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MEMORANDUM

TO: Licensed Crisis Residence Providers and County Directors of Community Service (DCS)/Mental Health Commissioners

FROM: NYS Office of Mental Health (OMH), Bureau of Crisis Emergency and Stabilization Initiatives and the Division of Integrated Community Services for Children and Families.

DATE: February 1, 2024

SUBJECT: State Plan Amendment Updates for Crisis Residence Reimbursement Standards

Dear Crisis Residence Providers:

On June 29, 2023, NYS received approval from the Centers for Medicare and Medicaid Services (CMS) for the Crisis Intervention State Plan Amendment (SPA) #22-0026. NYS intends to formally implement Crisis Residence program changes by May 1, 2024, to effectuate the Crisis Intervention SPA for adults and children. The Crisis Intervention SPA consolidates and aligns Medicaid authority, coverage, and reimbursement policies for existing children and adult Crisis Residence services.

This document provides guidance to licensed Crisis Residence providers regarding policy and program changes to Crisis Residence services based on the Crisis Intervention SPA approval. All currently licensed Crisis Residence providers are authorized to be reimbursed for these services under the Crisis Intervention SPA. All Crisis Residence providers, including those designated in anticipation of licensure, are expected to conform to program standards. Children's Crisis Residence providers already conform to the updated standards below and, as such, do not need to make changes.

CRISIS INTERVENTION SERVICES BACKGROUND

The Crisis Intervention benefit, including Mobile Crisis services (implemented in 2019) and Crisis Residence services (implemented in 2020) was authorized under NYS' 1115 waiver as a demonstration benefit for adults aged 21 and older in Medicaid managed care. Medicaid Advantage Plus (MAP) Plans began covering the Crisis Intervention benefit in January 2023. These services will now transition to State Plan services.

Mobile Crisis and Crisis Residence services for children up to age 21 were developed under the Children and Family Treatment and Support Services (CFTSS) array implemented through the Children's Medicaid Transformation. These services will remain State Plan services.

UPDATES TO PROGRAM STANDARDS

Adult Crisis Residences, authorized under Part 589 of 14 NYCRR, include Residential Crisis Support and Intensive Crisis Residences and offer crisis intervention services to Medicaid,

Medicaid Managed Care, other insurance enrollees, and eligible individuals 18+ regardless of ability to pay. The State Plan Amendment (SPA) #22-0026, will have the following impact on crisis intervention service delivery and program operations in these programs:

I. Licensed Practitioner of the Healing Arts Recommendation

Crisis Residence services must be recommended by a Licensed Practitioner of the Healing Arts (LPHA) operating within their scope of practice, who may or may not be part of the Crisis Residence program. The LPHA recommendation is not required prior to admission and the absence of it at referral should not be used as exclusionary criteria. The recommendation should be obtained prior to discharge, signed by the LPHA, and documented in the individual case record. LPHAs include:

- Physician, including a Psychiatrist and Addictionologist/Addiction Specialist
- Nurse Practitioner
- Registered Nurse
- Physician Assistant
- Licensed Psychologist
- Licensed Psychoanalyst
- Licensed Social Worker (Licensed Master Social Worker – LMSW or Licensed Clinical Social Worker — LCSW)
- Licensed Marriage and Family Therapist
- Licensed Creative Arts Therapist
- Licensed Mental Health Counselor
- Licensed Occupational Therapist

II. Program Services

Residential Crisis Support and Intensive Crisis Residences may provide crisis intervention service components to eligible individuals (18 years +). Based on program type, these services, according to the SPA are:

- Mental Health and Substance Use Assessments
- Service Planning
- Crisis/Safety Planning
- Individual, Family, and Group Counseling
- Care Coordination
- Peer Support
- Medication Therapy
- Medication Monitoring
- Medication Management and Training
- Psychiatric Crisis Rehabilitation and Skills Training

III. Services for 18-20

Previously, Intensive Crisis Residence and Residential Crisis Support programs followed CFTSS requirements for individuals 18-20. Effective April 1, 2022, there are no longer different requirements for individuals 18-20.

Services provided to individuals 18-20 years of age will align with services under the program type they are served in. For example, Adult Crisis Residence providers serving individuals 18-20 will be expected to provide services in accordance with Adult Crisis Residence program guidance.

IV. Staffing Requirements

Crisis Residences must have professional staff employed or contracted with their programs to provide supervision, assessment, treatment services, and consultation as needed.

