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March 22, 2019

SAPC BULLETIN NO. 19-02

*Supersedes Bulletin No. 18-02;
Superseded by Bulletin No. 19-07*

TO: Los Angeles County Substance Use Disorder
Contracted Treatment Providers

FROM: John M. Connolly, Ph.D., M.S.Ed. Division Director
Substance Abuse Prevention and Control

SUBJECT: PROVIDER STAFFING GUIDELINES

The Department of Public Health, Substance Abuse Prevention and Control (SAPC) is issuing this bulletin to mandate that specific treatment staffing levels must be met in order to provide and bill for services under the System Transformation to Advance Recovery and Treatment, Organized Delivery System (START-ODS).

Attached is the Provider Staffing Guidelines Grid, which includes:

- Staffing level/s that can conduct each of the substance use disorder (SUD) treatment services;
- Quality improvement and utilization management (QI and UM) requirements across all levels of care and benefits;
- Billing codes (HCPCS);
- Glossary of terms;
- List of licensed practitioners of the healing arts (LPHAs), including the specific definition for licensed-eligible LPHAs;
- Recommended activities for medical directors;
- Minimum qualifications for newly hired and existing registered SUD counselors beginning FY 2018-2019

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Providers should refer to the SAPC Provider Manual for more information on the staffing requirements, and the SAPC website for the current version of the provider staffing grid.

If you have any questions or need additional information, please contact Dr. David Hindman, from SAPC Clinical Standards and Training Unit, at (626) 299-3549.

JMC:cw

Attachment

**Department of Public Health, Substance Abuse Prevention and Control (SAPC)
Provider Staffing Level Requirements for Delivery and Oversight of Treatment Services**

BENEFIT PACKAGE COMPONENTS			STAFF LEVEL						
HCPCS	Description		Trained Support Staff ¹	Registered SUD Counselor ²	Certified SUD Counselor ³	LPHA & Licensed-Eligible LPHA ⁴	Medical Director ⁵	APPLICABLE ASAM LEVELS OF CARE AND OTHER BENEFITS ⁶	
Substance Use Disorder (SUD) Treatment Services	H0049	Screening		✓	✓	✓	✓	AR ⁷ , CENS ⁸ , OP, IOP, R, WM, OTP	
	H0001	Intake Forms and Documents		✓	✓	✓	✓	AR, OP, IOP, R, WM, OTP, FBS	
	H0001	ASAM Assessment	Assess		✓	✓	✓	✓	AR, OP, IOP, R, WM, OTP, FBS
			Sign			✓	✓		
	T1007	Treatment Plan	Develop, Update, Review, Sign		✓	✓	✓	✓	AR, OP, IOP, R, WM, OTP, FBS
			Sign without MAT				✓	✓	
			Sign with MAT ⁹ (OTP settings)				✓ MD/DO, and qualified NP and PA only	✓	
			Sign with MAT ⁹ (non-OTP settings)				✓	✓	
	H0005	Group Counseling		✓	✓	✓	✓	AR, OP, IOP, R, WM, OTP, FBS, RSS	
T1012	Patient Education		✓	✓	✓	✓	AR, OP, IOP, R, WM, OTP, FBS		
H0004	Individual Counseling		✓	✓	✓	✓	AR, OP, IOP, R, WM, OTP, FBS, RSS		
H2011	Crisis Intervention		✓	✓	✓	✓	OP, IOP, R, WM, OTP, FBS		

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90846	Family Therapy					✓	✓	OP, IOP, R, WM, OTP, FBS
T1006	Collateral Services			✓	✓	✓	✓	OP, IOP, R, WM, OTP, FBS
T2001	Non-Emergency Transportation		✓	✓	✓	✓	✓	AR, OP, IOP, R, WM, OTP, FBS, RSS
H2010	Medication Services ¹⁰			✓	✓	✓	✓	OP, IOP, WM, OTP
H2010	Safeguarding Medications		✓ LVN and MA only with IMS approval from DHCS	✓	✓	✓	✓	R
Substance Use Disorder (SUD) Treatment Services	Medications for Addiction Treatment ¹	Order				✓ MD/DO, and qualified NP and PA only	✓	OP, IOP, R, WM, OTP
		Prescribe (methadone)				✓ MD/DO only	✓	OTP
		Prescribe (buprenorphine)				✓ MD/DO, and qualified NP and PA only	✓	OP, IOP, R, WM, OTP
		Prescribe (other MAT options)				✓ MD/DO, and qualified NP and PA only	✓	OP, IOP, R, WM, OTP
		Monitor				✓ MD/DO, and qualified NP and PA only	✓	OP, IOP, R, WM, OTP
	H0020	Methadone Dispensing		✓ LVN	✓	✓	✓ MD/DO, and qualified NP, PA, and RN	✓

