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**State Name:** Virginia

**State Plan Amendment (SPA) #:** 10-14

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS-179
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
150 S. Independence Mall West  
Suite 216, The Public Ledger Building  
Philadelphia, Pennsylvania 19106-3499



**Region III/Division of Medicaid and Children's Health Operations**

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MAY 24 2011

Gregg A. Pane, MD, MPA  
Director  
Department of Medical Assistance Services  
600 East Broad Street, Suite 1300  
Richmond, Virginia 23219

Dear Dr. Pane:

We have reviewed State Plan Amendment (SPA) 10-14, in which the Commonwealth implements the requirement to review Intensive In-Home services and Community Mental Health services in order to ensure appropriate utilization and cost efficiency, as well as establish provider qualification requirements.

This SPA is acceptable. Therefore, we are approving SPA 10-14 with an effective date of July 1, 2010. Enclosed are the approved SPA pages and signed CMS-179 form.

If you have further questions about this SPA, please contact William G. Cahill at (215) 861-4173.

Sincerely,

Ted Gallagher  
Associate Regional Administrator

Enclosures

cc: Jodie Anthony  
De Earhart

**TRANSMITTAL AND NOTICE OF APPROVAL OF  
STATE PLAN MATERIAL  
FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES**

1. TRANSMITTAL NUMBER   -     
2. STATE

3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)

TO: REGIONAL ADMINISTRATOR  
CENTERS FOR MEDICARE & MEDICAID SERVICES  
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE

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 2011   
b. FFY 2012

8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT

8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (if Applicable)

10. SUBJECT OF AMENDMENT

11. GOVERNOR'S REVIEW (Check One)  
 GOVERNOR'S OFFICE REPORTED NO COMMENT<sup>2011</sup>     OTHER, AS SPECIFIED  
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED  
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

12. SIGNATURE OF STATE AGENCY OFFICIAL  
  
13. TYPED NAME  
14. TITLE   
15. DATE SUBMITTED

16. RETURN TO

FOR REGIONAL OFFICE USE ONLY  
17. DATE RECEIVED    18. DATE APPROVED

PLAN APPROVED - ONE COPY ATTACHED  
19. EFFECTIVE DATE OF APPROVED MATERIAL     20. SIGNATURE OF REGIONAL OFFICIAL

21. TYPED NAME     22. TITLE

23. REMARKS



STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

NARRATIVE FOR THE AMOUNT, DURATION AND SCOPE OF SERVICES

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- 4b. Early and periodic screening and diagnosis of individuals under 21 years of age, and treatment of conditions found. (12 VAC 30-50-130)
- A. Payment of medical assistance services shall be made on behalf of individuals under 21 years of age, who are Medicaid eligible, for medically necessary stays in acute care facilities, and the accompanying attendant physician care, in excess of 21 days per admission when such services are rendered for the purpose of diagnosis and treatment of health conditions identified through a physical examination.
  - B. RESERVED.
  - C. Orthoptics services shall only be reimbursed if medically necessary to correct a visual defect identified by an EPSDT examination or evaluation. The Department shall place appropriate utilization controls upon this service.
  - D. Consistent with the Omnibus Budget Reconciliation Act of 1989 §6403, early and periodic screening, diagnostic, and treatment services means the following services: screening services, vision services, dental services, hearing services, and such other necessary health care, diagnostic services, treatment, and other measures described in Social Security Act §1905(a) to correct or ameliorate defects and physical and mental illnesses and conditions discovered by the screening services and which are medically necessary, whether or not such services are covered under the State Plan and notwithstanding the limitations, applicable to recipients ages 21 and over, provided for by the Act §1905(a).
  - E. Community mental health services.
    - 1. Intensive in-home services to children and adolescents under age 21 shall be time limited interventions provided typically but not solely in the residence of a child who is at risk of being moved into an out-of-home placement or who is being transitioned to home from out-out-of-home placement due to a documented medical need of the child. These services provide crisis treatment; individual and family counseling; and communication skills (e.g., counseling to assist the child and his parents to understand and practice appropriate problem-solving, anger management, and interpersonal interaction, etc.); care coordination with other required services; and 24-hour emergency response. These services shall be limited annually to 26 weeks. Prior authorization is required for Medicaid reimbursement. **Additional information regarding intensive in-home services, including types of providers and qualifications, may be found at Attachment 3.1-C, Pages 11 through 12.1 of 43, and at Supplement 1, Attachment 3.1-A&B, Pages 31, 31.1, 31.2 and 31.3 of 79.**

**Individuals under 21 years of age qualifying under EPSDT may receive the services described in excess of any service limit, if services are determined to be medically necessary and are prior authorized by the Department.**

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TN No. 10-14  
Supersedes  
TN No. 08-14

Approval Date MAY 24 2011

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**STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT**

State of VIRGINIA

**NARRATIVE FOR THE AMOUNT, DURATION AND SCOPE OF SERVICES**

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The components for Intensive in-home services to children and adolescents under age 21 are as follows:

**Crisis Treatment** - is behavioral health care, available 24 hours a day, seven days per week, to provide assistance to individuals experiencing acute behavioral health problems that require immediate intervention to prevent harm.

