

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF MENTAL HEALTH



**Office of the Director**

September 13, 2013

Dear DMH/APRA Provider:

We are about two weeks away from the merger of the Department of Mental Health and the Addiction Prevention Recovery Administration into the new Department of Behavioral Health on October 1. Mayor Gray's vision for the new Department is to build healthy communities by better serving people with mental and/or substance use disorders.

With integrated services, we have a greater opportunity to improve outcomes for thousands of residents who receive either mental health rehabilitation services or substance use disorder treatment and supports, including the large number who now must navigate two systems to receive both. As an indication of his support, Mayor Gray added funds to the new Department in his Fiscal Year 2014 budget. And, by taking advantage of available Medicaid funding for substance use disorder treatment services as planned, we expect additional resources.

During the past several months, we have talked with you about what will happen on October 1. We want to emphasize that there should be no interruption in services due to the merger. We ask that you reinforce with consumers/clients that they will not have to make any changes to continue receiving services. We encourage you to have conversations through your community support workers and counselors to dispel any anxiety associated with the merger. Also, we intend to schedule meetings with consumers and clients in the fall to talk about the merger and to seek their suggestions on access, service delivery and integrated services. To support this effort, I am enclosing a sample flyer for use at your facilities.

Under the new Department, we do not expect any disruption in reimbursements due to the merger. Further, as we said, while some providers currently are certified to provide both mental health rehabilitation services and substance use disorder treatment, a provider will not be required to have dual certification. The rules and enforcement authority for mental health and substance use services were transferred to the new Department and remain in effect.

We realize that integrating services is a process and I want to assure you that I am committed to working closely with you to build an infrastructure that supports high quality integrated service delivery while continuing to provide specialized services to those with mental or substance use disorders only. In the coming months, we will work with you to identify duplicative or unnecessary administrative procedures, streamline or automate certain operational processes and provide the necessary training to deliver integrated services.

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Your participation in this process is important to us. As part of the planning process, in addition to regular and special meetings, we will conduct a survey of providers and consumers/clients in October to solicit feedback on how to improve the merger process, views on current services, and ideas about gaps in service.

You will see below answers to questions that my staff and I have heard in conversations and meetings with you. If you have others, please send them to Provider Relations, your contract monitor, or directly to me. Be assured that I welcome hearing from you. The Mayor has appointed me Acting Director of the new Department, and he has submitted a resolution to the DC Council to confirm my appointment. As the current director of the Department of Mental Health, I have had the opportunity to develop a cooperative, productive relationship with mental health providers and I look forward to building the same partnership with substance abuse providers.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Baron". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Steve Baron

## **Important Questions Regarding the new Department of Behavioral Health**

**Q1. *What is the certification requirement in the new Department of Behavioral Health?***

**Answer:** When the merger becomes effective on October 1, 2013, current certification requirements remain in effect—in the DCMR, Title 29, Chapter 23 for Substance Abuse Treatment and DCMR, Title 22, Chapter A34 for Mental Health Rehabilitation Services. Providers will continue to adhere to the requirements of certification for their respective governing rules and services. As we build the new Department, we intend to establish a work group that will include providers to examine the requirements and to recommend any changes to better support integrated treatment and a more efficient certification process. If changes are proposed, the new Department will follow existing procedures for standard notice and comment periods.

**Q2. *Will I be required to provide new services or can I continue to provide mental health rehabilitation services only or substance abuse services only?***

**Answer:** Providers will be required to offer services for which they currently are certified—whether mental health rehabilitation services only, substance abuse services only, or both.

**Q3. *Will providers be required to have dual certification?***

**Answer:** Providers will not be required to have dual certification. The vision for the new Department is to serve residents whether they seek help for substance use disorders or mental health conditions. To achieve this goal, the new Department will continue to offer a range of services including mental health treatment only, substance use disorder treatment only and integrated treatment services. As is the case now, all providers will be required to conduct co-occurring screening and to properly refer individuals to appropriate treatment. In addition, DBH will offer training and technical assistance for providers who want dual certification to provide integrated services for co-occurring disorders.

**Q4. *Will the application process for a new certification or renewed certification be different?***

**Answer:** As of October 1, the application process will not change. The requirements for submission of a completed application as required by your respective certification rules will continue. The new Department plans to implement an on-line application process that can be used for both Chapter 23 Substance Abuse Treatment Facilities and Programs, and Chapter 34 Mental Health Rehabilitation Services certifications and will notify providers when it is launched.

