

 <p><b>Behavioral Health Department</b> Alameda County Health</p>	<p>DocuSigned by:    By: <u>BA187CA0C0D444A...</u>  <b>Karyn L. Tribble, PsyD, LCSW, Director</b></p>
<p><b>POLICY TITLE</b></p> <p><b>ACBHD Clinical Trainee Policy</b></p>	<p><b>Policy No: 1603-3-3</b></p> <p><b>Date of Original Approval:</b></p> <p><b>Date(s) of Revision(s):</b> 8/28/2024</p>

**PURPOSE**

The California Department of Healthcare Services (DHCS) has recently expanded and updated staff types across the Specialty Mental Health Services (SMHS) and Drug Medi-Cal Organized Delivery System (DMC-ODS). The purpose of this policy is to provide Alameda County Behavioral Health Department (ACBHD) providers and contracted providers with guidance and establish minimum standards regarding Medi-Cal services provided by student clinical trainees.

**AUTHORITY**

- [California \(CA\) Medicaid State Plan, Section 3.1, Supplement 3 to Attachment 3.1-A](#)
- [California Business and Professions Code, Division 2 Healing Arts](#)
- [California DHCS Drug Medi-Cal Organized Delivery System \(DMC-ODS\) Intergovernmental Agreement](#)
- [California Mental Health Plan \(MHP\) Contract](#)
- [Medi-Cal Behavioral Health Information Notice \(BHIN\) 24-023](#)

**SCOPE**

All programs, entities, or individuals providing SMHS or DMC-ODS services where ACBHD is the administering entity, including county operated programs, are required to adhere to this policy.

**POLICY**

In accordance with recent guidance from DHCS, ACBHD programs, including county operated programs, may utilize student clinical trainees as part of the treatment team.

**PROCEDURE**

- I. Clinical Trainee Provider Types
  - A. For SMHS, clinical trainees must be actively enrolled in a post-secondary (or equivalent) educational program leading to a Licensed Mental Health Professional (LMHP). Refer to [CA Medicaid State Plan/BHIN 24-023](#) (or superseding guidance) for SMHS provider types considered LMHPs.
  - B. For DMC-ODS services, clinical trainees must be actively enrolled in a post-secondary (or equivalent) educational program leading to a Licensed Practitioner

of the Healing Arts (LPHA). Refer to [CA Medicaid State Plan/BHIN 24-023](#) (or superseding guidance) for DMC-ODS provider types considered LPHAs.

## II. Scope of Practice

- A. Generally, clinical trainees have the scope of practice defined by their pursued discipline.
- B. Additionally, the responsibilities and activities performed by clinical trainees shall be assessed individually, and, at a minimum, the following factors shall be taken into consideration when determining the scope of practice of a clinical trainee:
  - 1. Education (including progression in their program)
  - 2. Training
  - 3. Experience
  - 4. Knowledge
- C. Clinical trainees may conduct clinical activities relevant to their discipline, as per state and federal regulation.
- D. Clinical trainees may not perform any activities outside of the scope of practice of their supervisor(s).
- E. Clinical trainees in the first year, or equivalent, of their training program may not establish mental health or substance use disorder diagnoses.

## III. Supervision and Oversight for Clinical Trainees

- A. Services provided by clinical trainees shall be “under the direction of” a qualified, licensed clinician.
  - 1. “Under the direction of” means that the individual directing service is acting as a clinical team leader, providing direct or functional supervision of service delivery. An individual directing a service is not required to be physically present at the service site to exercise direction (unless otherwise required by state law). The licensed professional directing a service assumes ultimate responsibility for the clinical services provided.
  - 2. Clinical trainees may not direct services as described in the section above.
  - 3. All supervisors of clinical trainees must be actively licensed (or equivalent) with their respective credentialing entity.
    - 1. Social work graduate students require licensed supervision because in SMHS and DMC-ODS they are performing clinical activities in their internship.
  - 4. All clinicians supervising the clinical trainee must meet the minimum qualifications described by the applicable licensing board to supervise.
  - 5. Supervision of clinical trainees, at a minimum, shall be in accordance with their academic program/accreditation and the applicable licensing or credentialing entity relevant to the supervisor and trainee.

