  - a. Have intervention notes that are discussed in supervision must have the LMHP or psychiatrist supervisor's signature; and
  - b. Have documentation reflecting the content of the training and/or clinical guidance. The documentation must include the following:
    - i. Date and duration of supervision;
    - ii. Identification of supervision type as individual or group supervision;
    - iii. Name and licensure credentials of the LMHP or psychiatrist supervisor;
    - iv. Name and credentials (provisionally licensed, master's degree, bachelor's degree, or high school degree) of the supervisees;
    - v. The focus of the session and subsequent actions that the supervisee must take;
    - vi. Date and signature of the LMHP or psychiatrist supervisor;
    - vii. Date and signature of the supervisees; and
    - viii. Start and end time of each supervision session.

**Reporting Requirements**

The provider shall comply with data collection and reporting requirements as specified by LDH.



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**Provider Qualifications****Facility**

To provide crisis stabilization services, facilities must:

1. Be accredited by the Commission on Accreditation of Rehabilitation Facilities (CARF), the Council on Accreditation (COA), or The Joint Commission (TJC). Denial, loss of, or any negative change in accreditation status must be reported in writing immediately upon notification to the managed care entities with which the facility contracts or is being reimbursed;

**NOTE:** Facilities must apply for accreditation and pay accreditation fees prior to being contracted and reimbursed by a MCE, and must maintain proof of the accreditation application and associated fee payment. Facilities must attain full accreditation within 12 months of the initial accreditation application date.

2. Have a minimum capacity of four beds and a maximum capacity of 16 beds;
3. Arrange for and maintain documentation that all persons prior to employment (or contracting, volunteering, or as required by law), have passed criminal background checks, including sexual offender registry checks, by an agency authorized by the Office of State Police to conduct criminal background checks in accordance with the Crisis Receiving Center Level III licensing regulations established by the Louisiana Administrative Code 48:I.Chapter 53:

Criminal background checks must be performed as required by La. R.S. 40:1203.1 et seq., in accordance with La. R.S. 15:587 et seq, and any other applicable state or federal law. Criminal background checks performed over ninety (90) days prior to date of employment will not be accepted as meeting this requirement.

4. Not hire individuals failing to meet criminal background check requirements and regulations. Individuals not in compliance with criminal background check requirements and regulations shall not be utilized on an employment, contract or volunteer basis;
5. Criminal background checks performed over ninety (90) days prior to the date of employment will not be accepted as meeting the criminal background check requirements. Results of criminal background checks are to be maintained in the individual's personnel record;

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6. Review the Department of Health and Human Services' Office of Inspector General (OIG) List of Excluded Individuals and Entities (LEIE) and the LDH State Adverse Actions website prior to hiring or contracting with any employee or contractor who performs services that are compensated with Medicaid/Medicare funds, including but not limited to licensed and non-licensed staff, interns and contractors:
  - a. Once employed, check the list monthly thereafter to determine if there is a finding that an employee or contractor has abused, neglected or extorted any individual or if employee or contractor has been excluded from participation in the Medicaid or Medicare Program by Louisiana Medicaid or the Department of Health and Human Services' Office of Inspector General; and
  - b. Provider is prohibited from knowingly employing, contracting with, or retaining the employment of, or contract with, anyone who has a negative finding placed on the Louisiana State Adverse Action List, or who has been excluded from participation in the Medicaid or Medicare Program by Louisiana Medicaid or the Department of Health and Human Services' Office of Inspector General.
7. Maintain results in personnel records that these checks have been completed. The OIG maintains the LEIE on the OIG website (<https://exclusions.oig.hhs.gov>) and the LDH Adverse Action website is located at <https://adverseactions.ldh.la.gov/SelSearch>;
8. Arrange for and maintain documentation that all persons, prior to employment, are free from Tuberculosis (TB) in a communicable state as defined by the Louisiana Administrative Code 51:II.Chapter 5 to reduce the risk of such infections in recipients and staff. Results from testing performed over 30 days prior to the date of employment will not be accepted as meeting this requirement;
9. Establish and maintain written policies and procedures inclusive of drug testing staff to ensure an alcohol and drug-free workplace and a workforce free of substance use. (See Appendix D);

