

## **STRTP SUMMARY UPDATE**

1. DHCS will be issuing an information notice in the next few weeks that will include the Interim STRTP Protocol, Interim STRTP Regulations, and the STRTP Application form.
2. STRTPs have 12 months from date of licensure to obtain a mental health program approval that includes a Medi-Cal mental health certification (W&IC Sections 4096.5 and 11462.01)

## **PROMULGATION OF REGULATIONS**

### **DHCS in consultation with CDSS, shall promulgate STRTP regulations which will include:**

- Program standards, oversight, and enforcement; Issuance of mental health program approvals; Provisional approvals effective for less than one year; Due Process protections related to the Mental Health Program Approval process

In the interim DHCS will be implementing and administering these processes through a DHCS Information Notice

- STRTPs will maintain the level of care and services necessary to meet the needs of the children and youth in their care
- STRTPs will maintain and have in good standing the mental health program approval and Medi-Cal certification for Medi-Cal specialty mental health services (SMHS)
- A STRTP cannot directly provide SMHS without a current Mental Health Program Approval.
- A STRTP that has not yet completed the program approval process must still provide access to appropriate mental health services until their program approval is completed.

### **At a minimum, STRTPs must be Medi-Cal Certified to provide the following SMHS as medically necessary:**

- Mental Health Services
- Crisis Intervention
- Medication Support
- Targeted Case Management
- Provide access to other mental health services based on individual need

### **Potential scenarios for Provision of Services**

- MHP and STRTP share service delivery:
  1. Individual Therapy—MHP County

2. Group Therapy—STRTP
3. Med Support/as needed and 24/7—STRTP
4. Med Support/Psychiatrist—MHP County
5. Case Management—STRTP & MHP County

**STRTP PLACEMENT CRITERIA:**

The child has been assessed, pursuant to WIC Section 4096, **AND** meets one of the following:

1. Meets the medical necessity criteria for Medi-Cal SMHS per Title 9, CCR, Section 1830.205 or 1830.210; and/or
2. Is seriously emotionally disturbed, as defined in WIC Section 5600.3(a); and/or
3. This level of service is necessary to meet the behavioral or therapeutic needs.

**Additionally, a STRTP may have a specialized program to serve the following:**

1. A commercially or sexually exploited child;
2. A private voluntary placement where the youth exhibits status offender behavior that the parents or other relatives believe they cannot control, as specified;
3. A juvenile sex offender; and
4. A child who is affiliated with, or impacted by, a gang. (WIC Section 11462.01(b)(4)).

**COMPONENTS OF STRTP MENTAL HEALTH PROGRAM APPROVAL**

- Delegation of Program Approval/Certification process
- Application for Mental Health Program Approval
- Provisional Approvals
- Mental Health Program Approval and Medi-Cal Certification Onsite Review
- Annual Renewal of Mental Health Program Approval
- Triennial Renewal of Medi-Cal Certification

**STRTP Mental Health Program Approval & Medi-Cal certification Protocol are combined:**

- Decreases duplication
- The Protocol shifts the two (2) reviews into one (1) simultaneous site visit
- The Mental Health Program Approval will be done annually.
- The Medi-Cal certification will be done tri-annually.

**Major elements of the STRTP Protocol include, but are not limited to:**

1. Application content, process, and timelines
2. Written program statement and required contents (Contents may be included in the same program statement that is submitted to CDSS for licensing so that it is all in one document)
3. Notify the department, e.g., when there is a change to the mental health program statement
4. Record Retention
5. Documentation requirements includes timelines
6. Psychotropic medication control, e.g., monitoring, documentation, timelines
7. Clinical Review and Continued Stay Determinations
8. Staff characteristics, qualifications and duties
9. In-service education requirements for staff
10. Personnel Records

**STRTP PROTOCOL - KEY CHANGES AND CLARIFICATIONS:**

- At a minimum the STRTP shall directly provide to children as medically necessary the following services: 1) Medication Support Services as defined in CCR, Title 9, Section 1810.225, 2) Crisis Intervention as defined in Section 1810.209; 3) Mental Health Services as defined in Section 1810.227, and 4) Targeted Case Management as defined in Section 1810.249
- If a child has medical necessity for Day Rehabilitation or Day Treatment Intensive services, the STRTP is not obligated to provide these services directly, but is obligated to ensure the service is available to the child
- Intake summary to be completed by a member of the direct service program staff within five calendar days of admission (not required to be a psychiatrist)
- A mental health assessment to be completed by a licensed mental health professional (LMHP) within five (5) calendar days of admission. To meet this requirement, the STRTP may rely on a mental health assessment that was performed up to sixty (60) calendar days prior to admission (unless the LMHP determines it is more clinically appropriate to complete a more current mental health assessment)
- The prescribing physician shall sign a written medication review for each child prescribed psychotropic medication as clinically appropriate, but at **least every six weeks**. This review may be prepared by a direct service program staff member acting within the scope of his or her practice and shall be included in the child's program record.