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S5000	Naltrexone - Generic Dispensing	Pill		✓ LVN	✓	✓	✓ MD/DO, and qualified NP, PA, and RN	✓	OP, IOP, WM
		Extended-Release Injectable		✓ LVN	✓	✓	✓ MD/DO, and qualified NP, PA, and RN	✓	OP, IOP, WM, OTP
	Buprenorphine-Generic Dispensing			✓ LVN	✓	✓	✓ MD/DO, and qualified NP, PA, and RN	✓	OP, IOP, R, WM, OTP
	Disulfiram-Generic Dispensing			✓ LVN	✓	✓	✓ MD/DO, and qualified NP, PA, and RN	✓	OP, IOP, R, WM, OTP
Substance Use Disorder (SUD) Treatment Services	S5000	Naloxone Dispensing		* Self-Administered (patient or bystander)	* Self-Administered (patient or bystander)	* Self-Administered (patient or bystander)	* Self-Administered (patient or bystander)	* Self-Administered (patient or bystander)	OP, IOP, R, WM, OTP
	H0014-1	Ambulatory Detoxification			✓ (SUD counselors must operate within their scope of practice if MAT is offered)	✓ (SUD counselors must operate within their scope of practice if MAT is offered)	✓ (Non-medical professionals must operate within their scope of practice if MAT is offered)	✓	1-WM
	H0012	Subacute Detox Residential			✓ (SUD counselors must operate within their scope of practice if MAT is offered)	✓ (SUD counselors must operate within their scope of practice if MAT is offered)	✓ (Non-medical professionals must operate within their scope of practice if MAT is offered)	✓	3.2-WM
	H0010	Subacute Detox Inpatient			✓ (SUD counselors must operate within their scope of practice if MAT is offered)	✓ (SUD counselors must operate within their scope of practice if MAT is offered)	✓ (Non-medical professionals must operate within their scope of practice if MAT is offered)	✓	3.7-WM

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	H0011	Acute Detox Inpatient		✓ (SUD counselors must operate within their scope of practice if MAT is offered)	✓ (SUD counselors must operate within their scope of practice if MAT is offered)	✓ (Non-medical professionals must operate within their scope of practice if MAT is offered)	✓	4.0-WM
	D0001	Discharge Services		✓	✓	✓	✓	OP, IOP, R, WM, OTP, FBS
		Develop		✓	✓	✓	✓	
	H0048	Alcohol/Drug Testing	✓	✓	✓	✓	✓	OP, IOP, R, WM, OTP
	H0006	Case Management		✓	✓	✓	✓	AR, OP, IOP, R, WM, OTP, FBS, RSS
	H0038-R	Recovery Monitoring		✓	✓	✓	✓	RSS, FBS
Substance Use Disorder (SUD) Treatment	H0038-S	Substance Abuse Assistance		✓	✓	✓	✓	RSS, FBS
	H2034	Recovery Bridge Housing (House Managers ¹²)	✓	✓	✓	✓	✓	RBH

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QI and UM Requirements	-	Appeals Filing		✓	✓	✓	✓	AR, OP, IOP, R, WM, OTP, FBS, RSS
	-	Authorization Request: MAT for clients under 18		✓	✓	✓	✓	Youth MAT
	-	Authorization Request: Recovery Bridge Housing		✓	✓	✓	✓	OP, IOP, OTP, 1-WM
	-	Authorization Request: WM for clients under 18		✓	✓	✓	✓	Youth WM
	-	DMC Benefit Verification ¹³	✓	✓	✓	✓	✓	AR, OP, IOP, R, WM, OTP, FBS, RSS
	-	Medical Necessity Determination				✓	✓	AR, OP, IOP, R, WM, OTP, FBS, RSS
	-	Pre-Authorization Request: Residential Services			✓	✓	✓	✓

GLOSSARY OF TERMS

¹ **Trained Support Staff:** Non-professional staff including clerical, billing and facility management support, who have received appropriate onsite orientation and training prior to performing assigned duties. Non-professional staff will be supervised by professional and/or administrative staff. *[DMC-ODS Special Terms and Conditions]*