1. For specific information about supervision requirements, refer to laws, regulations, and other guidance from the corresponding entities.
  - B. Clinical trainees' educational and clinical training needs shall always take precedence over agency operational or administrative needs. Statewide expansion of clinical trainee Medi-Cal activities are intended to educate, train, and provide real-world supervised clinical experience. Clinical trainees are in a training program and that shall be the focus of their activities.
  - C. When assigning cases and making other clinical decisions regarding clinical trainee activities, the interests of the beneficiary and their treatment must always be prioritized.
  - D. Clinical trainees' caseload and productivity requirements must be reasonable and in consideration of the clinical trainee's educational/training needs and be in accordance with any relevant regulatory, credentialing, academic, or other requirements.
  - E. Agencies must have adequate infrastructure in place to support the educational needs of the student and clinical needs of the beneficiary.
  - F. All clinical documentation completed by clinical trainees must be co-signed by a licensed supervisor.
  - G. ACBHD is required to ensure that supervision of clinical trainees occurs as described by the applicable licensing board. Agencies shall retain records of supervision and may be required to provide evidence of specific supervision activities upon request.
- IV. Billing for Clinical Trainee Services
- A. Programs shall refer to billing rules as specified in the [DHCS Medi-Cal Billing Manuals](#) and guidance from ACBHD.
  - B. Per Centers for Medicare & Medicaid Services (CMS) rules, services provided by clinical trainees cannot be billed to Medicare.
  - C. Rates of reimbursement for clinical trainee activities will be established in provider contracts.
  - D. In most cases, clinical trainees will use the same procedure codes as others in their discipline. As an example, a bachelor's level nursing student may report the same procedure codes as a Registered Nurse (RN).
  - E. ACBHD encourages training agencies to provide clinical trainees with a competitive stipend. A component of expansion of provider types and formalization of clinical trainee activities is to provide a mechanism to develop and sustain the healthcare workforce. Compensating clinical trainees may encourage increased enrollment in the helping professions.
- V. Participating Agency Policies
- A. Agencies utilizing clinical trainees shall develop relevant policies and procedures.
  - B. At a minimum, agency policies and procedures shall include:

1. Relevant contents of this policy.
  2. Differentiation between first and subsequent year clinical trainees.
  3. Frequency of individual and group supervision.
  4. Specifically, how agencies utilizing clinical trainees will ensure beneficiaries' clinical needs will be prioritized, while simultaneously supporting the educational goals of clinical trainees.
- C. Agency policies and procedures shall be reviewed annually and updated as necessary.
- VI. Agency Types Allowed to Bill ACBHD for Services Provided by Clinical Trainees
- A. Clinical trainees can be utilized at the following provider types, by contract:
    1. Master Community-Based Organization (MH and Substance Use Disorder (SUD)) contract providers.
    2. Mental Health Plan Fee for Service, Organizational Fee for Service providers.
  - B. Individual and Group Fee for Service providers may not bill ACBHD for services provided by clinical trainees.

## NON-COMPLIANCE

- Non-compliance with this policy may result in cessation of the agency's ability to claim ACBHD for services provided by clinical trainees.
- Staff shall not face retribution for submitting a notice of non-compliance.
- Staff shall report any non-compliance to their Quality Assurance/Improvement staff, who shall submit a Non-Compliance Report to ACBHD Quality Management.
- Non-Compliance reports shall be submitted within 15 days of reasonable awareness of non-compliance.
- Any communication that contains protected health information (PHI) or otherwise confidential information (e.g., as defined by HIPAA, 42 CFR, Part 2, etc.) shall be sent through secure methods such as email with secure encryption.

## CONTACT

**For inquiries regarding the implementation of clinical trainee activities, please contact the Quality Assurance Office.**

ACBHD Office	Current Date	Email/Phone
Quality Assurance	08/28/24	<a href="mailto:QATA@acgov.org">QATA@acgov.org</a>

## DISTRIBUTION

This policy will be distributed to the following:

- ACBHD Staff
- ACBHD Contract Providers
- Public

## ISSUANCE AND REVISION HISTORY

**Original Authors:** Brion Phipps, LCSW, Interim Associate Administrator, ACBHD Quality Assurance

**Original Date of Approval:** 8/28/2024 by Karyn L. Tribble, PsyD, LCSW, Director

## DEFINITIONS

Term	Definition
<b>Clinical Trainee (CT)</b>	Is an unlicensed individual who is enrolled in a postsecondary educational program that is required for the individual to obtain licensure as a LPHA (for CT SUD) or a Licensed Mental Health Professional (for CT SMHS) is participating in a practicum, clerkship, or internship approved by the individual's program; and meets all relevant requirements of the program and/or the applicable licensing board to participate in the practicum, clerkship, or internship and provide specialty mental health or substance use disorder treatment services, including, but not limited to, all coursework and supervised practice requirements.
<b>Shall</b>	Shall has the same meaning as "must"
<b>Student Clinical Trainee</b>	See the definition of Clinical Trainee
<b>"Under the direction of"</b>	"Under the direction of" means that the individual directing service is acting as a clinical team leader, providing direct or functional supervision of service delivery. An individual directing a service is not required to be physically present at the service site to exercise direction. The licensed professional directing a service assumes ultimate responsibility for the targeted case management service provided. Services are provided under the direction of a physician; a licensed or waived psychologist; a licensed, waived or registered social worker; a licensed, waived or registered marriage and family therapist; a licensed, waived or registered professional clinical counselor.

## APPENDICES

None