

Memo

Date: May 3, 2024

To: Alameda County Behavioral Health Department (ACBHD) Specialty Mental Health Services (SMHS) Medi-Cal Providers

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Subject: **New ACBHD Guidelines for Scope of Practice (MH) Reference Guide**

This memo is to inform ACBHD SMHS providers of updates to the SMHS Scope of Practice grid resulting from California Advancing and Innovating Medi-Cal (CalAIM) payment reform billing and staff type updates.

Background

While the CalAIM payment reform initiative does not make changes to California scope of practice laws and regulations (e.g., CA Business and Professions Code, Division 2 Healing Arts), updates are required due to recent clarifications and stricter Medi-Cal enforcement of taxonomies on individual procedure codes. Additionally, Department of Health Care Services (DHCS) is in the process of expanding and clarifying provider types for each delivery system as described in [State Plan Amendment \(SPA\) 23-0026](#), which was approved by the Centers for Medicare and Medicaid Services (CMS) on 12/5/2023 with a retroactive effective date of 7/1/2023.

As a result, ACBHD is moving forward in alignment with the information contained in SPA 23-0026. This approved SPA clarifies what types of SMHS providers are considered Licensed Mental Health Professionals (LMHPs), the role of student clinical trainees, and defines several additional non-LMHP SMHS staff types.

New ACBHD Guidelines for Scope of Practice (MH) Reference Guide

ACBHD has developed a new reference guide, titled “[ACBHD Guidelines for Scope of Practice \(MH\)](#)” detailing the specific scope of practice for all SMHS provider types. This resource can be found in section 12 of the [QA Manual](#) on the ACBHD Provider website and replaces an older version titled “ACBH Guidelines for Scope of Practice for Credentialing (MH).”

Of note is that section 12 of the QA Manual was renamed “Service Descriptions and Scope of Practice” and all existing documents related to these topics were moved to this section for ease of reference.

Overview of Changes to SMHS Scope of Practice

This following is an overview of some of the changes to the MH Scope of Practice guidelines:

1. Clarification of provider definitions and qualifications, including alignment of the Licensed Practitioners of Healing Arts (LPHA) to the Drug Medi-Cal Organized Delivery System (DMC-ODS) and Licensed Mental Health Professionals (LMHP) to SMHS. See document titled “[MH and SUD Provider Definitions and Qualifications](#)” in section 12 of the QA Manual for detailed information about different provider types recognized by DHCS.



2. Increased clarity around clinical trainees and their scope of practice:
 - Clinical trainees, defined as students actively enrolled in post-secondary educational or training programs leading to a LMHP, may be Medi-Cal providers.
 - All clinical trainees must be supervised by licensed practitioners and in accordance with their respective credentialing entity, accreditation organization, school program, and/or other oversight entity. Demonstration of supervision per requirements must be retained by rendering agencies and provided upon request.
 - All clinical documentation completed by clinical trainees requires licensed supervisor co-signature.
 - Generally, scope of practice standards for student clinical trainees are equivalent to the credential/license they are pursuing (e.g., an MSW clinical trainee can perform similar functions as an ASW/LCSW).
 - Clinical trainees enrolled in the first year of their post-secondary educational degree program can complete SMHS assessments but may not establish mental health diagnoses.¹
 - Clinical trainees enrolled in the second year of their post-secondary educational degree program may complete SMHS assessments and establish mental health diagnoses.¹
 - i. ACBHD has removed the requirement for an attestation to allow establishment of a diagnosis by a second-year clinical trainee.
3. The addition of Certified Peer Support Specialist provider type:
 - ACBHD has opted in to the new statewide [Medi-Cal Peer Support Services](#). ACBHD is in the process of converting ACBHD peer services to the statewide program and implementing it in both DMC-ODS and SMHS delivery systems.
 - As part of this new service, DHCS has created a new unique provider type, Certified Peer Support Specialist (CPS).
 - Certified Peer Support Specialists must be certified by a DHCS approved credentialing organization. As of publication of this memo, the only DHCS approved peer certification program is [CalMHSA](#).
 - ACBHD currently has two types of Certified Peer Support Specialist designations in SmartCare, the general Certified Peer Support Specialist (CPS) and those with Certified Peer Support Specialist Family Specialization (CPS-F).
 - Certified Peer Support Specialists use taxonomy code 175T00000X and can only submit claims using procedure codes: H0038 and H0025.
 - DHCS Peer Support Services are similar to ACBHD's implementation of peer services, however with regard to claiming for peer support services, CPS/CPS-F are required to use the bundled H0025 and H0038 codes to report their activities. Descriptions of these codes are found in [DHCS BHIN 22-026](#).

¹ Note some LMHPs do not have the scope of practice to establish mental health or substance use disorders and as such clinical trainees of those disciplines also cannot perform that activity. Refer to the SMHS Scope of Practice Reference Guide for specific information.

- ACBHD peers, family partners, etc. that are not yet Certified Peer Support Specialists should follow the same scope of practice as Other Qualified Provider/Adjunct.
4. The addition of Occupational Therapists (OT) and Medical Assistants to be in alignment with [Medi-Cal SPA 23-0026](#).
 5. Clarified that according to their respective credentialing entities, Registered Nurses, Physician Assistants, and Pharmacists cannot diagnose mental health or substance use disorders but can complete the SMHS assessment if within their training and experience.
 6. Clarified that OTs, Licensed Vocational Nurses, MHRS, and Psychiatric Technicians may contribute to the SMHS assessments, but cannot complete it.

Please note that regardless of the information provided in this document or the Reference Guide, all clinical activities must be within the ability, training, and experience of the individual providing the service. Additionally, evidence of supervision and appropriate co-signatures must be present and provided when requested.

Support

Providers are invited to join monthly QA Brown Bag meetings where this and other relevant information are discussed. Meeting details and link can be found on the [QA Training page](#).

For questions, please contact QATA@acgov.org.