Table of Contents

State/Territory Name: California

State Plan Amendment (SPA) #: 24-0041

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form/Summary Form (with 179-like data)
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Medicare & Medicaid Services 601 E. 12th St., Room 355 Kansas City, Missouri 64106



Medicaid and CHIP Operations Group

August 5, 2024

Tyler Sadwith
State Medicaid Director
California Department of Health Care Services
P.O. Box 997413, MS 0000
Sacramento, CA 95899-7413

Re: California State Plan Amendment (SPA) - 24-0041

Dear Director Sadwith:

The Centers for Medicare & Medicaid Services (CMS) reviewed your Medicaid State Plan Amendment (SPA) submitted under transmittal number (TN) 24-0041. This amendment proposes to update the clinical trainees provider definition listed under Rehabilitative Mental Health Services, Targeted Case Management, Substance Use Disorder Treatment Services, Expanded Substance Use Disorder Treatment Services, and Medication-Assisted Treatment.

We conducted our review of your submittal according to statutory requirements in Title XIX of the Social Security Act (the Act), specifically Section 1905(a)(13) and 1915(g)(1) of the Act, and corresponding regulations at 42 CFR 440.130(d) and 440.169(b). This letter informs you that California's Medicaid SPA TN 24-0041 was approved on August 5, 2024, with an effective date of April 1, 2024.

Enclosed are copies of Form CMS-179 and approved SPA pages to be incorporated into the California State Plan.

If you have any questions, please contact Cheryl Young 415-744-3598 or via email at Cheryl.Young@cms.hhs.gov.

Sincerely,

Digitally signed by James G. Scott -5
Date: 2024.08.05 18:01:49
-05'00'

James G. Scott, Director
Division of Program Operations

Enclosures

Page 2 – Tyler Sadwith, State Medicaid Director

cc: Lindy Harrington, California Department of Health Care Services (DHCS)
Paula Wilhelm, DHCS
Ivan Bhardwaj, DHCS
Saralyn Ang-Olson, DHCS
Angeli Lee, DHCS
Farrah Samimi, DHCS

CENTERS FOR MEDICARE & MEDICAID SERVICES	OMB No. 0938-0193
TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES	1. TRANSMITTAL NUMBER 2 4 0 0 4 1 3. PROGRAM IDENTIFICATION: TITLE OF THE SOCIAL SECURITY ACT XIX XXI
TO: CENTER DIRECTOR CENTERS FOR MEDICAID & CHIP SERVICES DEPARTMENT OF HEALTH AND HUMAN SERVICES	4. PROPOSED EFFECTIVE DATE April 1, 2024
5. FEDERAL STATUTE/REGULATION CITATION 42 CFR Social Security Act 1905(a) and 1915 g)(1) 440.130 and 440.169(b) *See CMS note below in Box 22	6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars) a. FFY 2024 \$ 0 b. FFY 2025 \$ 0
7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT Supplement 1 to Attachment 3.1-A, pages 15 Supplement 3 to Attachment 3.1-A, pages 2i, 6, 6m Supplement 2 to Attachment 3.1-B, pages 11 Supplement 3 to Attachment 3.1-B, pages 4, 4m Supplement 7 to Attachment 3.1-A, pages 5 Supplement 7 to Attachment 3.1-B, pages 5	8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable) Supplement 1 to Attachment 3.1-A, pages 15 Supplement 3 to Attachment 3.1-A, pages 2i, 6, 6m Supplement 2 to Attachment 3.1-B, pages 11 Supplement 3 to Attachment 3.1-B, pages 4, 4m Supplement 7 to Attachment 3.1-A, pages 5 Supplement 7 to Attachment 3.1-B, pages 5
9. SUBJECT OF AMENDMENT Updates the Rehabilitative Mental Health Services, Targeted Cas Expanded Substance Use Disorder Treatment Services, and Meditrainees.	
10. GOVERNOR'S REVIEW (Check One) GOVERNOR'S OFFICE REPORTED NO COMMENT COMMENTS OF GOVERNOR'S OFFICE ENCLOSED NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL	OTHER, AS SPECIFIED: The Governor's Office does not wish to review the State Plan Amendment.
	15. RETURN TO Department of Health Care Services Attn: Director's Office
	P.O. Box 997413, MS 0000 Sacramento, CA 95899-7413
State Medicaid Director 14. DATE SUBMITTED	
June 28, 2024 FOR CMS U	ISE ONLY
	17. DATE APPROVED August 5, 2024
PLAN APPROVED - OI	
18. EFFECTIVE DATE OF APPROVED MATERIAL April 1, 2024	19. SIGN PROVING OFFICIAL Digitally signed by James G. Scott -S Date: 2024.08.05 18:05:58 -05'00'
	21. TITLE OF APPROVING OFFICIAL
James G. Scott 22. REMARKS	Director, Division of Program Operations
Box 5: CMS made the following pen and ink additions in bo Security Act 1905(a)(13) and 1915(g)(1), 42 CFR 440.130(

