

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

**SENATE BILL 525
RATIFIED BILL**

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:

- (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.

In the General Assembly read three times and ratified this the 2nd day of July, 2012.

s/ Walter H. Dalton
President of the Senate

s/ Thom Tillis
Speaker of the House of Representatives

Beverly E. Perdue
Governor

Approved _____m. this _____ day of _____, 2012