² **Registered Substance Use Disorder (SUD) Counselor:** A provider staff who has registered to fulfill the requirements of becoming a Certified SUD Counselor with any of the agencies accredited by the National Commission for Certifying Agencies (NCCA) and recognized by the California Department of Health Care Services (DHCS), which include the California Association of DUI Treatment Programs (CADTP) and the California Consortium of Addiction Programs and Professionals (CCAPP). *[California Department of Health Care Services; California Code of Regulations, Title 9].*

To be able to conduct services under START-ODS, registered SUD counselors must have completed the State-required ASAM A and ASAM B trainings by the Change Companies. In addition, effective July 1, 2018, Registered SUD counselors must fulfill the following minimum requirements:

1. Complete one (1) classroom course equaling a minimum of 45 hours of formal instruction in a CCAPP- or CADTP-approved SUD education program by 06/30/2019. Typically, one academic course is equal to three (3) hours of classroom instruction per week for one academic semester.
2. Complete an additional 45 hours of training by 06/30/2019 in one (1) additional classroom course from an CCAPP- or CADTP-approved SUD education program **OR** CEU approved continuing education training topics in CBT, MI, ASAM, Treatment Planning, clinical documentation, or other CEU approved trainings on pertinent SUD topics.

The minimum of 1 course (see # 1 above) **AND** additional SUD training (see # 2 above) equaling or exceeding a total of 90 hours of instruction must be completed.

- Counselors employed on or **BEFORE** 07/01/2018: must complete hour requirement by 06/30/2019.
- Counselors employed **AFTER** 07/01/2018: must complete hour requirement within 12 months of the counselor's first day of employment.

Proof of completion must be documented in staff files and shared with SAPC staff upon request. Proof of completion may include letters from school administrators, educational materials (e.g., course syllabus, training brochures, conference itineraries, etc.), certificates, and school transcripts. ***If required education/trainings are not completed within required timeframes, services delivered by applicable registered SUD counselors will not be paid by SAPC and will be eligible for recoupment.***

Note: Registered counselors that have completed all necessary education hours for certification but have not taken the examination to become certified must complete 45 hours of SUD education OR approved continuing education units (CEU) of

training on an annual basis until certified. Additionally, it is important to note that registered counselors are required to become certified within five (5) years of registration, after which time they will no longer be eligible for registered counselor status.

Requirements for students/interns/trainees: *For Students/interns/trainees who are actively enrolled in graduate treating programs (and thereby not generally eligible to be registered with their state boards) can provide billable services under START-ODS if they register with a SUD counselor certifying agency recognized by DHCS. Students/interns/trainees will be required to retain active enrollment and attendance in their graduate training program but are otherwise exempt from the training requirements for Registered Counselors outlined above other than the State-required ASAM A and B trainings from the Change Companies. If a student/intern/trainee is no longer actively enrolled or attending their graduate training program and has not matriculated to Licensed-Eligible LPHA or LPHA status, they will immediately be subject to the training requirements for all other Registered Counselors as outlined above.*

³ **Certified Substance Use Disorder (SUD) Counselor:** A provider staff who has been certified by one of the agencies accredited by the NCCA and recognized by DHCS, which include CADTP and CCAPP; and who must adhere to all requirements in the California Code of Regulations, Title 9, Chapter 8. [*California Department of Health Care Services; California Code of Regulations, Title 9*].

⁴ **LPHA:** Abbreviation for Licensed Practitioner of the Healing Arts comprising the following clinical professionals: physicians (MD or DO); nurse practitioners (NP); physician assistants (PA); registered nurses (RN); registered pharmacists (RP); licensed clinical psychologists (LCP); licensed clinical social workers (LCSW); licensed professional clinical counselors (LPCC); licensed marriage and family therapists (LMFT); and licensed-eligible LPHAs. The LPHAs must provide services, and receive supervision required under their respective scope of practice laws. [*DMC-ODS Special Terms and Conditions*]. LPHAs must also receive a minimum of five (5) hours of CEU related to addiction every two (2) years.

To be considered a **licensed-eligible LPHA** under the California Medi-Cal 2020 Demonstration, an individual must have already earned their advanced degree and be registered with the State-licensing authority for the respective field to obtain supervised clinical hours for licensure (e.g. Registered Psychologist, Psychological Assistant, Associate Social Worker, Registered Associate Marriage and Family Therapy, Registered Associate Professional Clinical Counselor, Psychological Assistants).