**Q5. *If I choose to do so, how can I receive dual certification?***

**Answer:** There is currently a moratorium on certifying new mental health providers. However, as part of the goals of the new Department, we plan to lift the moratorium for certified substance abuse treatment facilities and programs. A certified mental health provider seeking certification

as a substance abuse provider must meet the requirements of the DCMR, Title 29 Chapter 23, including a Certificate of Need.

*Q6. What licenses/certificates/permits are needed to operate a dual certified program? And, where do I obtain these licenses/certificates/permits?*

**Answer:** The requirements for licenses, certification and permits will not change as of October 1. Health professionals will continue to adhere to the requirements of the Health Professional Licensing Administration (HPLA). Certificates and permits requirements will remain under the governance of the responsible District agency such as the Department of Consumer and Regulatory Affairs for zoning and food safety and the Department of Fire & Emergency Medical Services for fire safety inspections, and the appropriate federal agency approvals for treatment of substance use disorders. The new Department will provide technical assistance as needed.

*Q7. If I want to provide mental health and substance abuse treatment services will I be required to go through the inspection process twice?*

**Answer:** Providers will not be required to go through the inspection process twice. Providers currently certified to provide both substance abuse treatment services and mental health services will be inspected once for both services. The provider will be rendered a certificate that reflects a certification for both substance use disorder and mental health rehabilitation services. The Department plans to streamline the inspection process for dual certified providers.

*Q8. How long does it take to become a certified provider?*

**Answer:** The current certification process can take three months to a year. It is a rigorous process to ensure that the applicant has the operational capacity and clinical ability to provide quality services. Further, the completion of the process is contingent upon the submission of a completed application, timely responses to a deficiency report if applicable, submission of an acceptable plan of correction and other variables. The Office of Accountability provides technical assistance throughout the certification process.

*Q9. Will the frequency of my inspections change under the Department of Behavioral Health?*

**Answer:** Inspections will continue to be conducted in accordance with your respective certification rules and as required by a corrective action plan if in place. This includes annual inspections, unannounced and announced site visits, complaints investigations and follow-up inspections as required by your existing rules.

*Q10. Will the billing codes and rates be the same for substance abuse treatment services and mental health services?*

**Answer:** Effective October 1, the billing codes and rates for the same substance abuse and mental health rehabilitation services will be uniform. An emergency rule will be published to establish the new uniform code and rate table. In all cases where the services are the same, the higher rate will be adopted. The new rates will be presented at the APRA provider meeting on September 18. The billing codes and rates for unique substance abuse services will remain the same with a few code modifiers where necessary to conform with recent HCPCS (CMS) code changes. The rates for mental health rehabilitation services currently are under review.

**Q11. *Are there any new background check requirements to bill Medicaid for services?***

**Answer:** Under the current schedule, as of January 1, 2014, qualified providers will bill Medicaid for substance use disorder services. Medicaid rules require that a provider determine whether an employee or contractor has been excluded from participating in the Medicaid program. The new Department will provide instructions on how to check for exclusions.

**Q12. *Will facilities requirements change, for example, in such areas such as food service and health and safety?***

**Answer:** The rules for your certification, including facility requirements, will continue to be governed by Chapter 23 and Chapter 34, respectively. The existing certification rules for DMH and APRA will come under the authority of the new Department. If changes are proposed, the Department will follow existing procedures for standard notice and comment periods.

**Q13. *What will be the incident reporting policy under the new Department and how will I be made aware of the expectations of my agency as it concerns incident reporting?***

**Answer:** The incident reporting requirements will not change as of October 1. However, we plan to streamline the incident reporting process with a single form and a single set of requirements regardless of whether a provider is certified to provide mental health rehabilitation services, substance use disorder services, or both. Providers are invited to participate through the existing policy development process and to comment through the planned provider survey.

**Q14. *How will I receive notices regarding meetings and training offered by the new Department?***

**Answer:** Notices of meetings and trainings will be given as usual by email, newsletters, and notification from the Training Institute and from Provider Relations. The monthly schedule of meetings with providers will be posted on the new website, [www.dbh.dc.gov](http://www.dbh.dc.gov).