**Individual and Family Counseling** - Behavioral health services that involve a qualified provider who uses therapeutic intervention to alleviate emotional disturbances, change maladaptive patterns of behavior, and promote improvement. This can occur individually (one on one) or with a family group.

**Communication Skills** -are techniques that enable a person to convey information so that it is received and understood. Communication skills refer to the set of behaviors that serve to convey information during interactions.

**Care Coordination** - Includes communicating with other providers and services to improve the care provided to an individual or family.

**24 hour response** - Behavioral Health Services that are available 24 hours a day, seven days per week

**Only** LMHPs and LMHP eligible providers may perform all of the functions listed above. They may also provide guidance regarding parenting and family interaction and the plan of care or any other activity that is within the scope of practice as defined by the provider's professional licensing board, pursuant to 42 CFR 440.60.

QMHP and QMHP eligible providers may perform communication skills, care coordination, and 24 hour response services. They may also provide guidance regarding parenting and family interaction and the plan of care. **No other providers may provide the above-listed components of intensive in-home services.**

**Qualifications for the providers listed are described in Supplement 1 to Attachment 3.1-A&B, pages 30 through 31.4 and at Attachment 3.1-C, Pages 11 through 12.3 of 43.**

**STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT**

State of VIRGINIA

**NARRATIVE FOR THE AMOUNT, DURATION AND SCOPE OF SERVICES**

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2. Therapeutic day treatment shall be provided in sessions of two or more hours per day in order to provide therapeutic interventions. Therapeutic day treatment programs, limited annually to 780 units provide evaluation, medication, education and management, opportunities to learn and use daily living skills and to enhance social and interpersonal skills (e.g., problem-solving, anger management, community responsibility, increased impulse control, and appropriate peer relations, etc.), and individual, group and family psychotherapy. Prior authorization is required for Medicaid reimbursement. **Additional information regarding Therapeutic day treatment, including types of providers and qualifications, may be found at Attachment 3.1-C, Pages 12.2 through 12.4, and at Supplement 1, Attachment 3.1-A&B, pp. 31 through 31.10 of 79.**

**Individuals under 21 years of age qualifying under EPSDT may receive the services described in excess of any service limit, if services are determined to be medically necessary and are prior authorized by the Department.**

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TN No. 10-14  
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**STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT**

State of VIRGINIA

**NARRATIVE FOR THE AMOUNT, DURATION AND SCOPE OF SERVICES**

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F. Community Based Service for Children and Adolescents under 21 (Level A).

1. Such services shall be a combination of therapeutic services rendered in a residential setting. The residential services will provide structure for daily activities, psycho-education, therapeutic supervision and psychiatric treatment to ensure the attainment of therapeutic mental health goals as identified in the individual service plan (plan of care). Individuals qualifying for this service must demonstrate medical necessity for the service arising from a condition of mental, behavioral or emotional illness, which results in significant functional impairment in major life activities in the home, school, at work, or in the community. The service must reasonably be expected to improve the child's condition or prevent regression so that the services will no longer be needed. DMAS will reimburse only for services provided in facilities or programs with no more than 16 beds.
2. In addition to the residential services, the child must receive, at least weekly, individual psychotherapy that is provided by a licensed mental health professional.
3. Individuals must be discharged from this service when other less intensive services may achieve stabilization.
4. Authorization is required for Medicaid reimbursement.
5. Room and board costs are not reimbursed. Facilities that only provide independent living services are not reimbursed.
6. Providers must be licensed by the Department of Social Services, Department of Juvenile Justice, or Department of Education under the Standards for Interdepartmental Regulation of Children's Residential Facilities.
7. Psycho-educational programming must include, but is not limited to development or maintenance of daily living skills, anger management, social skills, family living skills, communication skills, and stress management.
8. The facility/group home only coordinate services with other providers.

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**STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT**

State of VIRGINIA

**NARRATIVE FOR THE AMOUNT, DURATION AND SCOPE OF SERVICES**

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The components for Community Based Service for Children and Adolescents under 21 (Level A) to children and adolescents under age 21 are as follows:

**Therapeutic supervision** – Providing therapeutic feedback for any behaviors displayed and sought to be modified.

**Structure for Daily Activities** – Supervision and monitoring of daily functions.

**Psychiatric treatment** - Behavioral health services that involve a qualified provider who uses therapeutic intervention to alleviate emotional disturbances, change maladaptive patterns of behavior, and promote improvement. This can occur individually-(one on one) or with a family group.