- For a psychologist candidate (governed by the CA Board of Psychology-CABOP), “licensed eligible” is one who is gaining experience required for licensure as either (1) a Psychological Assistant (pre-doctoral or post-doctoral) or (2) as a Registered Psychologist, in accordance with applicable statutes and regulations. In either case, the candidate must be appropriately registered with the CA Board of Psychology prior to delivering services and working under appropriate supervision of a licensed psychologist or a physician board certified in psychiatry.
- For a social worker candidate, a marriage and family therapy candidate, or a professional clinical counselor candidate (governed by the CA Board of Behavioral Sciences – BBS), “licensed eligible” is who is registered with the California Board of Behavioral Sciences for the purpose of acquiring the experience related for licensure, in accordance with applicable statutes and regulations. This includes registration as either an Associate Social Worker (ASW), Registered Associate Marriage and Family Therapist (AMFT), or Registered Associate Professional Clinical Counselor (APCC). In each of these cases, the candidate must be appropriately registered with the CA Board of

Behavioral Sciences prior to delivering services and working under appropriate supervision of a licensed mental health professional, including a licensed clinical social worker (LCSW), licensed marriage & family therapist (LMFT), licensed professional clinical counselor (LPCC), licensed psychologist, or a physician board certified in psychiatry.

Non-registered students, interns, or trainees (i.e., those who have not yet received their advanced degree in the respective field and do not have registration with the appropriate state board) are not considered licensed-eligible LPHAs, for the reasons: (1) these individuals cannot perform the duties of a licensed-eligible LPHA (e.g., sign-off on a treatment plan); and (2) network providers cannot submit claims for treatment services delivered by these individuals. **However, non-registered students/interns/trainees can provide billable services under START-ODS if they register with a SUD counselor certifying agency recognized by DHCS and remain actively enrolled and attending a graduate training program.** The minimum requirement for registration for one of the SUD counselors certifying bodies is nine (9) hours of orientation. Even though registered counselors are able to provide many services without an LPHA's co-signature, because student/interns/trainees are working to earn graduate credit, these providers are required to have co signatures on all their clinical documentation and receive weekly supervision. At a minimum, consistent with State-licensing authorities, this supervision requirement consists of one (1) hour of individual supervision or two (2) hours of group supervision for every ten (10) hours of direct clinical service provided by the student, intern or trainee.

⁵ **Medical Director:** A physician is required at all provider agency sites and must 1) have enrolled with DHCS under applicable state regulations; 2) have been screened in accordance with 42 Code of Federal Regulations (CFR) 455.450(a) as a "limited" categorical risk within a year prior to serving the position; and 3) have signed a Medicaid provider agreement with DHCS as required by 42 CFR 431.107. *[DMC-ODS Special Terms and Conditions]*

Whenever possible, it is recommended that Medical Directors at SUD provider agencies perform functions that others within the agency are unable to optimally perform. As such, some recommended responsibilities of Medical Directors to maximize their benefit and role within the SUD system of care include:

- Providing Medications for Addiction Treatment (MAT), when clinically necessary.
- Providing withdrawal management when clinically necessary.
- Providing clinical supervision for staff.
- Referring/treating co-occurring physical and mental health conditions.
- Assisting other professional staff with challenging cases (e.g., refractory SUD, co-occurring conditions, and certain special populations).
- Leading Quality Improvement (QI) functions/projects (e.g., QI Projects, leading clinical team meetings, etc.).
- Conducting clinical trainings on issues relevant to professional staff (e.g., documentation, ASAM Criteria, DSM-5, MAT, and co-occurring mental health conditions).
- Providing physical exams, when necessary and appropriate at their facility.

Minimum expectations for Medical Directors within the specialty SUD system include: complying with clinical standards of best practice, licensing, accreditation standards and other local, state, and federal regulatory and reporting requirements; interpreting and supporting standards and requirements to others; researching and maintaining knowledge of evidenced-based practices, as well as updates regarding treatment of SUD and recovery-based services; and participating in SAPC-related meetings (e.g., Medical Director meetings, provider meetings, etc.).