(13) Pharmacists

Pharmacists must be licensed in accordance with applicable State of California licensure requirements.

(14) Occupational Therapists (OT)

Occupational therapists must be licensed in accordance with applicable State of California licensure requirements.

(15) Other Qualified Provider

An individual at least 18 years of age with a high school diploma or equivalent degree plus two years of related paid or non-paid experience (including experience as a service recipient or caregiver of a service recipient), or related secondary education.

(16) Clinical Trainee

A clinical trainee is an unlicensed individual who is enrolled in a post-secondary educational program that is required for the individual to obtain licensure as a Licensed Mental Health Professional, Pharmacist, or Physician Assistant; is participating in a practicum, clerkship, or internship approved by the individual's program; and meets all relevant requirements of the program and/or the applicable licensing board to participate in the practicum, clerkship or internship and provide Targeted Case Management, including, but not limited to, all coursework and supervised practice requirements.

F. Freedom of Choice (42 CFR 441.18(A)(1))

The State assures that the provision of case management services will not restrict an individual's free choice of providers in violation of section 1902(a)(23) of the Act.

- 1. Eligible individuals will have free choice of any qualified Medicaid provider within the specified geographic area identified in this plan.
- 2. Eligible individuals will have free choice of any qualified Medicaid providers of other medical care under the plan.

G. Freedom of Choice Exception (Section 1915(g)(1) and 42 CFR 441.18(b))

<u>X</u> Target group consists of eligible individuals who meet medical necessity criteria for specialty mental health services. Providers are limited to qualified Medicaid providers of case management services employed by or contracted with the county mental health department who are capable of ensuring that individuals receive needed services.

H. Access to Services (42 CFR 441.18(A)(2), 42 CFR 441.18(a)(3), 42 CFR 441.18(a)(6)

The State assures the following:

- Targeted case management services will not be used to restrict an individual's access to other services under the plan.
- Individuals will not be compelled to receive case management services, condition receipt of targeted case management on the receipt of other Medicaid services, or condition receipt of other Medicaid services on receipt of targeted case management services; and

TN No. <u>24-0041</u> Supersedes

TN No. 23-0026 Approval Date: August 5, 2024 Effective Date: April 1, 2024

direction of: a physician; a licensed or waivered psychologist; a licensed, waivered or registered social worker; a licensed, waivered or registered marriage and family therapist; a licensed, waivered or registered professional clinical counselor; a registered nurse (including a certified nurse specialist, or a nurse practitioner); or a licensed occupational therapist¹. All providers of Rehabilitative Mental Health Services must act within the scope of their professional license and applicable state law.

PRACTITIONER QUALIFICATIONS

	Rehabilitative Mental Health Treatment Services											
	Assessment Medication Peer Psychosocial Referral Therapy Treatment Support Support Services Services Services Linkages											
Provider Qualifications	L, M, PA, Ph, OP, MA, CT	CT, L, MA, PA, Ph	Р	L, M, PA, Ph, OP, MA, CT	L, M, PA, Ph, OP, MA, CT	L, CT	L, M, PA, Ph, OP, MA, CT					

CT = Clinical Trainee

A clinical trainee is an unlicensed individual who is enrolled in a post-secondary educational program that is required for the individual to obtain licensure as a Licensed Mental Health Professional, Pharmacist, or Physician Assistant; is participating in a practicum, clerkship, or internship approved by the individual's program; and meets all relevant requirements of the program and/or applicable licensing board to participate in the practicum, clerkship or internship and provide rehabilitative mental health services, including, but not limited to, all coursework and supervised practice requirements.

