



Health Plan, Inc.

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October 16, 2019

Human Services Department  
Office of the Secretary  
Attn: Medical Assistance Division Public Comments  
Centennial Care Contracts Bureau  
POB 2348  
Santa Fe, NM 87504-2348

Dear Secretary:

Thank you for allowing us the opportunity to review and respond to the proposed revisions to the New Mexico Administrative Code (NMAC): 8.321.2 Specialized Behavioral Health Services. PHP is submitting the comments contained herein. Please accept the comments and questions for consideration in the final adoption.

- In section 9: General Provider Instruction
  - **Subsection D:** The Department proposes to add new types of agencies to the list of agencies that may utilize non-independent practitioners under supervision for rendering behavioral health services: 1) a CareLink NM Health Home (CLNM HH); 2) a crisis triage center licensed by the Department of Health (DOH); 3) a Behavioral Health Agency (BHA) with a Behavioral Health Services Division (BHSD) supervisory certificate; 4) an opioid treatment program in a methadone clinic with a BHSD supervisory certificate; 5) a political subdivision of the state of New Mexico as a BHA with a BHSD supervisory certificate; and 6) a crisis services community provider as a BHA with a BHSD supervisory certificate. Each agency type will increase access to behavioral health services through the use of mid-level practitioners.

**PHP Question:** Would these agency types not be required to obtain Supervisory Certification from BHSD?

- **Subsection E:** The Department proposes to add new non-independent practitioners to the list of those that can render services within one of the agencies listed in Subsection D. These are: 1) a registered nurse with existing New Mexico licensure when supervised by a behavioral health certified nurse practitioner, clinical nurse specialist, or physician; 2) a physician assistant; or 3) certain individuals in educational programs including a master's level behavioral health intern, a psychology intern (including psychology practicum students and pre doctoral internship), a pre-licensure psychology post doctorate student, a certified peer support worker, or a certified family peer support worker. All of the

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practitioners must be enrolled as a MAD provider. The addition of these non-licensed practitioners will extend access to behavioral health services for eligible recipients; provides needed experience for behavioral health interns; add to the workforce within agencies; and support the premise that interns, once assimilated into the New Mexico behavioral health workforce, are more likely to stay in New Mexico once they are licensed. All supervisory requirements must be met. In compliance with 2019 Senate Bill 207 the rule provides for licensed substance abuse associates to be reimbursed for the services provided to medical assistance recipients within the licensed substance abuse associate's scope of practice.

**PHP question:** Is the intent, (these individuals who do not have NPI's and cannot register with Condent or be a rendering provider) that they can provide and bill for services under their supervisor only, if the agency they work for has a Supervisor Certification?

- **Section 20: Crisis Triage Center (CTC)** - This new section proposes to add information clarifying that CTC covers both outpatient crisis stabilization and residential services for up to eight days with a limit of 12 beds. The effective date of residential CTC services will be January 1, 2019, or as otherwise approved by the Centers for Medicare and Medicaid Services (CMS).

**PHP question:** What provider type would this be?

Thank you for allowing us the opportunity to collaborate and provide comments.

Respectfully,

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