⁶ **Applicable American Society of Addiction Medicine (ASAM) levels of care (LOC)** include: ASAM 1.0 Outpatient for At-Risk Youth and Young Adults (AR), ASAM 1 Outpatient (OP); ASAM 2.1 Intensive Outpatient (IOP); ASAM 3.1, 3.3, 3.5 Residential (R); ASAM 1, 2, 3.2, 3.7, 4 Withdrawal Management (WM); and ASAM 1 Opioid (Narcotic) Treatment Program (OTP). **Other benefits** include: Client Engagement and Navigation Services (CENS); Medication-for Addiction Treatment (MAT); Recovery Support Services (RSS); and Field-Based Services (FBS).

ASAM 2-WM is not available.

⁷ **At-Risk:** Youth (age 12 – 17) or young adults (age 18 – 20) may be determined to be “at-risk” if they meet the following criteria: **1)** Substance use does NOT meet the minimum criteria for a substance use disorder from the DSM-5 (with the exception of Tobacco-Related Disorders and Non-Substance-Related Disorders); and **2)** Determined to be at-risk of developing a substance use disorder based on reports of experimental or early-phase substance use, associated biopsychosocial risk factors, and information gathered from the full ASAM Continuum or SAPC Youth ASAM assessment and At-Risk Determination Tool.

⁸ **CENS:** Abbreviation for the Client Engagement and Navigation Services, which serve as a liaison between involved State or County partners (e.g., courts) and the specialty SUD system to provide high-touch (e.g., face-to-face) interaction with patients to facilitate access to and completion of SUD treatment.

⁹ **Treatment Plan Signing (with MAT):** When Medications for Addiction Treatment (MAT) are included in the Treatment Plan in OTP settings, LPHAs who sign off on Treatment Plans must be licensed prescribers. When MAT is included in the Treatment Plan in non-OTP settings, LPHAs who sign off on the Treatment Plan can be licensed prescribers, but do not need to be.

¹⁰ **Medication Services:** The prescription or administration of medication related to substance use treatment services, or the assessment of the side effects or results of that medication conducted by staff lawfully authorized to provide such services and/or order laboratory testing within their scope of practice or licensure. In residential facilities, this includes storing all resident medication, and facility staff members may assist with patient's self-administration of medication.

¹¹ **Medications for Addiction Treatment (MAT):** The use of medications, in combination with counseling and behavioral therapies, to comprehensively treat SUD and provide a whole-patient approach to treatment that includes addressing the biomedical aspects of addiction. Physicians and licensed prescribers in Drug Medi-Cal (DMC) programs will be reimbursed through the general Fee-for-Service (FFS) Medi-Cal system for the ordering, prescribing, administering, and monitoring of MAT, other than MAT provided in OTP settings, which will be reimbursed through the DMC system. *[DMC-ODS Special Terms and Conditions]*

With the exception of Methadone, which can only be provided in OTP settings, MAT can be offered in residential treatment settings with approval for Incidental Medical Services (IMS) from DHCS. However, MAT services provided in residential treatment settings are not reimbursable under START-ODS.

¹² **Recovery Bridge Housing (RBH) Housing Managers:** At minimum, a trained support staff will oversee the daily operation of the RBH facility; implement RBH policies, procedures, rules, and requirements; ensure the quality of the facility, and the health and safety of RBH residents. At a minimum, training for this trained support staff will include: basic first aid, CPR, naloxone and drug overdose, and blood-borne illnesses. RBH Housing Managers will provide random inspections of the RBH facility to ensure compliance with specified RBH policies, procedures, rules, and requirements. RBH House Managers may also assist in the chores/maintenance of the residents' home. All residents will be provided an emergency contact number that will allow them to speak with a "live" individual twenty-four hours per day, seven days per week (24/7). As such, RBH facilities must have a staff member available on-call 24/7 who is available to address immediate needs of RBH residents and appropriately triage emergencies that may arise. The Housing Manager is allowed to manage up to five (5) sites and/or live on-site. If the Housing Manager is not accessible to address the immediate needs of residents during a crisis, a trained staff must be available.

The RBH Housing Manager must not be an RBH beneficiary. Each agency has the discretion to provide on-site, live-in staffing or off-site staffing who oversee the location(s). The Housing Manager is allowed to live on site as long as they do not occupy a SAPC-contracted bed.

¹³ **DMC Benefit Verification:** To be eligible for DMC-reimbursed treatment services, individuals must be confirmed to: 1) reside within Los Angeles County; 2) have Medi-Cal and benefits assigned to Los Angeles County; and 3) meet the medical necessity criteria. Participants of My Health LA who meet medical necessity criteria receive the same benefit package. However, services are reimbursed through non-federal funding sources.