L= Licensed Mental Health Professional

A Licensed Mental Health Professional includes any of the following providers who are licensed in accordance with applicable State of California licensure requirements: licensed physicians; licensed psychologists (includes waivered psychologists); licensed clinical social workers (includes waivered or registered clinical social workers); licensed professional clinical counselors (includes waivered or registered professional clinical counselors); licensed marriage and family therapists (includes waivered or registered marriage and family therapists); registered nurses (includes certified nurse specialists and nurse practitioners); licensed vocational nurses; licensed psychiatric technicians; and licensed

TN No: <u>24-0041</u> Supersedes

TN No: 23-0026 Approval Date: August 5, 2024 Effective Date: April 1, 2024

¹ Licensed occupational therapists meet the requirements of paragraph (2) of subdivision (b) of 42 CFR 440.110.

SUPPLEMENT 3 TO ATTACHMENT 3.1-A

Page 2i

direction of: a physician; a licensed or waivered psychologist; a licensed, waivered or registered social worker; a licensed, waivered or registered marriage and family therapist; a licensed, waivered or registered professional clinical counselor; a registered nurse (including a certified nurse specialist, or a nurse practitioner); or a licensed occupational therapist¹. All providers of Rehabilitative Mental Health Services must act within the scope of their professional license and applicable state law.

PRACTITIONER QUALIFICATIONS

	Rehabilitative Mental Health Treatment Services											
	Assessment Medication Peer Psychosocial Referral Therapy Treat Support Support Services Services Services											
Provider Qualifications	L, M, PA, Ph, OP, MA, CT	CT, L, MA, PA, Ph	Р	L, M, PA, Ph, OP, MA, CT	L, M, PA, Ph, OP, MA, CT	L, CT	L, M, PA, Ph, OP, MA, CT					

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TN No: <u>24-0041</u> Supersedes

TN No: 23-0026 Approval Date: August 5, 2024 Effective Date: April 1, 2024

¹ Licensed occupational therapists meet the requirements of paragraph (2) of subdivision (b) of 42 CFR 440.110.

"SUD Crisis Intervention Services" consists of contacts with a beneficiary in crisis. A crisis means an actual relapse or an unforeseen event or circumstance which presents to the beneficiary an imminent threat of relapse. SUD Crisis Intervention Services shall focus on alleviating the crisis problem, be limited to the stabilization of the beneficiary's immediate situation, and be provided in the least intensive level of care that is medically necessary to treat their condition.

PROVIDER QUALIFICATIONS

Provider Entities

SUD Treatment Services are provided by DMC certified providers. DMC certified providers providing SUD Treatment Services must: 1) be licensed, registered, enrolled, and/or approved in accordance with all applicable state and federal laws and regulations; 2) abide by the definitions, rules, and requirements for stabilization and rehabilitation services established by the Department of Health Care Services; and 3) sign a provider agreement with a county or the Department of Health Care Services.

	SUD Treatment Services											
	Assessment*	Counseling (Individual and Group)	Medical Psychotherapy	Medication Services	Patient Education	Peer Support Services	SUD Crisis Intervention					
Practitioner Qualifications	C, CT, L*, MA	C, CT, L	М	CT, L, MA	C, CT, L, MA	Р	C, CT, L					

C = Counselors

An Alcohol or other drug (AOD) counselor that is either certified or registered by an organization that is recognized by the Department of Health Care Services and accredited with the National Commission for Certifying Agencies (NCCA).

CT = Clinical Trainee

A clinical trainee is an unlicensed individual who is enrolled in a post-secondary educational program that is required for the individual to obtain licensure as a Licensed Practitioner of the Healing Arts; is participating in a practicum, clerkship, or internship approved by the individual's program; and meets all relevant requirements of the program and/or the applicable licensing board to participate in the practicum, clerkship or internship and provide substance use disorder treatment services, including, but not limited to, all coursework and supervised practice requirements.

L= Licensed Practitioner of the Healing Arts

A Licensed Practitioner of the Healing Arts (LPHA) include any of the following: Physician, Nurse Practitioner (NP), Physician Assistant (PA),

TN No: 24-0041 Approval Date: August 5, 2024 Effective Date: April 1, 2024

Supersedes TN No: 23-0026

SUPPLEMENT 3 TO ATTACHMENT 3.1-A Page 6m

PRACTITIONER QUALIFICATIONS

	Expanded SUD Treatment Services												
	Assessment *	Care Coordinati on**	Crisis Interven tion	Family Therapy	Counseling (Individual and Group)	Medical Psychotherapy	Medication Services	Patient Education	Peer Support Services	Observation	Recovery Services	Prescribing and Monitoring of MAT for AUD and Other Non- Opioid Substance Use Disorders	
Practitioner Qualifications	C, CT, L*, MA	C, CT, L, MA	C, CT, L	CT, L	C, CT, L	М	CT, L, MA	C, CT, L, MA	Р	C, CT, L, MA	C, CT, L, MA	CT, L***, MA	

