

2022 Regular Session

SENATE BILL NO. 213

BY SENATOR LUNEAU

BEHAVIORAL HEALTH. Provides relative to specialized behavioral health rehabilitation services in the Louisiana medical assistance program. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 40:2162(A)(3) and (7), (C)(3), (D)(1), (2)(c), (3)(b), and (H)(1)

3 and to repeal R.S. 40:2162(C)(2)(c), relative to behavioral health rehabilitation

4 services in the medical assistance program; to provide for community psychiatric

5 support and treatment services; to provide for psychosocial rehabilitation services;

6 to provide for licensure requirements of individuals providing services; to provide

7 for technical updates of outdated provisions; to provide for an effective date; and to

8 provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 40:2162(A)(3) and (7), (C)(3), (D)(1), (2)(c), (3)(b), and (H)(1) are

11 hereby amended and reenacted to read as follows:

12 §2162. Specialized behavioral health rehabilitation services in the Louisiana medical

13 assistance program

14 A. For purposes of this Section, the following definitions shall apply:

15 \* \* \*

16 (3) "Community psychiatric support and treatment services", hereinafter

17 referred to as "CPST" services, means CMS-approved Medicaid mental health

1 rehabilitation services ~~defined as services associated with assisting individuals with~~  
 2 ~~skill building to restore stability, support functional gains, and adapt to community~~  
 3 ~~living, designed to focus on reducing the~~ **reduce** ~~disability from mental illness,~~  
 4 ~~restoring~~ **restore** ~~functional skills of daily living, and building~~ **build** ~~natural~~  
 5 ~~supports, and solution-oriented interventions, or such other successor services or~~  
 6 ~~requirements subsequently approved by CMS or the department for CPST services~~  
 7 ~~for the Louisiana medical assistance program~~ **achieve identified person-centered**  
 8 **goals or objectives through counseling, clinical psycho-education, and ongoing**  
 9 **monitoring needs as set forth in an individualized treatment plan.**

10 \* \* \*

11 (7) "Psychosocial rehabilitation services", hereinafter referred to as "PSR"  
 12 services, means CMS-approved Medicaid mental health rehabilitation services  
 13 ~~defined as psycho-educational services provided to individuals with mental illness~~  
 14 ~~in order to assist with skill building, restoration, and rehabilitation, designed to assist~~  
 15 ~~the individual with compensating for or eliminating functional deficits and~~  
 16 ~~interpersonal or environmental barriers associated with mental illness, or such other~~  
 17 ~~successor services or requirements subsequently approved by CMS or the department~~  
 18 ~~for PSR services for the Louisiana medical assistance program.~~ **through skill**  
 19 **building and supportive interventions to restore and rehabilitate social and**  
 20 **interpersonal skills and daily living skills.**

21 \* \* \*

22 C. In order to be eligible to receive Medicaid reimbursement, all behavioral  
 23 health services providers providing PSR or CPST services to Medicaid recipients  
 24 shall meet all of the following requirements:

25 \* \* \*

26 (3) ~~Effective January 1, 2019, have~~ **Have** a National Provider Identification  
 27 number, hereinafter referred to as "NPI". The behavioral health services provider  
 28 agency shall include its NPI number and the NPI number of the individual rendering  
 29 the PSR or CPST services on its behalf on all claims for Medicaid reimbursement

1 submitted for PSR or CPST services, ~~for dates of service on or after January 1, 2019.~~

2 \* \* \*

3 D. In order to be eligible to receive Medicaid reimbursement, all behavioral  
4 health services providers shall ensure that any individual rendering PSR or CPST  
5 services for the licensed and accredited provider agency meets all of the following  
6 requirements:

7 (1) ~~Effective for services rendered on or after January 1, 2019, the~~ The  
8 individual rendering the PSR or CPST services for the licensed and accredited  
9 provider agency shall have an individual NPI number and that NPI number shall be  
10 included on any claim by that provider agency for reimbursement related to such  
11 services.

12 (2) \* \* \*

13 (c) Any individual rendering ~~any CPST services for a licensed and accredited~~  
14 ~~provider agency shall hold a minimum of a bachelor's degree from an accredited~~  
15 ~~university or college in the field of counseling, social work, psychology, or~~  
16 ~~sociology.~~ **the assessment and treatment planning components of CPST services**  
17 **for a licensed and accredited provider agency shall be a fully licensed mental**  
18 **health professional. Any individual rendering any of the other components of**  
19 **CPST services for a licensed and accredited provider agency shall be a fully**  
20 **licensed mental health professional, a provisionally licensed professional**  
21 **counselor, a provisionally licensed marriage and family therapist, a licensed**  
22 **master social worker, a certified social worker, or a psychology intern from an**  
23 **American Psychological Association approved internship program.**

24 (3) \* \* \*

25 (b) ~~Within thirty days of May 31, 2018, the~~ The department shall commence  
26 any actions that are required to amend any existing department rule or regulation that  
27 is in conflict with the requirements of this Section, including but not limited to any  
28 required approval by CMS.

29 \* \* \*

1 H.(1) ~~Effective July 1, 2018, the~~ **The** Medicaid managed care organizations  
 2 shall take appropriate actions to recoup Medicaid payments or funds from any  
 3 behavioral health services provider that renders Medicaid services in violation of the  
 4 provision of this Section.

5 \* \* \*

6 Section 2. R.S. 40:2162(C)(2)(c) is hereby repealed.

7 Section 3. This Act shall become effective upon signature by the governor or, if not  
 8 signed by the governor, upon expiration of the time for bills to become law without signature  
 9 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 10 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 11 effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Brandi Cannon.

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#### DIGEST

SB 213 Engrossed

2022 Regular Session

Luneau

Present law provides that "community psychiatric support and treatment services" (CPST) are CMS-approved Medicaid mental health rehabilitation services to assist individuals with skill building designed to reduce disability from mental illness, restore functional skills of daily living, and build natural supports and solution-oriented interventions, or such other successor services or requirements subsequently approved by CMS or the La. Dept. of Health.

Proposed law deletes present law language regarding successor services and specifies that CPST services are intended to achieve identified person-centered goals or objectives through counseling, clinical psycho-education, and ongoing monitoring needs as set forth in an individualized treatment plan.

Present law provides that "psychosocial rehabilitation services" (PSR) are CMS-approved Medicaid mental health rehabilitation services provided to individuals with mental illness designed to assist the individual with compensating for or eliminating functional deficits and interpersonal or environmental barriers associated with mental illness, or such other successor services or requirements subsequently approved by CMS or LDH.

Proposed law deletes present law language regarding successor services and specifies that PSR services use skill building and supportive interventions to restore and rehabilitate social and interpersonal skills and daily living skills.

Present law provides that an individual rendering any CPST services for a licensed and accredited provider agency shall hold a minimum of a bachelor's degree from an accredited university or college in the field of counseling, social work, psychology, or sociology.

Proposed law changes present law to require an individual rendering the assessment and treatment planning components of CPST services to be a fully licensed mental health professional. Proposed law further provides that an individual rendering all other

components of CPST services shall be a fully licensed mental health professional, a provisionally licensed professional counselor, a provisionally licensed marriage and family therapist, a licensed master social worker, a certified social worker, or a psychology intern from an American Psychological Association approved internship program.

Proposed law removes effective dates in present law that have already passed.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 40:2162(A)(3) and (7), (C)(3), (D)(1), (2)(c), (3)(b), and (H)(1); repeals R.S. 40:2162(C)(2)(c))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Amends the definition of psychosocial rehabilitation services.