

**KENTUCKY MEDICAID PROGRAM  
PUBLIC NOTICE  
SUBSTANCE USE DISORDER**

The Cabinet for Health and Family Services (CHFS), Department for Medicaid Services (DMS), in accordance with 42 CFR 447.205, hereby provides public notice of its intent to file a state plan amendment to increase access to quality behavioral health services for Medicaid beneficiaries effective January 1, 2020. The expansion of services include adding applied behavior analysis (ABA) specific services, expanding coverage chemical dependency treatment, reinstating services Certified Alcohol and Drug Counselors (CADC) are eligible to render and amending Peer Support service limits.

Applied Behavior Analysis is a mental health only service available for Medicaid beneficiaries who meet the medical necessity criteria for this service. The components of ABA services have been state plan covered services since 2015, however with the addition of ABA service description, this allows a specific set of interventions to be provided based on observation and analysis provided by approved behavioral health practitioners or approved behavioral health practitioners under supervision with training and expertise in ABA. ABA services will be paid from the fee-for-service, Kentucky Medicaid Behavioral Health & Substance Abuse Services Outpatient (Non-Facility) Fee Schedule or CMHC Mental Health/Substance Abuse Codes and Units of Service Schedule located on the DMS website at: <https://chfs.ky.gov/agencies/dms/Pages/default.aspx> at the appropriate rendering practitioner rate found on the fee schedule.

DMS will be expanding coverage for chemical dependency treatment programs to provide medical, social, diagnostic, and treatment services to individuals with substance use disorder (SUD) in an inpatient facility 24-hours per day, seven (7) days per week, 365 days a year under the medical direction of a physician with continuous nursing services. Inpatient chemical dependency treatment is an SUD service only, available for all Medicaid beneficiaries who meet the medical necessity criteria for this service. This service will be paid a per diem rate from the fee-for-service, Kentucky Medicaid Behavioral Health & Substance Abuse Services Facility Fee Schedule or CMHC Mental Health/Substance Abuse Codes and Units of Service Schedule located on the DMS website at: <https://chfs.ky.gov/agencies/dms/Pages/default.aspx>

Amendments also include requirements for Residential Crisis Stabilization Units (RCSU) providing SUD treatment to meet service criteria for medically monitored intensive inpatient services using the current edition of *The American Society of Addiction Medicine's (ASAM) Criteria, Treatment Criteria for Addictive, Substance-Related, and co-Occurring Conditions*. RCSU's should also provide care coordination include facilitating medication assisted treatment for inpatient recipients as necessary, per recipient choice if treating SUD.

DMS is reinstating CADCs as allowable behavioral health practitioners under supervision eligible to provide the following services: Assessments, Mobile Crisis, Day Treatment, Individual Therapy, Group Therapy, Family Therapy, Collateral Therapy and Service Planning. CADCs are reimbursed for services rendered at thirty-seven and five-tenths (37.5) percent of the rate on the Kentucky-specific Medicare Physician Fee Schedule as established on the fee-for-service Kentucky Medicaid Behavioral Health and

Substance Abuse Services Outpatient (Non-facility) Fee Schedule located on the DMS website at: <https://chfs.ky.gov/agencies/dms/Pages/default.aspx>.

DMS is changing Peer Support services limits from a maximum of 120 units per week of direct recipient contact, to a maximum of thirty (30) hours per week of direct recipient contact. Reimbursement for Peer Support Specialist service remains the same.

DMS provided clarification for authorized providers of withdrawal management and medication assisted treatment services to allow the appropriate approved behavioral health practitioner or approved behavioral health practitioner under supervision in accordance with 907 KAR 15:005 to provide the services based on the level of care and according to the most current version of *The ASAM Criteria, Treatment Criteria for Addictive, Substance-Related, and Co-Occurring Conditions*. There are no changes in reimbursement for withdrawal management or medication assisted treatment for these services.

During SFY2019, The Department of Medicaid Services (DMS) calculated a total of \$10,627,179 cost for withdrawal management services provided in hospital or distinct part unit settings. DMS expects to see a fiscal decrease with the additional coverage of inpatient chemical dependency treatment at a lower level of care currently being provided in hospital or distinct part unit setting. If all beneficiaries who received withdrawal management in a hospital or distinct part unit setting in SFY2019 were eligible to receive services in an inpatient chemical dependency treatment center, DMS would expect to see a savings of \$4,672,554 for the fiscal year.

### **Public Comments**

Copies of this notice are available at each county's Department for Community Based Services (DCBS) office and at <https://chfs.ky.gov/agencies/dms/Pages/default.aspx> and <https://chfs.ky.gov/agencies/dms/Pages/publicnotices.aspx>. For the address of the local office, please see [https://prdweb.chfs.ky.gov/Office\\_Phone/index.aspx](https://prdweb.chfs.ky.gov/Office_Phone/index.aspx). Additional information regarding these proposed actions is available upon request at the address cited below.

A copy of this notice is available for public review at the Department for Medicaid Services at the address listed below. Comments or inquiries may be submitted in writing within thirty (30) days to:

Commissioner's Office  
Department for Medicaid Services, 6W-A  
275 E. Main Street  
Frankfort, Kentucky 40621