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L = Licensed Practitioner of the Healing Arts

A Licensed Practitioner of the Healing Arts (LPHA) include any of the following: Physician, Nurse Practitioner (NP), Physician Assistant (PA), Registered Nurse, Registered Pharmacist, Licensed Clinical Psychologist (LCP), Licensed Clinical Social Worker (LCSW), Registered**** CSW, Licensed Professional Clinical Counselor (LPCC), Registered**** LPCC, Licensed Marriage and Family Therapist (LMFT), Registered**** MFT, Licensed Vocational Nurse (LVN), Licensed Occupational Therapist (LOT)*****, and Licensed Psychiatric Technician (LPT).

TN No. <u>24-0041</u> Supersedes TN No. <u>23-0026</u>

Approval Date: <u>August 5, 2024</u> Effective Date: <u>April 1, 2024</u>

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	SUD Treatment Services											
	Assessment*	Counseling (Individual and Group)	Medical Psychotherapy	Medication Services	Patient Education	Peer Support Services	SUD Crisis Intervention					
Practitioner Qualifications	C, CT, L*, MA	C, CT, L	M	CT, L, MA	C, CT, L, MA	P	C, CT, L					

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TN No: 24-0041 Approval Date: August 5, 2024 Effective Date: April 1, 2024

Supersedes TN No: <u>23-0026</u>

PRACTITIONER QUALIFICATIONS

	Expanded SUD Treatment Services											
	Assessment *	Care Coordination **	Crisis Intervention	Family Therapy	Counseling (Individual and Group)	Medical Psychotherapy	Medication Services	Patient Education	Peer Support Services	Observation	Recovery Services	Prescribing and Monitoring of MAT for AUD and Other Non-Opioid Substance Use Disorders
Practitioner Qualifications	C, CT, L*, MA	C, CT, L, MA	C, CT, L	CT, L	C, CT, L	M	CT, L, MA	C, CT, L, MA	P	C, CT, L, MA	C, CT, L, MA	CT, L***, MA

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TN No. <u>24-0041</u> Supersedes TN No. <u>23-0026</u>

Approval Date: August 5, 2024 Effective Date: April 1, 2024

Supplement 7 to Attachment 3.1-A

Page 5

PRACTITIONER QUALIFICATIONS

Provider Entities

All MAT for OUD services are provided by DMC certified providers. DMC certified providers providing MAT for OUD services must: 1) be licensed, registered, enrolled, and/or approved in accordance with all applicable state and federal laws and regulations; 2) abide by the definitions, rules, and requirements for stabilization and rehabilitation services established by the Department of Health Care Services; and 3) sign a provider agreement with a county or the Department of Health Care Services, if applicable.

Practitioners

	MAT for OUD Services											
	Assessment*	Crisis Intervention	Counseling (Individual and Group)	Medical Psychotherapy	Medication Services	Patient Education	Prescribing and monitoring of MAT for OUD					
Practitioner Qualifications												

C = Counselors

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TN No. <u>24-0041</u> Supersedes TN No. <u>23-0026</u>

Approval Date: August 5, 2024 Effective Date: April 1, 2024

PRACTITIONER QUALIFICATIONS

Provider Entities

All MAT for OUD services are provided by DMC certified providers. DMC certified providers providing MAT for OUD services must: 1) be licensed, registered, enrolled, and/or approved in accordance with all applicable state and federal laws and regulations; 2) abide by the definitions, rules, and requirements for stabilization and rehabilitation services established by the Department of Health Care Services; and 3) sign a provider agreement with a county or the Department of Health Care Services, if applicable.

Practitioners

	MAT for OUD Services											
	Assessment*	Crisis Intervention	Counseling (Individual and Group)	Medical Psychotherapy	Medication Services	Patient Education	Prescribing and monitoring of MAT for OUD					
Practitioner Qualifications	C, CT, L*, MA	C, CT, L	C, CT, L	М	CT, L, MA	C, CT, L, MA	CT, L**, MA					

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