- A psychiatrist shall review the course of treatment for all children who are not on psychotropic medication at least every ninety (90) days and include the results of this review in a progress note signed by the psychiatrist at the time the review is completed.
- The short-term residential therapeutic program shall have a head of service employed **forty hours per week** and responsible for managing the short-term residential therapeutic program in compliance with this protocol and applicable laws and regulations.
- The head of service may also serve as the administrator of a short-term residential therapeutic program, but may not serve as the head of service or administrator for more than one short-term residential therapeutic program.
- A short-term residential therapeutic program shall have at least one full-time equivalent direct service program staff from the following list employed for each six children or fraction thereof admitted to the program
  - Physicians
  - Psychologists or psychologists who have received a waiver pursuant to Welfare and Institutions Code Section 5751.2.
  - Licensed Clinical Social Workers or registered professionals pursuant to Welfare and Institutions Code Section 5751.2 .
  - Marriage, Family and Child Counselors or registered professionals pursuant to Welfare and Institutions Code Section 5751.2.
  - Registered Nurses
  - Licensed Professional Clinical Counselor or registered professionals pursuant to Welfare and Institutions Code Section 5751.2.
  - Licensed Vocational Nurses
  - Psychiatric Technicians
  - Occupational Therapists
  - Mental Health Rehabilitation Specialists as defined in Section 630 of Title 9 of the California Code of Regulations
- Of the 1 FTE direct service program staff above, the STRTP shall have one half-time equivalent licensed mental health professional employed for each **six children** or fraction thereof admitted to the program. A licensed mental health professional who is employed to meet this requirement may also be the head of service, if employed at least **forty hours per week**.
- The short-term residential therapeutic program shall have a psychiatrist on the premises **or available** 24 hours per day.

## **PROVISIONAL APPROVALS**

Provisional Approvals may be necessary if DHCS or a MHP receives a high volume of applications in early 2017. This will allow for staggered onsite reviews and create staggered subsequent onsite reviews.

### **Provisional Approval for Current RCL 13 or 14 group homes**

- From January 1, 2017 until December 31, 2017, for applicants that are group homes that are currently certified for Rate Classification Levels (RCL) 13 or 14, the Department or delegate may issue provisional approvals without conducting an onsite review if the submitted application and supporting documentation demonstrates that STRTP mental health program approval requirements are met
- The Department or delegate shall conduct an onsite review prior to issuing a subsequent (non-provisional) approval (likely within 180 days).

### **Provisional Approval for Brand New STRTPs**

- For a new STRTP where no children are admitted to the facility at the time of the initial onsite review, the Department or delegate may issue a provisional approval if the submitted application, supporting documentation, and initial onsite review demonstrates that STRTP mental health program approval requirements are met
- During the initial review, DHCS or the MHP will check that basic requirements are met, determine implementation readiness, and provide technical assistance for the full site review.
- The Department or delegate will conduct a subsequent onsite review after the applicant begins to admit children (likely within 120 days)

## **MEDI-CAL CERTIFICATION:**

### **Basic Requirements**

- Head of Service (may also be the Program Director)
- Fire Clearance (same fire clearance provided to CDSS for licensing will suffice)
- Beneficiary Informing Materials
- Facility Inspection
- Policies and Procedures
- HIPAA/Confidentiality/Security of Protected Health Information

DHCS/MHP will accept any evidence obtained from the Licensure process that is already covered as part of the licensing requirements to satisfy applicable Medi-Cal Certification requirements, **for example:**

- A copy of the Licensing Packet may be provided with tabs and labels identifying applicable evidence for for Medi-Cal Cert requirements.
- MOUs, Letters, Copies of Licenses/Contracts
- Fire Clearance

### **Medi-Cal Certification “Piggybacking”**

If a county has certified a STRTP for Medi-Cal, other counties may “piggyback” on that county’s certification instead of each county doing a separate Medi-Cal Certification.

### **STRTP MENTAL HEALTH PROGRAM APPROVAL ENFORCEMENT AND DUE PROCESS**

**DHCS/MHPs may enforce the mental health program approval standards by taking any of the following actions against a non-compliant STRTP:**

- A. Suspend or revoke a mental health program approval.
  - B. Impose monetary penalties.
  - C. Place a mental health program on probation.
  - D. Require a mental health program to prepare and comply with a corrective action plan.
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- DHCS/MHPs shall provide STRTPs with due process protections when taking any of the actions above
  - DHCS/MHP shall notify CDSS immediately upon the termination of any mental health program approval.