

DSS ID # 11-11

**AGENCY FISCAL ESTIMATE OF PROPOSED REGULATIONS**

AGENCY SUBMITTING REGULATION Department of Social Services DATE December 2, 2011

SUBJECT MATTER OF REGULATION Requirements for Payment of Services Provided by Licensed Behavioral Health Clinicians in Independent Practice

REGULATION SECTION NO. 17b-262-912 to 925 STATUTORY AUTHORITY 17b-262

OTHER AGENCIES AFFECTED \_\_\_\_\_

EFFECTIVE DATE USED IN COST ESTIMATE January 1, 2012

ESTIMATE PREPARED BY Annemarie Madore

QUESTIONS SHOULD BE ADDRESSED TO Lee Voghel TELEPHONE 424-5842

**SUMMARY OF STATE COST AND REVENUE IMPACT OF PROPOSED REGULATION**

Agency Department of Social Services Fund Affected General

	First Year 2012	Second Year 2013	Full Operation 2014
Number of Positions			
Personal Services			
Other Expenses			
Equipment			
Grants (Medicaid)			
Total State Cost (Savings)			
Estimated Revenue Gain (Loss)			
Total Net State Cost (Savings)	<u>see below</u>		

**STATE IMPACT OF REGULATION:**

This proposed regulation seeks to adopt new regulations, sections 17b-262-912 through 17b-262-925, inclusive, of the Regulation of Connecticut State Agencies, to provide Medicaid payment for services provide by licensed behavioral health clinician in independent practice for individuals under twenty-one (21) years of age.

The purpose of this regulation is to add licensed behavioral health clinicians to the list of independent practitioners that may bill for Medicaid payment and to establish the rules governing payment for these services. Historically, independent licensed behavioral health clinicians have been able to be reimbursed for services provided to individuals covered by HUSKY A, but not for individuals covered by Medicaid fee-for-service. The HUSKY A waiver will be sun-setting on December 31, 2011. Individuals currently covered by HUSKY A will be absorbed by the Medicaid fee-for-service program effective January 1, 2012. This regulation will permit expansion of coverage for independent licensed behavioral health clinicians to all Medicaid covered individuals in compliance with the revised State Plan and will assure continued coverage for the former HUSKY A clients after the waiver ends. Currently there are no regulations governing the payment of these independent licensed behavioral health clinicians under Connecticut Medicaid.

The main provisions of the regulation: (1) define "licensed behavioral health clinicians"; (2) identify the individuals to whom licensed behavioral health clinicians may provide reimbursable services; (3) identify the services covered, the service limitations and the services not covered by Medicaid; (4) describe the prior authorization and registration requirements; (5) identify the rules concerning billing procedures, payment, payment rate and payment limitations; and (6) describe the documentation requirements for licensed behavioral health clinicians shall meet.

**FINANCIAL IMPACT:**

It is anticipated that by making the changes in regulations detailed above we will be allowing for licensed behavioral health clinicians in independent practices to bill for Medicaid payment for behavioral health services rendered. We are estimating that by increasing the number of licensed behavioral health clinicians eligible to bill Medicaid that this may result in an increase in utilization of behavioral health services due to its expansion of the Medicaid provider network. This increase is not quantifiable.

**MUNICIPAL IMPACT OF REGULATION:** None

**SMALL BUSINESS IMPACT :** None

While the Department does not anticipate that the proposed regulations will have a significant impact on small businesses, small businesses will have the opportunity to bring any unanticipated concerns to the Department's attention through notice and public comment.