Crisis Intervention (CI) Professionals are practitioners possessing a license or authority under State licensure law by the New York State Education Department who are qualified by credentials, training, and experience to provide direct services related to the treatment of behavioral health conditions. CI Professionals include the following:

- Physician, including a Psychiatrist and Addictionologist/Addiction Specialist
- Psychiatrist
- Addictionologist/Addiction Specialist
- Nurse Practitioner
- Registered Nurse
- Physician Assistant
- Licensed Psychologist or Licensed Psychoanalyst
- Licensed Social Worker (Licensed Master Social Worker – LMSW or Licensed Clinical Social Worker — LCSW)
- Licensed Marriage and Family Therapist
- Licensed Mental Health Counselor
- Licensed Creative Arts Therapist
- Licensed Behavioral Analyst
- Occupational Therapist who meets the qualifications set forth in 42 C.F.R. 440.110(b)(2)

Note: A licensed psychologist is a professional who is currently licensed as a psychologist by the NYSED or possess a permit from the NYSED and who possess a doctoral degree in psychology and works in a Federal, State, county or municipally operated program of services. Master's degree-level psychologists may use the title "psychologist" and may be considered professional staff but may not be assigned supervisory responsibility. Master's level psychologists may not supervise Crisis Intervention services.

For services provided to individuals 21 and over, CI Professionals also include:

- Certified Psychiatric Rehabilitation Practitioners certified by the Psychiatric Rehabilitation Association
- Certified Rehabilitation Counselors certified by the Commission on Rehabilitation Counselor Certification
- Therapeutic Recreation Therapists certified by the National Council on Therapeutic Recreation or the American Therapeutic Recreation Association
Counselors certified by and currently registered with the National Board for Certified Counselors

CI staff includes but is not limited to:

Staff who are at least 18 years of age and have a bachelor's degree.

Staff who are at least 18 years of age and do not have a bachelor's degree are qualified if they have a high school diploma, high school equivalency, or State Education Commencement Credential and must meet one or more of the following qualifications:

- 1-3 year/s of experience working with individuals with serious mental illness or substance use disorders;
- Student or intern within a DOH-approved NYS education department program;
- Licensed Practical Nurse
- Credentialed Alcoholism and Substance Counselor (CASAC);
- Qualified peer;
- Lived experience with emotional, behavioral, addiction, or co-occurring disorders or as a parent/primary caregiver of a child with emotional, behavioral, addiction, or co-occurring disorders may have education requirement waived to provide services as CI Staff

Qualified Peers are individuals with lived experience as an individual with emotional, behavioral, addiction, or co-occurring disorders or as a parent/primary caregiver of a child with emotional, behavioral, addiction, or co-occurring disorders and who are provisionally certified or credentialed, certified or credentialed as a Family Peer Advocate (FPA), Certified Recovery Peer Advocate (CRPA), Youth Peer Advocate (YPA), and/or Peer Specialists who have completed all required State approved trainings specific to the their title.

Medication therapy, medication monitoring, individual, group, and family counseling must be provided by a CI Professional operating within their scope of practice.

Mental health and substance use assessments must be provided by licensed CI professionals and CASACs supervised by CI professionals.

Crisis and safety planning, service planning, care coordination, medication management and training, psychiatric crisis rehabilitation and skills training may be provided by CI professionals and CI staff under supervision of CI professionals.

V. Supervision

Crisis Residence services require supervision of a qualified CI professional operating within their applicable scope of practice.

Peer support services can be supervised by competent mental health professionals including CI professionals, CASACs, other CI staff with a master's degree in a human services field, and qualified peers with at least three years of direct experience providing peer or family peer services. Experienced Family Peer Advocates may supervise Youth Peer Advocates upon completion of State approved Youth Peer Support training.

Supervisors provide regularly scheduled supervision for CI staff and qualified peers.

VI. Training

All Crisis Residence staff require training on the administration of opioid antagonists (Narcan), trauma-informed care, de-escalation strategies, harm reduction, and culturally and linguistically competent service provision.

VII. Program Operation Standards

All licensed Crisis Residence providers, including those designated in anticipation of licensure must ensure updates to program operations and implementation of policies and procedures reflect changes outlined in this notice by May 1, 2024.

The Crisis Intervention SPA Managed Care memo has been uploaded to the [Medicaid Managed Care Crisis Intervention webpage](#) and is available at the following link: <https://omh.ny.gov/omhweb/bho/docs/mobile-crisis-crisis-residence-authority-rate-changes.pdf>.

Program and billing guidance to reflect changes to services, operations, and billing reimbursement based on the State Plan are being updated. Additional program guidance and technical assistance will be provided during the Crisis Residence Learning Collaborative meetings.

Please direct any questions regarding this notice to crisis.initiative@omh.ny.gov.