

December 28, 2023

THIS LETTER SENT VIA EMAIL

Mr. James G. Scott, Director
Division of Program Operations
Medicaid and CHIP Operations Group
Centers for Medicare & Medicaid Services
601 East 12th Street, Suite 0300
Kansas City, MO 64106-2898

STATE PLAN AMENDMENT 23-0027: CHILDREN AND YOUTH BEHAVIORAL
INITIATIVE – PUPIL PERSONNEL SERVICES CREDENTIALLED PRACTITIONERS

Dear Mr. Scott:

The Department of Health Care Services (DHCS) is submitting State Plan Amendment (SPA) 23-0027 to the Centers for Medicare and Medicaid Services (CMS) for your review and approval. This SPA proposes to adopt Pupil Personnel Services (PPS) credentialed practitioners as a distinct provider type in the Medi-Cal program. Within their scope of practice under state law, these practitioners can provide behavioral health (mental health and substance use disorders) services to children and youth at a school site, as part of the Children and Youth Behavioral Health Initiative (CYBHI) statewide. Payments will be disbursed according to a multi-payer, school-linked fee schedule. DHCS seeks an effective date of January 1, 2024, for this SPA.

Currently, PPS-credentialed practitioners only exist within the State Plan under the Local Educational Agency Medi-Cal Billing Option Program (LEA BOP), authorized under California's Welfare and Institutions (Welf. & Inst.) Code § 14132.06. The LEA BOP provides cost-based reimbursement to LEAs (the governing body of any school district or community college district, county offices of education, charter school, state special school, California State University campus, or University of California Campus) for covered health care services. The covered services may be provided by qualified health care practitioners to Medi-Cal eligible students under the age of 22, pursuant to an Individualized Education Plan (IEP), Individualized Family Services Plan (IFSP) Individualized Health and Support Plan (IHSP).

Pursuant to California Welf. & Inst. Code § 5961 *et seq.*, the CYBHI is a multiyear, multi-departmental package of investments that seeks to reimagine the systems, regardless of payer (e.g., Medi-Cal, Commercial Health Plans), that support the behavioral health needs for all of California's children, youth, and their families. Broadly, efforts under the CYBHI will focus on promoting social and emotional well-being,



preventing behavioral health challenges, and providing equitable, appropriate, timely, and accessible services for emerging and existing behavioral health needs for children and youth. The CYBHI statute (see Welf. & Inst. Code § 5961.4, Health & Safety Code § 1374.722, and Ins. Code § 10144.53) authorizes the CYBHI school-linked behavioral health fee schedule and provider network (i.e., CYBHI School-Linked Services), a multi-payer program that requires the Medi-Cal delivery system and commercial health plans to reimburse school-linked providers for furnishing services to students at a school site.¹

In addition, in recent guidance, [Delivering Services in School-Based Settings: A Comprehensive Guide to Medicaid Service and Administrative Claiming](#), CMS clarified its guidance to “give states greater flexibility to cover services provided by school-based health care providers whose provider qualifications vary from the qualifications for non-school-based providers of the same services, or whose scope of practice might be limited under State or local law to the school setting.” CMS further clarified that, “states should not impose provider qualifications that are unique to Medicaid-covered services” and “the State cannot impose additional provider qualification requirements under State law as a condition for receiving Medicaid payment for counseling provided to a Medicaid beneficiary.”² The specific examples given in this CMS guidance [pertaining to preventative and rehabilitative services defined in section 1905(a)(13) and 42 C.F.R. §440.130(c) and (d)], respectively, CMS states that, “States can, in the Medicaid State Plan, define the amount, duration and scope of services covered under the benefit, and list providers who are qualified to provide the services by referencing the generally applicable licensure, certification, or other experience, education or training criteria.”³

In accordance with this guidance, DHCS is seeking to adopt PPS-credentialed practitioners to the CYBHI School-Linked Services (SLS) program and provider network to allow Medicaid payments for services, specified in the CYBHI SBS-specific Medi-Cal fee schedule, including outpatient mental health and substance use disorder services, furnished to eligible Medicaid beneficiaries up to 22 years of age at a school site. The PPS-credentialed practitioner types to be adopted include:

- Credentialed School Counselors
- Credentialed School Psychologists
- Credentialed School Social Workers

Thus, to the extent that the PPS-credentialed practitioners are authorized to perform such covered services within the scope of their practice under state law, DHCS is seeking to leverage the authority in the Title 5 California Code of Regulations (CCR) §

¹ A school site is defined in statute as a location where a school, or district, provides or arranges for the provision of services to a student, including on-campus, off-campus and mobile clinic settings. See H&S Code 1374.722

² <https://www.medicaid.gov/sites/default/files/2023-07/sbs-guide-medicaid-services-administrative-claiming-ud.pdf>, page 28

³ <https://www.medicaid.gov/sites/default/files/2023-07/sbs-guide-medicaid-services-administrative-claiming-ud.pdf>, page 29

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88049.1 and California Education Code § 4942, assuming that all requirements are met, for purposes of developing SPA 23-0027.