**Psychoeducation** –Techniques that enable a person to learn and to convey information so that it is received and understood. Communication skills refer to the set of behaviors that serve to convey information during interactions.

LMHPs and LMHP eligible providers may perform all of the functions listed above. They may also provide guidance regarding parenting and family interaction and the plan of care or any other activity that is within the scope of practice as defined by the provider's professional licensing board, pursuant to 42 CFR 440.60.

QMHP, QMHP eligible and paraprofessionals (QPPMHs) may perform therapeutic supervision, structure for daily activities and psychiatric treatment. They may also provide guidance regarding parenting and family interaction and the plan of care. **No other providers may provide the above-listed components of Community Based Service for Children and Adolescents under 21 (Level A).**

**Qualifications for the providers listed are described in Supplement 1 to Attachment 3.1-A&B, pages 30 through 31.4 and at Attachment 3.1-C, Pages 11 through 12.3 of 43.**

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

NARRATIVE FOR THE AMOUNT, DURATION AND SCOPE OF SERVICES

G. Therapeutic Behavioral Services (Level B).

1. Such services must be therapeutic services rendered in a residential setting that provides structure for daily activities, psycho-education, therapeutic supervision and psychiatric treatment to ensure the attainment of therapeutic mental health goals as identified in the individual service plan (plan of care). Individuals qualifying for this service must demonstrate medical necessity for the service arising from a condition due to mental, behavioral or emotional illness, which results in significant functional impairments in major life activities in the home, school, at work, or in the community. The service must reasonably be expected to improve the child's condition or prevent regression so that the services will no longer be needed. DMAS will reimburse only for services provided in facilities or programs with no more than 16 beds.

2. Authorization is required for Medicaid reimbursement.

3. Room and board costs are not reimbursed. Facilities that only provide independent living services are not reimbursed.

4. Providers must be licensed by the Department of Behavioral Health and Developmental Services (DBHDS) under the Standards for Interdepartmental Regulation of Children's Residential Facilities.

5. Psycho-educational programming must include, but is not limited to, development or maintenance of daily living skills, anger management, social skills, family living skills, communication skills, and stress management. This service may be provided in a program setting or a community based group home.

6. The child must receive, at least weekly, individual psychotherapy and, at least weekly, group psychotherapy that is provided as part of the program.

7. Individuals must be discharged from this service when other less intensive services may achieve stabilization.

**The service components for this service are therapeutic interventions, therapeutic supervision, and psychiatric treatment, which are described in Supp. 1 to Attach. 3.1-A&B, Page 6.3 of 41. The providers qualified to provide this service are described in Supp. 1 to Attach. 3.1-A&B, Page 6.3 of 41, and at Supplement 1, Attachment 3.1-A&B, Pages 30 through 31.4 of 79. Additional information regarding Therapeutic Behavioral Services may be found at Attachment 3.1-C, Pages 12.3 and 12.4.**

**Individuals under 21 years of age qualifying under EPSDT may receive the services described in excess of any service limit, if services are determined to be medically necessary and are prior authorized by the Department.**

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**STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT**

State of VIRGINIA

**NARRATIVE FOR THE AMOUNT, DURATION AND SCOPE OF SERVICES**

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The components for Therapeutic Behavioral Services (Level B) to children and adolescents under age 21 are as follows:

**Therapeutic supervision** – Providing therapeutic feedback for any behaviors displayed and sought to be modified.

**Structure for Daily Activities** – Supervision and monitoring of daily functions.

**Psychiatric treatment** - Behavioral health services that involve a qualified provider who uses therapeutic intervention to alleviate emotional disturbances, change maladaptive patterns of behavior, and promote improvement. This can occur individually (one on one) or with a family group.

**Psychoeducation** –Techniques that enable a person to learn and to convey information so that it is received and understood. Communication skills refer to the set of behaviors that serve to convey information during interactions.

LMHPs and LMHP eligible providers may perform all of the functions listed above. They may also provide guidance regarding parenting and family interaction and the plan of care or any other activity that is within the scope of practice as defined by the provider's professional licensing board, pursuant to 42 CFR 440.60.

QMHP, QMHP eligible and paraprofessionals (QPPMHs) may perform therapeutic supervision, structure for daily activities and psychiatric treatment. They may also provide guidance regarding parenting and family interaction and the plan of care. **No other providers may provide the above-listed components of Therapeutic Behavioral Services (Level B).**

**Qualifications for the providers listed are described in Supplement 1 to Attachment 3.1-A&B, pages 30 through 31.4 and at Attachment 3.1-C, Pages 12.2 through 12.6 of 43.**

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