

# Magellan Compliance Notebook – August, 2017

Magellan Behavioral Health of Pennsylvania, Inc. (Magellan) strives to be proactive and use education as a preventative tool to help ensure our members receive the highest quality of care through you, the provider. The Compliance Department at Magellan is committed to sending monthly e-mails to targeted providers regarding a Compliance-related subject.

*This e-mail communication is specific to your HealthChoices (Pennsylvania Medicaid) Contract with Magellan.*

This month's communication is directed to all Behavioral Health Rehabilitative Services (BHRS) including Applied Behavior Analysis (ABA) providers to clarify Therapeutic Staff Support (TSS) Supervision requirements and non-billable activities.

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This communication will serve to remind providers of: (1) the minimum TSS staff person qualifications; (2) the minimum requirements for the amount of TSS supervision; (3) the credentials of a qualified TSS Supervisor; and (4) non-billable activities.

Please note that Magellan has adopted the State's requirements for TSS Supervision (reference MA Bulletin 01-01-05 [http://www.dhs.pa.gov/cs/groups/webcontent/documents/bulletin\\_admin/d\\_004396.pdf](http://www.dhs.pa.gov/cs/groups/webcontent/documents/bulletin_admin/d_004396.pdf) and BHRS Frequently Asked Questions <http://www.dhs.pa.gov/provider/frequentlyaskedquestions/behavioralhealthrehabilitationervicesbhersfrequentlyaskedquestions/>).

For more information related to TSS Training Requirements including the unique ABA standards, please reference MA Bulletins 01-01-5; OMHSAS-16-02 ([http://www.dhs.pa.gov/cs/groups/webcontent/documents/bulletin\\_admin/c\\_223291.pdf](http://www.dhs.pa.gov/cs/groups/webcontent/documents/bulletin_admin/c_223291.pdf)); and OMHSAS-17-02 ([http://www.dhs.pa.gov/cs/groups/webcontent/documents/bulletin\\_admin/c\\_256003.pdf](http://www.dhs.pa.gov/cs/groups/webcontent/documents/bulletin_admin/c_256003.pdf)).

## **Minimum Staff Qualifications**

The following persons are eligible to provide TSS services:

- a. Persons with a Bachelor's Degree in psychology, social work, counseling, sociology, education, criminal justice, or similar human service field, with no previous work experience;

- b. Persons with a Bachelor's Degree in any other field, with the equivalent of at least one year of full-time paid work experience in a job that involved direct contact with children or adolescents;
- c. Licensed registered nurses, with the equivalent of at least one year of full-time paid work experience in a job that involved direct contact with children or adolescents;
- d. Persons with an Associate's Degree, or sixty credits toward a Bachelor's Degree, with the equivalent of at least three years of full-time paid work experience in a job that involved direct contact with children or adolescents;
- e. Licensed practical nurses, with the equivalent of at least three years of full-time paid work experience in a job that involved direct contact with children or adolescents.

### **Amount of TSS Supervision**

All TSS workers must receive ongoing supervision by a qualified supervisor, each week that the TSS worker provides services, as follows:

- a. TSS workers employed twenty hours per week or more must receive at least one hour of supervision per week;
- b. TSS workers employed less than twenty hours per week must receive at least thirty minutes of supervision per week.

The ongoing supervision must include periodic on-site supervision, in addition to office or consultative supervision. Please note that these are the minimum requirements. The amount of on-site supervision to be provided is to be determined by the supervisor and the agency, taking into account the experience of the TSS worker and the needs of the children and adolescents served by the worker. The purpose of the on-site supervision is to afford the supervisor the opportunity to observe the TSS worker providing services, to assess the worker's performance and to review that assessment with the worker.

For TSS workers implementing a treatment plan that includes ABA, the weekly supervision required in MA Bulletin 01-01-05 should address the ongoing implementation of ABA interventions in accordance with the child's or adolescent's treatment plan.

### **TSS Supervisor Credentials**

TSS workers should be supervised by **one** supervisor who:

- Is a licensed mental health professional; or
- Holds a graduate degree and at least one year of experience either:

- o In a Child and Adolescent Service System Program (CASSP) service system (employed by or under contract to children and youth services, juvenile justice, mental health, special education, or drug and alcohol, working with children)
- o Employed by a licensed mental health agency or subcontracted agency

Each supervisor may provide supervision to no more than nine full-time equivalent TSS workers.

### **Billable and Non-Billable Activities**

- Ongoing supervision is included in the TSS rate, whether provided in the office or on-site, and time spent in ongoing supervision is **not billable**. Therefore, direct billing of time spent providing TSS Supervision is prohibited.
- Periodic on-site supervision must be part of TSS supervision, and providers may bill for TSS services delivered during on-site supervision. The Behavioral Specialist Consultant (BSC) or Mobile Therapist (MT) for a particular child/ adolescent **is not the supervisor for the TSS assigned to the case**, even if they meet the minimum qualifications to be a TSS Supervisor. Therefore, BSC or MT services may not be billed during TSS Supervision.
- BSC and MT case consultation, a billable activity, cannot be counted as TSS supervision. BSC and MT case consultation activities should be clearly documented as such in the member's chart.
- Magellan expects that the assigned BSC worker on a case periodically observe the assigned TSS in-person implementing the Treatment Plan. In this case, the BSC worker is providing BSC services and this is billable time. This is **not** TSS Supervision, as the BSC or MT for a particular child/ adolescent is not the supervisor for the TSS assigned to the case.
- Documentation of TSS supervision should be kept in the employee HR file (or a separate binder), not in a member's chart. Evidence of TSS Supervision must be made available for review during Magellan audits.

Any incidents of a provider billing for BSC or MT services while providing TSS Supervision will be identified for retraction. Please also note that TSS services provided by staff who do not satisfy the specified minimum qualifications or who have not received the specified minimum training and supervision are ineligible for payment.

Magellan has received multiple authorization requests from providers requesting 2 distinct BSC services under the presumption that BSC services will be provided by one BSC worker and TSS

Supervision will be provided by a second BSC worker who meets the minimum qualifications. These requests cannot be considered, as TSS Supervision is not a billable activity.

At Magellan, we will continue to educate our providers with updated MA Bulletins, Regulations and other pertinent information in order to ensure Compliance.

Thank you for your ongoing hard work and dedication to our members!

## Magellan of Pennsylvania's Compliance Team

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Report Fraud to: [SIU@magellanhealth.com](mailto:SIU@magellanhealth.com) or (800) 755-0850