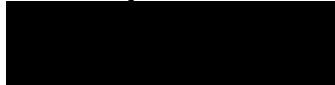
DHCS issued a public notice on November 22, 2023. On December 21, 2023, CMS informed DHCS that a tribal notice is not required for this SPA.

DHCS is submitting the following SPA documents for review and approval:

- CMS 179 – Transmittal and Notice of Approval of State Plan Material
- Limitations to Attachment 3.1-A pages 9t.1 and 9t.2 – New
- Limitations to Attachment 3.1-B pages 9t.1 and 9t.2 – New
- Public notice
- No-tribal notice approval

If you have any questions or need additional information, please contact Autumn Boylan, Deputy Director of the Office of Strategic Partnerships at (916) 508-9284 or by email at Autumn.Boylan@dhcs.ca.gov.

Sincerely,



Michelle Baass
Director & Interim State Medicaid Director
Director's Office

Enclosures

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

1. TRANSMITTAL NUMBER

2 3 — 0 0 2 7

2. STATE

CA

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

January 1, 2024

5. FEDERAL STATUTE/REGULATION CITATION

Title XIX of the Social Security Act, Section 1905(a)

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

Limitations on Attachment 3.1-A, pages 9t.1-2 (new)
Limitations on Attachment 3.1-B, pages 9t.1-2 (new)

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

None

9. SUBJECT OF AMENDMENT

Adds Pupil Personnel Services credentialed School Psychologists, School Social Workers, and School Counselors as a distinct provider type for Psychology services in school-linked settings.

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:

Please note: The Governor's Office does not wish to review the State Plan Amendment.

11. SIGNATURE OF STATE AGENCY OFFICIAL

[Redacted Signature]

12. TYPED NAME

Michelle Baass

13. TITLE

Interim State Medicaid Director

14. DATE SUBMITTED

December 28, 2023

15. RETURN TO

Department of Health Care Services
Attn: Director's Office
P.O. Box 997413, MS 0000
Sacramento, CA 95899-7413

FOR CMS USE ONLY

16. DATE RECEIVED

17. DATE APPROVED

PLAN APPROVED - ONE COPY ATTACHED

18. EFFECTIVE DATE OF APPROVED MATERIAL

19. SIGNATURE OF APPROVING OFFICIAL

20. TYPED NAME OF APPROVING OFFICIAL

21. TITLE OF APPROVING OFFICIAL

22. REMARKS

STATE PLAN CHART

Type Of Service	Program Coverage**	Prior Authorization or Other Requirements*
<p>4b EPSDT (continued) School-Linked Services (SLS)</p>	<p>School-Linked Services (SLS) offer outpatient mental health and substance use disorder services to eligible Medicaid beneficiaries up to 22 years of age provided at a school site.</p> <p>A schoolsite is a facility or location used for public kindergarten, elementary, secondary, or postsecondary purposes. A school includes a location not owned or operated by a public school or public school district if the school or district provides or arranges for the provision of medically necessary treatment of a mental health or substance use disorder at that location, including off-campus clinics, mobile counseling units, and similar locations.</p> <p>Freedom of Choice 42 CFR 431.51. The State assures that the provision of services will not restrict an individual’s free choice of qualified providers in violation of 1902(a)(23) of the Social Security Act.</p>	<p>Prior authorization is not required.</p>

* Prior authorization is not required for emergency services.

**Coverage is limited to medically necessary services.

STATE PLAN CHART

Type Of Service	Program Coverage**	Prior Authorization or Other Requirements*
<p>4b EPSDT (cont.)</p> <p>SLS (cont.)</p>	<p><u>Psychology and Counseling Services</u></p> <p>Psychology services provided in accordance with Item 6d.1.</p> <p>Qualified Practitioner Types:</p> <ul style="list-style-type: none"> • Credentialed School Counselors • Credentialed School Psychologists • Credentialed School Social Workers 	<p><u>Practitioner qualifications, limits and supervision requirements:</u></p> <p>SLS practitioners shall hold a valid Pupil Personnel Services (PPS) credential issued by the Commission on Teacher Credentialing (CTC), with the appropriate authorization for those services:</p> <ul style="list-style-type: none"> • Credentialed School Counselors must have a PPS credential with a specialization in school counseling. • Credentialed School Psychologists must have a PPS credential with a specialization in school psychology. • Credentialed School Social Workers must have a PPS credential with a specialization in school social work. <p>SLS Practitioners may furnish services within their scope of their practice under state law and only at a schoolsite, as defined in the state plan.</p>

TN No. 23-0027
Supersedes
TN No. None

Approval Date:

Effective Date: January 1, 2024

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