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From: Deb Neifert <DNEIFERT@pacounties.org>
Sent: Tuesday, September 04, 2018 3:02 PM
To: PW, IBHS
Cc: Lucy Kitner; Lisa Zook
Subject: IBHS Comments
Attachments: IBHS Comments.docx

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PACA MH/DS
PENNSYLVANIA ASSOCIATION OF COUNTY
ADMINISTRATORS OF MENTAL HEALTH
AND DEVELOPMENTAL SERVICES



TO: The Independent Regulatory Review Commission
Sent electronically to 'RA-PWIBHS@pa.gov'
RE: ***Proposed Intensive Behavioral Health Services Regulations
55 PA CODE 115 and 5240) Comments***
DATE: September 4, 2018

This letter is on behalf of the Pennsylvania Association Administrators of Mental Health and Developmental Services (PACA MH/DS) regarding the proposed Intensive Behavioral Health Service Regulations. PACA MH/DS represents all 48 county-administered mental health and intellectual disability programs, serving all 67 counties of the commonwealth in addition to the county behavioral HealthChoices oversight agencies; and also is an affiliate of the County Commissioners Association of Pennsylvania.

PACA MH/DS appreciates the inclusive process that was used to develop the proposed BHSR services under review. Generally, our members viewed the proposed regulations favorably, despite practical concerns. For instance, there is consensus that the training requirements should lead to a higher quality of service and improved outcomes. Yet, the ability to find qualified staff, particularly in light of the higher training standards, is a legitimate concern. We offer this document of recommendations and comments for your consideration as the regulations go through final review.

CODE 1150

Definitions

There is no longer a federal listing for evidenced based practices on the Substance Abuse and Mental Health Services Administration. Recommend deleting the references to evidenced based practices.

There are certification requirements for staff that have yet to be established by the Pennsylvania Certification Board. Additional information is needed to ascertain whether the standards are sufficient for the targeted work and ascertain the availability of such professionals.

Ongoing responsibility of providers

Strongly suggest an additional responsibility: providers should obtain a letter of support from Counties for each location.

Also suggest that each location should maintain their own license regardless of satellite status.

Payment conditions

Recommend the review time period for the ITP should be less than six months or according to fidelity measures.

Request increased emphasis on the evaluation as a requirement of the prescribing professional would add value to the initial ITP development and prescribing a plan.

Define other licensed professionals who may diagnosis and provide treatment.

Recommend to regenerate a new prescription upon discharge and a review of the ITP.

Recommend that EBT is also available to individuals, groups and ABA services.

Clarify regulations applicable to sites where group services occur.

Scope of claims review

Recommend incorporating utilization review requirements consistent with HealthChoices Behavioral Health Program Standards and Requirements.

Limitations

Commend the access to services within 60 days prior to discharge from a facility, which will enhance transition.

CODE 5240

General Provisions

Commend the inclusion of all services in one service description to be reviewed as part of licensing.

Definitions

Recommend stating when the supervision is clinical or administrative. This is unclear throughout the document.

Recommend creating a definition of a behavioral specialist analyst.

Recommend adding a definition of Mental Health Professional and Mental Health Worker.

Define "qualified individual" as used in reference to ABA supervision.

Service description

Recommend the County MH/ID Program and the Behavioral Health Contractor participate in the review of the service description.

Coordination of services

Recommend stating that all agencies providing IBHS services should be required to coordinate with other child serving agencies.

Staffing and Supervision

Recommend stating an administrative director, and their requirements, are required.

Clarify the administrative director oversight for programs. Recommend the oversight be in regards to the number of licensed programs rather than agency.

Service planning and delivery

Recommend the inclusion of family in the service planning process.

Assessment

Recommend stating that assessment tools must be age appropriate and fall within the target population.

Recommend incorporating utilization review requirements consistent with HealthChoices Behavioral Health Program Standards and Requirements for assessments and prescriptions.

Discharge

Recommend stating who is responsible for the discharge summary.

Commend the post-discharge contact and reigniting services as needed. Recommend aligning with telephone post-discharge follow-up requirements.

Records

A record must be a comprehensive list of all documents including the ITP (current and previous), evaluation, history of manual restraint, and safety/crisis plan.

Supervision

Recommend stating when the supervision is clinical or administrative.

Individual service provision

Recommend clarifying who is responsible for the development of the ITP.

Recommend incorporating Registered Behavior Technician commensurate in role as the BHT.

Group Services

Although schools are the natural environment for children and young adults, IBHS is an intervention, not prevention. Schools must demonstrate their efforts to increase efforts in supporting the mental health of all students in conjunction to any development of IBHS at their site.

If you have specific questions, please contact me, Lucy Kitner (lkitner@pacounties.org) or Deb Neifert (dneifert@pacounties.org).
