

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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SENATE BILL 525*
Mental Health & Youth Services Committee Substitute Adopted 5/12/11
House Committee Substitute Favorable 6/13/12

Short Title: Critical Access Behavioral Health Agencies.

(Public)

Sponsors:

Referred to:

April 7, 2011

A BILL TO BE ENTITLED

AN ACT RELATING TO CRITICAL ACCESS BEHAVIORAL HEALTH AGENCIES.

The General Assembly of North Carolina enacts:

SECTION 1. Qualified provider. – The Department of Health and Human Services (Department) shall ensure that Critical Access Behavioral Health Agencies (CABHAs) are the only providers of the following Medicaid services: (i) Community Support Team; (ii) Intensive In-Home; and (iii) Child and Adolescent Day Treatment. CABHAs shall provide these services in accordance with all of the following:

- (1) State statutory requirements regulating the provision of mental health and substance abuse services in Chapter 122C of the General Statutes.
- (2) Chapters 21 through 25 and Chapter 27 of Title 10A of the North Carolina Administrative Code.
- (3) Clinical policy requirements specified in Medicaid Clinical Coverage Policy, Section 8, and in the 1915(b) MH/DD/SAS Health Plan Waiver.
- (4) Federal Medicaid policy as outlined in 42 C.F.R. Chapter IV, Subchapter C.

SECTION 2. Required services. – Each CABHA shall, at a minimum, provide comprehensive clinical assessment, medication management, outpatient therapy, and at least two of the following listed services within an age and disability-specific continuum within the same LME-MCO network region:

- (1) Intensive In-Home.
- (2) Community Support Team.
- (3) Child and Adolescent Day Treatment.
- (4) Substance Abuse Intensive Outpatient Program.
- (5) Substance Abuse Comprehensive Outpatient Treatment.
- (6) Child and Adolescent Residential Treatment Level II – Family and Program Type, Level III, or Level IV (provision of multiple residential service levels counts as one service).
- (7) Psychosocial Rehabilitation.
- (8) Assertive Community Treatment Team.
- (9) Multi-Systemic Therapy.
- (10) Partial Hospitalization.
- (11) Substance Abuse Medically Monitored Community Residential Treatment.
- (12) Substance Abuse Non-Medical Community Residential Treatment.
- (13) Outpatient Opioid Treatment.



- (14) Any other mental health or substance abuse service required to be delivered by a CABHA as set forth in the North Carolina State Plan of Medical Assistance as approved by the Centers for Medicare and Medicaid Services (CMS) or in a waiver approved by CMS pursuant to 42 U.S.C. § 1915(b).

SECTION 3. Staffing. – In accordance with the North Carolina State Plan of Medical Assistance, the Department shall ensure each CABHA meet the following staffing requirements:

- (1) A medical director who is a medical doctor licensed in North Carolina, enrolled as a provider, and in good standing with the Division of Medical Assistance. The medical director shall provide medical, clinical, and quality management oversight of the agency's CABHA services described in Section 2 of this act.
- (2) A clinical director who shall be one of the following licensed or certified providers:
 - a. Licensed medical doctor.
 - b. Licensed psychologist.
 - c. Licensed clinical social worker.
 - d. Licensed psychological associate.
 - e. Licensed professional counselor.
 - f. Licensed marriage and family therapist.
 - g. Licensed nurse practitioner.
 - h. Licensed clinical addiction specialist.
 - i. Certified clinical supervisor.
- (3) A quality management/training director who shall have any training or experience in quality management or training.

SECTION 4. This act is effective when it becomes law.