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State/Territory Name: Rhode Island

State Plan Amendment (SPA) #: 24-0007

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) Form CMS 179
- 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

July 1, 2024

Richard Charest, R.Ph, MBA, Secretary
Executive Office of Health and Human Services
3 West Road, Virks Building
Cranston, RI 02920

Re: Rhode Island State Plan Amendment (SPA) 24-0007

Dear Secretary Charest:

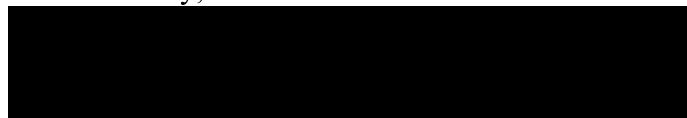
The Centers for Medicare & Medicaid Services (CMS) reviewed your Medicaid State Plan Amendment (SPA) submitted under transmittal number (TN) 24-0007. This amendment proposes a revision to the state plan language for Provider qualifications regarding Enhanced MHPRR (E-MHPRR) services.

We conducted our review of your submittal according to statutory requirements in Title XIX of the Social Security Act and implementing regulations 42 CFR § 440.130. This letter informs you that Rhode Island's Medicaid SPA TN 24-0007 was approved on July 1, 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 Rhode Island State Plan.

If you have any questions, please contact Joyce Butterworth at (857) 357-6375 or via email at Joyce.Butterworth@cms.hhs.gov.

Sincerely,



Falecia M. Smith, Acting Director
Division of Program Operations

Enclosures

cc: Kristin Sousa, Interim Medicaid Program Director
Kathryn Thomas, Senior Economic and Policy Analyst

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

1. TRANSMITTAL NUMBER
2 4 — 0 0 0 7

2. STATE
RI

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
Section 1905 of the Act and 42 CFR 440.130

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
Attachment 3.1-A, Supplement to Page 6, p. 6.19
Attachment 3.1-A, Supplement to Page 6, p. 6.19a
Attachment 3.1-A, Supplement to Page 6, p. 6.19b

8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable)
Attachment 3.1-A, Supplement to Page 6, p. 6.19 TN 22-0014
Attachment 3.1-A, Supplement to Page 6, p. 6.19a TN 22-0014
Attachment 3.1-A, Supplement to Page 6, p. 6.19b TN 22-0014

9. SUBJECT OF AMENDMENT

E-MHPRR Provider Qualifications

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:

11. SIGNATURE OF STATE AGENCY OFFICIAL

[Redacted Signature]

12. TYPED NAME
Richard Charest

13. TITLE
EOHHS Secretary

14. DATE SUBMITTED
05/08/24

15. RETURN TO

EOHHS
3 West Road, Virks Building
Cranston, RI 02920

FOR CMS USE ONLY

16. DATE RECEIVED
05/08/2024

17. DATE APPROVED
07/01/2024

PLAN APPROVED - ONE COPY ATTACHED

18. EFFECTIVE DATE OF APPROVED MATERIAL
04/01/2024

19. [Redacted]

20. TYPED NAME OF APPROVING OFFICIAL
Falecia M. Smith

21. TITLE OF APPROVING OFFICIAL
Acting Director, Division of Program Operations

22. REMARKS

5/9/24: The State authorized the following pen & ink changes: Box 8: Add TN number

13D. Rehabilitative Services (cont.)
Adult Behavioral Health Services

Residential Rehab Services

Definition:

Residential services are services provided in facilities of no more than sixteen (16) beds that provide 24-hour staffing in which the clients receive a wide range of care management, treatment, psychiatric rehabilitation and individual care services.

Behavioral health therapeutic and rehabilitative residential services that are necessary for the resident to attain recovery and that are recommended by a physician who is licensed by the RI Department of Health and in accordance with state law; or an Advanced Practice Registered Nurse (APRN) who is licensed by the RI Department of Health.

The services elements offered by a residential rehabilitation program shall include the provision of or linkage to the following based on each resident's individualized treatment plan:

- Individual, group, and family counseling (family counseling services are provided for the direct benefit of the beneficiary, in accordance with the beneficiary's needs and treatment goals and for the purpose of assisting in the beneficiary's recovery and are provided by the Residential Manager and/or Registered Nurse);
- Medication management (provided by a Registered Nurse);
- Administration of medication (provided by a Registered Nurse);
- Psychoeducation to support medication adherence (provided by a Licensed Nursing Assistant and/or Registered Nurse and/or Residential Manager);
- Symptom management (provided by all staff);
- Nutrition education and counseling (provided by a Registered Nurse);
- Skill training to restore skills related to health and hygiene (provided by all staff);
- Crisis intervention services (provided by the Residential Manager and a Registered Nurse)
- Skills training to restore skills necessary for community and daily living (provided by all staff);
- Community resource information and access (provided by all staff);

In addition to the services above, Enhanced Mental Health Psychiatric Rehabilitative Residences (E-MHPRRs) will provide a safe and less restrictive environment for individuals with high intensity and acuity service needs. These individuals do not require hospital inpatient psychiatric services but have care needs that exceed existing MHPRR services.

E-MHPRRs will provide services for patients with complex mental health needs that are being discharged from hospital settings and require enhanced services beyond those offered in a traditional community setting. Individuals are eligible for these high intensity enhanced services based on medical necessity criteria.

Payment for room and board is excluded.

Provider Qualifications:

Provider entities that meet the E-MHPRR certification standards will provide planned and integrated medical and behavioral supports through person centered treatment and care. Services shall include the daily participation of each client in an active treatment program individualized to the needs of the client.

Residential Services are provided through Behavioral Health Organizations licensed by the State. Residential programs promoting their services as a specialty program for individuals with co-occurring disorders must have an appropriate ratio of qualified mental health and substance abuse personnel.

Staff Qualifications

Direct services staff in residential programs shall have, at a minimum, the following qualifications relevant to the service they are providing:

- Residential Treatment Workers (RTWs)
 - A license as a Registered Nurse or an Associate’s Degree in a human services field; or a combination of education and prior work or life experience that the organization determines is comparable; or
- Licensed Nursing Assistants
 - Active and current licensure through the Rhode Island Department of Health. The Licensed Nursing Assistant may provide services within their scope of practice.

In addition to the direct service staff described above, each E-MHPRR is required to have the following full-time staff positions for at least each daytime shift, five days per week:

- Residential Manager
 - The residential manager shall be assigned only to the E-MHPRR and shall have at least one of the following qualifications:
 - Independent Practitioner licensed by the Rhode Island Department of Health; or

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- Licensed Chemical Dependency Clinical Supervisor licensed by the Rhode Island Department of Health; or
 - Licensed Chemical Dependency Professional who has completed a department approved course in clinical supervision and is licensed by the Rhode Island Department of Health; or
 - Clinician with relevant Master's Degree and license by the Rhode Island Department of Health and at least two (2) years full time experience providing relevant behavioral health services; or
 - Registered nurse who is licensed by the Rhode Island Department of Health and/or in accordance with state law and has American Nurses Credentialing Center (ANCC) certification as a Psychiatric and Mental Health Nurse or, at least, two (2) years full time experience providing relevant behavioral health services; or
 - A combination of education and experience that is determined by the E-MHPRR program to be a substantial equivalent to those qualifications to the above-listed qualifications and has received written approval from the Department of the Residential Manager's qualifications.
- Licensed Registered Nurse
 - Current licensure through the Rhode Island Department of Health and/or accordance with state law. The Licensed Registered Nurse may provide services within their scope of practice.