

**DEPARTMENT OF MENTAL HEALTH****NOTICE OF FINAL RULEMAKING**

The Director of the Department of Mental Health (Department), pursuant to the authority set forth in sections 104 and 105 of the Department of Mental Health Establishment Amendment Act of 2001, effective December 18, 2001 (D.C. Law 14-56; D.C. Official Code §§ 7-1131.04 and 7-1131.05), hereby adopts a new Chapter 51 entitled, "Supported Employment Program — Reimbursement", to Subtitle A, Mental Health, of Title 22 of the District of Columbia Municipal Regulations.

The Department provides an evidence-based supported employment program designed for consumers with significant mental health diagnoses for whom competitive employment has been interrupted or intermittent as a result of a significant mental health problem. Supported employment involves obtaining a part-time or full-time job in which a consumer receives supports in a competitive employment setting and in which the consumer earns at least minimum wage. Supports include ongoing work-based vocational assessments, job development, job placement, job coaching, crisis intervention, development of natural supports, and follow-up for each consumer, including offering job options that are diverse and permanent. The Department contracts with specific Department-certified Mental Health Rehabilitation Services (MHRS) providers to provide supported employment services. These rules establish the reimbursement requirements and rate for those qualified providers who provide supported employment services pursuant to a contract with the Department.

These rules were first published as proposed rules in the *D.C. Register* on September 3, 2010 at 57 DCR 8031. No substantive changes have been made to the proposed rules. These final rules will be effective upon publication of this notice in the *D.C. Register*.

**Subtitle A, "Mental Health," of Title 22 of the District of Columbia Municipal Regulations is amended by adding a new chapter 51 to read as follows:**

**CHAPTER 51 SUPPORTED EMPLOYMENT PROGRAM —REIMBURSEMENT****5100 PURPOSE**

- 5100.1 This chapter establishes the reimbursement rate for the Supported Employment Program. Establishment of a reimbursement rate will allow the Department of Mental Health (Department) to contract with certified mental health providers who are qualified to provide supported employment services to Department consumers at an established rate.
- 5100.2 Nothing in this chapter grants to a supported employment provider the right to reimbursement for costs of providing supported employment services. Eligibility for reimbursement for supported employment services is determined solely by the contract between the Department and the supported employment provider and is subject to the availability of appropriated funds.

**5101 REIMBURSEMENT RATE**

5101.1 The Supported Employment Program rate is as set forth below:

| SERVICE                         | RATE    | UNIT       |
|---------------------------------|---------|------------|
| Supported Employment (non-MHRS) | \$16.25 | 15 minutes |

**5102 ELIGIBILITY**

5102.1 Only a qualified Mental Health Rehabilitation Services (MHRS) provider who has entered into a contract with the Department to provide non-MHRS supported employment services that has incurred expenses eligible for reimbursement in accordance with its contract with the Department may bill the Department under this chapter.

**5103 SUBMISSION OF CLAIM; PAYMENT OF VOUCHER**

5103.1 The supported employment provider shall submit all supported employment (non-MHRS) claims under the contract by invoice, pursuant to this chapter and the terms of the contract between the Department and the supported employment provider.

5103.2 The supported employment provider shall submit appropriate documentation to support all claims under its contract with the Department.

5103.3 The Department will reimburse a supported employment provider for a claim that is determined by the Department to be eligible for reimbursement pursuant to the terms of the contract between the Department and the supported employment provider, subject to the availability of appropriated funds.

**5104 AUDITS**

5104.1 A supported employment provider shall, upon the request of the Department, cooperate in any audit or investigation concerning the Supported Employment Program.

**5199 DEFINITIONS**

5199.1 When used in this chapter, the following terms shall have the meaning ascribed:

**Supported employment**— non-Medicaid services and supports provided by a supported employment provider pursuant to a contract with the Department, consisting of services designed for consumers with significant mental health diagnoses for whom competitive employment has been interrupted or intermittent

as a result of a significant mental health problem. Supported employment involves obtaining a part-time or full-time job in which the consumer earns at least minimum wage.

**Supported employment provider** – a Mental Health Rehabilitation Service certified entity that has a demonstrated ability to provide quality, evidence-based, innovative services and interventions to assist Department consumers in preparing for, finding, and keeping competitive employment and has a contract with the Department to provide these services.