

**STATE COVERAGE INSURANCE (SCI)
SERVICES FOR SCI MEMBERS WITH SPECIAL HEALTH CARE NEEDS
Tribal Consultation Version 10.15.2013**

**TITLE 8 SOCIAL SERVICES
CHAPTER 306 STATE COVERAGE INSURANCE (SCI)
PART 15 SERVICES FOR SCI MEMBERS WITH SPECIAL HEALTH CARE NEEDS**

8.306.15.1 ISSUING AGENCY: Human Services Department
[8.306.15.1 NMAC - N, 7-1-05]

8.306.15.2 SCOPE: This rule applies to the general public.
[8.306.15.2 NMAC - N, 7-1-05]

8.306.15.3 STATUTORY AUTHORITY: New Mexico Statutes Annotated, 1978 (Chapter 27, Articles 1 and 2) authorize the state to administer the medicaid program. The State Coverage Insurance (SCI) program is authorized under a health insurance flexibility and accountability (HIFA) waiver under section 1115 of the Social Security Act for the parent population and a medicaid demonstration waiver under section 1115 for the childless adult population, both subject to special terms and conditions.
[8.306.15.3 NMAC - N, 7-1-05; A, 6-1-10]

8.306.15.4 DURATION: The SCI program is operated subject to continuation of the state's HIFA waiver and the medicaid demonstration waiver, and subject to availability of funds.
[8.306.15.4 NMAC - N, 7-1-05; A, 6-1-10]

8.306.15.5 EFFECTIVE DATE: July 1, 2005, unless a later date is cited at the end of a section.
[8.306.15.5 NMAC - N, 7-1-05]

8.306.15.6 OBJECTIVE: The objective of these regulations is to provide policies for the service portion of the New Mexico SCI program.
[8.306.15.6 NMAC - N, 7-1-05]

8.306.15.7 DEFINITIONS: See 8.306.1.7 NMAC.
[8.306.15.7 NMAC - N, 7-1-05]

8.306.15.8 MISSION STATEMENT: The mission of the medical assistance division is to reduce the impact of poverty on people living in New Mexico and to assure low income and disabled individuals in New Mexico equal participation in the life of the communities.
[8.306.15.8 NMAC - N, 7-1-05; A, 7-1-09]

8.306.15.9 SERVICES FOR SCI MEMBERS WITH SPECIAL HEALTH CARE NEEDS (SCI-SHCN):

A. SCI-SHCN require a broad range of primary, specialized medical, behavioral health and related services. SCI-SHCN are individuals who have, or are at an increased risk for, a chronic physical, developmental, behavioral, neurobiological or emotional condition, and who require health and related services of a type or amount beyond that required by other individuals. SCI-SHCN have ongoing health conditions, high or complex service utilization, and low to severe functional limitations. The primary purpose of the definition is to identify these individuals so that the MCO can facilitate access to appropriate services. The definition also allows for flexible targeting of individuals based on clinical justification and discontinuing targeted efforts when such efforts are no longer needed.

B. **Identification of enrolled SCI-SHCN:** The MCO shall have written policies and procedures in place with HSD approval, which govern how members with multiple and complex physical and behavioral health care needs shall be identified. The MCOs shall have an internal operational process, in accordance with policy and procedure, to target members for the purpose of applying stratification criteria to identify SCI-SHCNs. The MCO shall employ reasonable effort to identify SCI-SHCNs based at least on the following criteria:

- (1) individuals eligible for SSI;
- (2) individuals identified by service utilization, clinical assessment, or diagnosis; and
- (3) individuals referred by family or a public or community program.

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[8.306.15.9 NMAC - N, 7-1-05; A, 6-1-08; A, 7-1-09]

8.306.15.10 SCI ENROLLMENT FOR SCI-SHCN:

A. **Switch enrollment:** The MCO shall have policies and procedures to facilitate a smooth transition of a member who switches enrollment to another MCO. See Subsection E of 8.306.5.9 NMAC, *member switch enrollment*. Individual members (not enrolled in an employer group), including SCI-SHCN, may request to break a lock-in and be switched to membership in another MCO, based on cause. The member, the member's family or legal guardian shall contact HSD to request that the member be switched to another MCO.

B. **SCI-SHCN information and education:**

(1) The MCO shall develop and distribute to SCI-SHCN members, caregivers, parents and/or legal guardians, as appropriate, information and materials specific to the needs of this population. This includes information, such as items and services that are provided or not provided by the SCI program, information about how to arrange transportation, and which services require a referral from the PCP. The individual, family, caregiver, or legal guardian shall be informed on how to present an individual for care in an emergency room that is unfamiliar with the individual's special health care needs and about the availability of care coordination. See 8.306.9 NMAC, *Coordination Of Benefits*. This information may be included either in a special member handbook or in a SCI-SHCN insert to the MCO member handbook.

(2) The MCO shall provide health education information to assist a SCI-SHCN and/or caregivers in understanding how to cope with the day-to-day stress caused by chronic illness, including chronic behavioral health conditions.

(3) The MCO shall provide SCI-SHCNs or caregivers a list of key MCO resource people and their telephone numbers. The MCO shall designate a single point of contact that a SCI-SHCN, family member, caregiver, or provider may call for information.

