

<b>State of New York OFFICE OF MENTAL HEALTH</b>  <hr style="width: 20%; margin: auto;"/> <b>OMH OFFICIAL POLICY MANUAL</b>	<b>Date Issued</b> 05/17/90	<b>T. L.</b> 90-02	<b>Section #</b> PC-315
	<b>Section</b> Patient Care - Admissions		
	<b>Directive</b> Medicaid Certification of Need for Patients Under the Age of 21		

A. Policy Statement

Each individual under the age of 21 who is a Medicaid recipient and is admitted to a State-operated psychiatric inpatient facility must receive certification regarding his or her need for inpatient psychiatric services. Such certification is also required at the time an application for Medicaid benefits is completed on behalf of an individual who is under the age of 21 and is currently receiving services in a State-operated psychiatric inpatient facility.

This policy directive, which is applicable only to admissions of individuals under the age of 21, supercedes all previous correspondence on this subject and is effective immediately.

B. Relevant Statutes and Standards

42 CFR Part 441, Subpart D  
14 NYCRR Part 517  
OMH UCR Policy and Procedure Manual, Section 420

C. Definitions

- 1) Admission On An Emergency Basis - For the purpose of implementing this policy directive and 42 CFR Part 441, Subpart D, this term means: Admission to a psychiatric inpatient facility when services are necessary to prevent serious impairment or deterioration of the health of a patient, or to prevent immediate serious physical harm to the patient or others.
- 2) Certification Of Need Form - A standardized form approved by the Office of Mental Health which, when completed and signed by a facility interdisciplinary team or an independent team, attests to an individual's need for psychiatric inpatient services. The related process and criteria used are described in Section D., below.
- 3) Facility Interdisciplinary Team - Two or more individuals who are responsible for the plan of care provided in a State-operated psychiatric inpatient facility on behalf of the individual who is being considered for certification.
  - a) At the minimum, this team must include either:
    - i) a Board-eligible or Board-certified psychiatrist; or
    - ii) a clinical psychologist who has a doctoral degree, and a physician licensed to practice medicine or osteopathy; or
    - iii) a physician licensed to practice medicine or osteopathy with specialized training and experience in the diagnosis and treatment of mental diseases, and a psychologist who has a master's degree in clinical psychology or who

has been certified by the State or by the State Psychological Association.

- b) In addition, the team must include one or more of the following:
  - i) a psychiatric social worker;
  - ii) a registered nurse with specialized training or one year of experience in treating mentally ill individuals;
  - iii) an occupational therapist who is licensed by the State, and who has specialized training or one year of experience in treating mentally ill individuals; or
  - iv) a psychologist who has a master's degree in clinical psychology, or who has been certified by the State or by the State Psychological Association.
  
- 4) Independent Team - A team of two or more individuals, **other than employees of the New York State Office of Mental Health**, which has competence in the diagnosis and treatment of mental illness, preferably in child psychiatry, has knowledge of the situation of the individual who is being considered for certification, and includes a physician.

D. Principles

1) Certification Of Need Process

Each individual who is a Medicaid recipient and is admitted to a State-operated psychiatric inpatient facility must receive certification, by a team, regarding his or her need for inpatient services. Such certification is also required at the time an application for Medicaid benefits is completed on behalf of an individual who is currently receiving services in a State-operated psychiatric inpatient facility. The category of team used in completing the Certification of Need Form is dependent on the individual's status as a Medicaid recipient, as well as his or her need for admission on an emergency basis.

a) Admission On A Non-emergency Basis

If admission to a State-operated psychiatric inpatient facility, other than admission on an emergency basis, is being considered for an individual who is a current Medicaid recipient, a Certification of Need Form must be completed by an **independent team**. Such certification must be completed **prior** to the individual's admission to the inpatient facility.

- i) If the admission is the result of a transfer from a psychiatric hospital pursuant to 14 NYCRR Part 517, a completed Certification of Need Form shall be provided by the hospital from which the patient has been transferred, in accordance with 14 NYCRR 517.4(b)(3).
- ii) If the admission is the result of a referral pursuant to 14 NYCRR Part 517, a completed Certification of Need Form shall be provided by the referral source, unless the referral source has received an exemption from this requirement in accordance with 14 NYCRR 517.10.
- iii) If the admission is not the result of a transfer from a psychiatric hospital, or a referral from a non-exempted referral source, the Certification of Need Form shall be completed by any independent team which meets the

requirements described in Section C.4) above.

b) Admission On An Emergency Basis

When an individual is admitted to a State-operated psychiatric inpatient facility on an emergency basis, a Certification of Need Form must be completed if the individual is a current Medicaid recipient. Such certification must be completed by a **facility interdisciplinary team** no later than 14 days after admission.

c) Application for Medicaid Benefits

When an application for Medicaid benefits is completed on behalf of an individual who is currently receiving services in a State-operated psychiatric inpatient facility, a Certification of Need Form must be completed by a **facility interdisciplinary team**.

2) Certification Of Need Criteria

Regardless of the category of team utilized, the team must certify that:

- a) ambulatory care resources available in the community do not meet the individual's treatment needs;
- b) proper treatment of the individual's psychiatric condition requires services on an inpatient basis under the direction of a physician; and
- c) the services can reasonably be expected to improve the individual's condition or prevent further regression so that the services will no longer be needed.

3) Recertification of Need Process

- a) Each individual who received initial certification in accordance with Section D.1) above must receive periodic recertification regarding his or her continued need for psychiatric inpatient services. This recertification requirement shall be satisfied by the completion of the 30-day periodic treatment plan review, in accordance with the Uniform Case Record Policy and Procedure Manual, Section 420.
- b) Individuals who were Medicaid recipients and received psychiatric inpatient services immediately prior to the age of 21 remain eligible for Medicaid benefits until they reach the age of 22, to the extent that they continue to require psychiatric inpatient services. Therefore, recertifications of need shall be completed on behalf of these individuals in accordance with Section D.3)a) above.