

MEMORANDUM

TO: Designated and Specialized Services Agencies (NFI and Pathways Vermont)

FROM: Agency of Human Services Policy Unit &
Department of Mental Health, Melissa Bailey, Deputy Commissioner

DATE: September 16, 2016

RE: Clarification Regarding LADCs Providing Supervision to Non-licensed Mental Health Staff

On January 1, 2016 the new Medicaid policy regarding supervised billing went into effect. As an addendum to the policy, a Frequently Asked Questions (FAQ) was developed. One of the FAQs was regarding LADCs supervising non-licensed masters level mental health staff for billing. At the time the discussion separated the need for supervision as it relates to billing from the need for supervision as it relates to the Office of Professional Regulation's (OPR) licensure requirements and did not consider supervision and sign-off as it relates to development of Individual Plans of Care (IPC). However, the DMH Medicaid requirement of signing IPCs was not discussed during the policy development. After further review we are correcting the response to the FAQ in order for there to be consistency across the Supervised Billing Policy, OPR expectations, and DMH Medicaid Manual expectations. The Supervised Billing Policy is silent to LADC's providing supervision and is only reflected in the FAQ. Please see below for correction to the FAQ. The FAQ document in its entirety will be corrected as well.

Do LADCs qualify to supervise non-licensed staff?

Response: *The policy requires a behavioral health provider enrolled in Medicaid and supervising within their scope of practice to provide supervision.*

Further clarification: *Only licensed mental health clinicians may provide supervision to a non-licensed rostered mental health clinician for purposes of supervised billing and sign-off on IPCs. An LADC who does not additionally have a clinical mental health license may not provide supervision to a non-licensed mental health clinician for Supervised Billing or IPC sign-off.*

Note: *Unlicensed providers who are seeking licensure from the Office of Professional Regulation (OPR) will need to obtain supervised hours from a supervisor meeting the requirements outlined by OPR in order to apply for licensure. For Licensed Alcohol and Drug Abuse Counselors, supervisors must meet requirements outlined by the Vermont Secretary of State's Office of Professional Regulation.*

Cc: Frank Reed, Commissioner, Department of Mental Health
Emma Harrigan, Quality Director, Department of Mental Health
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