[8.306.15.10 NMAC - N, 7-1-05; A, 6-1-08]

8.306.15.11 CHOICE OF SPECIALIST AS PCP: The MCO shall develop and implement policies and procedures governing the process for member selection of a PCP, including the right by an SCI-SHCN to choose a specialist as a PCP, including a psychiatrist in the case of behavioral health. The specialist provider must agree to provide all mandated PCP services. See 8.306.6.12 NMAC, *primary care providers*.

[8.306.15.11 NMAC - N, 7-1-05; A, 7-1-09]

8.306.15.12 SPECIALTY PROVIDERS FOR (SCI-SHCN): The MCO shall have policies and procedures in place to allow direct access to necessary specialty care, consistent with SCI access appointment standards for clinical urgency, including behavioral health access standards. See 8.306.8 NMAC.

[8.306.15.12 NMAC - N, 7-1-05]

8.306.15.13 CARE COORDINATION FOR SCI-SHCN: The MCOs shall develop policies and procedures to provide care coordination for SCI-SHCN. Please refer to 8.306.9 NMAC, *Coordination of Benefits*, for definition.

A. The MCO shall have an internal operational process, in accordance with policy and procedure, to target medicaid members for purposes of applying stratification criteria to identify those who are potential SCI-SHCN. The contractor will provide HSD with the applicable policy and procedure describing the targeting and stratification process.

B. The MCO shall have written policies and procedures to ensure that each member identified as having special health care needs is assessed by an appropriate health care professional regarding the need for care coordination. If the member has both physical and behavioral health special needs, the MCO and SE shall coordinate care in a timely collaborative manner.

C. The MCO shall have written policies and procedures for educating SCI-SHCN about available care coordination and when it may be appropriate.

[8.306.15.13 NMAC - N, 7-1-05; A, 7-1-09]

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8.306.15.14 EMERGENCY, INPATIENT AND OUTPATIENT AMBULATORY SURGERY

HOSPITAL REQUIREMENTS FOR SCI-SHCN: The MCO shall develop and implement policies and procedures for:

- A. educating SCI-SHCN, SCI-SHCN's family members and/or caregivers with complicated clinical histories on how to access emergency room care and what clinical history to provide when emergency care or inpatient admission is needed, including behavioral health emergency care;
- B. how coordination with the PCP, the SE (if applicable) and the hospitalist shall occur when an SCI-SHCN is hospitalized;
- C. ensuring that the emergency room physician has access to the individual's medical and/or behavioral health clinical history; and
- D. obtaining any necessary referrals from PCPs for inpatient hospital staff providing outpatient or ambulatory surgical procedures.

[8.306.15.14 NMAC - N, 7-1-05]

8.306.15.15 REHABILITATION THERAPY SERVICES (PHYSICAL, OCCUPATIONAL, AND SPEECH THERAPY) FOR SCI-SHCN: The MCO shall:

- A. develop and implement therapy using clinical practice guidelines specific to acute, chronic or long-term conditions of their SCI-SHCN that meet medical necessity criteria and are based on HSD's adult rehabilitation services policy in compliance with SCI benefits;
- B. involve the SCI-SHCN's family, caregivers, physicians and therapy providers in identifying issues to be included in the plan of care; and
- C. develop and implement utilization prior approval and continued stay criteria, including time frames, that are appropriate to the chronicity of the member's status and anticipated development process.

[8.306.15.15 NMAC - N, 7-1-05]

8.306.15.16 DURABLE MEDICAL EQUIPMENT (DME) AND SUPPLIES FOR SCI-SHCN: The MCO shall in compliance with available benefits for SCI:

- A. develop and implement a process to permit members utilizing supplies on an ongoing basis to submit a list of supplies to the DME provider on a monthly basis; the MCO shall contact the member or the member's legal guardian or caregiver when requested supplies cannot be delivered and make other arrangements, consistent with clinical need;
- B. develop and implement a system for monitoring compliance with access standards for DME and medical supplies, and institute corrective action if the provider is out of compliance; and
- C. have an emergency response plan for DME and medical supplies needed on an emergency basis.

[8.306.15.16 NMAC - N, 7-1-05]

8.306.15.17 CLINICAL PRACTICE GUIDELINES FOR PROVISION OF CARE TO SCI-SHCN: The MCO shall develop clinical practice guidelines, practice parameters and other criteria that consider the needs of SCI-SHCN and provide guidance in the provision of acute and chronic physical and behavioral health care services to this population. The guidelines should be based on professionally accepted standards of practice and national guidelines.

[8.306.15.17 NMAC - N, 7-1-05]

8.306.15.18 UTILIZATION MANAGEMENT (UM) FOR SERVICES TO SCI-SHCN: The MCO shall develop written policies and procedures to exclude from prior authorization any item of service identified in the course of treatment and documented in the treatment plan, and/or extend the authorization period for services provided for chronic conditions. There shall be a process for review and periodic update for the course of treatment, as indicated.

[8.306.15.18 NMAC - N, 7-1-05]

8.306.15.19 ADDITIONS TO CONSUMER ASSESSMENT OF HEALTH PLANS SURVEY (CAHPS) FOR (SCI-SHCN): The MCO shall add questions about SCI-SHCN to the most current HEDIS CAHPS survey.

[8.306.15.19 NMAC - N, 7-1-05]

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8.306.15.20 SCI-SHCN PERFORMANCE MEASURES: The MCO shall initiate a performance measure specific to SCI-SHCN. See 8.306.8 NMAC, *Quality Management*.
[8.306.15.20 NMAC - N, 7-1-05]

HISTORY OF 8.306.15 NMAC: [RESERVED]