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10. Maintain documentation that all direct care staff, who are required to complete First Aid, cardiopulmonary resuscitation (CPR) and seizure assessment training, complete American Heart Association (AHA) recognized training within 90 days of hire, which shall be renewed within a time period recommended by the AHA. Psychiatrists, APRNs/physician assistants (Pas), RNs and LPNs are exempt from this training. (See Appendix D);
11. Maintain a personnel file for each employee, contractor, and individual with whom the facility has an agreement to provide direct care services or to fulfill core and other staffing requirements. Documentation of employment, contracting or agreement must be in writing and executed via written signatures;
12. Maintain documentation for verification of completion of required trainings for all staff; and
13. Ensure and maintain documentation that all persons employed by the organization complete training in the OBH approved Crisis Response curriculum. (See Appendix D).

**Staff**

To provide crisis stabilization services, staff must meet the following requirements:

1. Must be at least 24 years of age;
2. Unlicensed staff must have a minimum of bachelor's degree (preferred) **or** an associate's degree and two years of work experience in the human services field **or** meet recognized peer support specialist (RPSS) qualifications. (See Section 2.3 Outpatient Services - Peer Support Services);
3. Satisfactory completion of criminal background checks pursuant to the applicable provider license type issued by Louisiana Department of Health (LDH) - Health Standards, La R.S. 40:1203.1 *et seq.*, and any applicable state or federal law or regulation;
4. Employees and contractors must not be excluded from participation in the Medicaid or Medicare Program by Louisiana Medicaid or the Department of Health and Human Services' OIG;
5. Direct care staff must not have a finding on the Louisiana State Adverse Action List;

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- a. Pass a Tuberculosis (TB) test prior to employment in accordance with the Louisiana Administrative Code 51:II.Chapter 5; OR be free from TB in a communicable state as defined by the Louisiana Administrative Code 51:II.Chapter 5.
6. Pass drug screening tests as required by the facility's policies and procedures;
7. Complete American Heart Association (AHA) recognized First Aid, CPR and seizure assessment training. Psychiatrists, APRNs/PAs, RNs and LPNs are exempt from this training. (See Appendix D);
8. Comply with Direct Service Worker Registry law established by La. R.S. 40:2179 *et seq.* and meet any additional qualifications established under Rule promulgated by LDH in association with this statute;
9. Non-licensed direct care staff are required to complete a basic clinical competency training program approved by OBH prior to providing the service. (See Appendix D); and
10. Complete training curriculum approved by OBH prior to providing the service. (See Appendix D).

The RPSS must successfully complete a comprehensive peer training plan and curriculum that is inclusive of the Core Competencies for Peer Workers, as outlined by the Substance Abuse and Mental Health Services Administration (SAMHSA), and has been approved by the Office of Behavioral Health (OBH). (See the Section 2.3 Outpatient Services - Peer Support Services).

**Staffing Requirements**

The facility shall comply with the minimum staffing requirements in accordance with federal and state laws and regulations. In addition, the following core staffing requirements must be followed:

1. RPSS on duty adequate to meet the member's needs;
2. Staffing must be sufficient that there are at least two staff present at all time; and
3. A staff to member ratio of 1:4 must be maintained at all times. Staffing should take into consideration the health and safety of the members and staff.

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**Allowed Provider Types and Specialties**

1. PT AF Crisis Receiving Center, PS 8E CSoC/Behavioral Health.

**Limitations/Exclusions**

The following services shall be excluded from Medicaid coverage and reimbursement:

1. Services rendered in an institute for mental disease; and
2. Cost of room and board.

Crisis stabilization shall not duplicate any other Medicaid State Plan service or service otherwise available to the member at no cost.

The per diem for CS and BHCC cannot be billed on the same day.

Restraints and seclusion cannot be used in CS.