

## COVID-19 Flexibility Updates July 1, 2021

**Please note:** COVID guidance changes frequently, therefore the best source for updated information is the Department of Health Care Services (DHCS) COVID-19 Response page [DHCS COVID-19 Response \(ca.gov\)](#)

This document includes some of the pertinent changes related to the COVID guidance as of July 1, 2021. Please see the DHCS link above for more detailed information.

### **In Person Signature Requirement for Delivered Medications- updated June 21, 2021**

In an April 28, 2020 article titled, “Temporary Suspension of In-Person Signature Requirement for Delivered Medications,” the *Welfare and Institutions Code*, Section 14043.341 requirement that “providers who dispense controlled drugs, dangerous drugs or dangerous devices to a Medi-Cal beneficiary to maintain a record of the signature of the person receiving the drug or device” was waived pursuant to Executive Order (EO) N-55-20 in response to the coronavirus disease 2019 (COVID-19) public health emergency.

**EO N-55-20 will expire on June 30, 2021. Beneficiaries and clients, or their representatives, will need to sign for medications in person from their home or sign onsite at their provider location.**

### **Telephone and Telehealth Services- updated June 16, 2021**

Existing telehealth-related public health emergency flexibilities will be **extended through December 2022**.

A stakeholder workgroup will be convened to provide recommendations to DHCS regarding billing and utilization management protocols for telehealth modalities used in Medi-Cal. The proposed recommendations will be used to inform the Governor’s proposed 2022/23 budget.

In Behavioral Health, the following services will continue to be reimbursable by Medi-Cal through December 2022:





- Telephone assessments in Drug Medi-Cal (DMC), DMC Organized Delivery System (DMC-ODS), and Specialty Mental Health Services (SMHS).
- Telephone and telehealth services in DMC, DMC-ODS, and SMHS, including group counseling.
- Telephone and telehealth services for SUD residential, SUD outpatient and Driving Under the Influence (DUI) programs.
- Payment parity for telephone and telehealth services.

### **On-site Visits- updated June 16, 2021**

DHCS plans to resume on-site visits/inspections and will reach out to facilities to schedule these over the next six months.

### **Facility Flexibilities- updated June 16, 2021**

Requests for program flexibility for specific Psychiatric Health Facility (PHF) and Mental Health Rehabilitation Center (MHRC) regulatory standards and requirements will be considered on a case-by-case basis. These include operational flexibilities to allow a Licensed Professional Clinical Counselor, as defined in subdivision (e) of section 4999.12 of the Business and Professions Code, to be included in the Licensed Mental Health Professionals classification. Consequently, MHRCs and PHFs may submit program flexibility requests at any time, which shall be in writing and emailed to:

[MHLC@dhcs.ca.gov](mailto:MHLC@dhcs.ca.gov). The request shall include the following components:

1. Description of alternate concepts, methods, procedures, techniques, equipment, and personnel qualifications, including specific expertise that will be provided.
2. The reasons for the program flexibility request and justification that the goal or purpose of the regulations would be satisfied.
3. The time period for which the program flexibility is requested.
4. Policies and Procedures to implement the provisions of the program flexibility and which demonstrate that they meet or exceed provisions for patient care and safety.

DHCS will e-mail the Program Flexibility Form to MHRCs and PHFs in order to facilitate the program flexibility request process. DHCS expects PHFs and MHRCs to take all appropriate and necessary measures to ensure compliance with all applicable MHRC and PHF laws and regulations.

