



Magellan Compliance Notebook

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, we would like to share some important reminders with contracted Outpatient Clinics (Mental Health and Drug & Alcohol) regarding the services provided to Magellan HealthChoices recipients by Certified Registered Nurse Practitioners (CRNP), Physician Assistants (PA) and Registered Nurses (RN). Please be advised that similar guidance on this topic was previously distributed to the network in April, 2016; however some adjustments have been made to the regulations and Magellan's expectations.

Key Terms:

Advance Practice Professional— A person who holds a current Pennsylvania license as a certified registered nurse practitioner or a physician assistant and: (1) Holds a mental health certification, or (2) Obtains a mental health certification within 2 years of being hired by the psychiatric outpatient clinic or by July 30, 2020, whichever is later.

Certified Registered Nurse Practitioner (CRNP)— A professional nurse licensed in this Commonwealth who is certified by the Board in a specialty and who, while functioning in the expanded role as a professional nurse, performs acts of medical diagnosis or prescription of medical therapeutic or corrective measures in collaboration with a physician licensed to practice in this Commonwealth.

Clinical staff— A psychiatrist or a mental health professional or mental health worker under the direct supervision of a psychiatrist.

Collaborative agreement— The written and signed agreement between a CRNP and a collaborating physician in which they agree to the details of their collaboration including the elements in the definition of collaboration.

Individual Psychotherapy— Psychotherapy provided to one person with a diagnosed mental illness or emotional disturbance. These sessions shall be conducted by a clinical staff person.

Mental Health Professional— A person who meets one of the following: (i) Has a graduate degree from a college or university that is accredited by an agency recognized by the United States Department of Education or the Council for Higher Education Accreditation (CHEA) in a generally recognized clinical discipline in which the degree program includes a clinical practicum; (ii) Has an equivalent degree from a foreign college or university that has been evaluated by the Association of International Credential Evaluators, Inc. (AICE) or the National Association of Credential Evaluation Services (NACES). The Department will accept a general equivalency report from the listed evaluator agencies to verify a foreign degree or its equivalency; or (iii) Is licensed in a generally recognized clinical discipline that includes mental health clinical experience.

Mental Health Worker— A person acting under the supervision of a mental health professional to provide services who meets one of the following: (i) Has a bachelor's degree from a college or university that is accredited by an agency recognized by the United States Department of Education or the CHEA in a recognized clinical discipline including social work, psychology, nursing, rehabilitation or activity therapies; (ii) Has a graduate degree in a clinical discipline with 12 graduate-level credits in mental health or counseling from a program that is accredited by an agency recognized by the United States Department of Education or the CHEA; (iii) Has an equivalent degree from a foreign college or university that has been evaluated by the AICE or the NACES. The Department will accept a general equivalency report from the listed evaluator agencies to verify a foreign degree or its equivalency.

Physician Assistant— An individual who is licensed as a physician assistant by the Board.

Registered Nurse— A nurse licensed to practice in this Commonwealth.

Medication Management Visits

As defined by an agency's Exhibit B Magellan Reimbursement Schedule, Outpatient Clinics may bill for Office Outpatient / Medication Management visits by a Certified Registered Nurse Practitioner, Registered Nurse or Physician Assistant.

Per the PA Code, psychiatric clinic medication visits shall be provided for administration of a drug and evaluation of an individual's physical or mental condition during the course of prescribed medication. This visit is provided to an eligible individual only by a psychiatrist, physician, certified registered nurse practitioner, physician assistant, registered nurse or licensed practical nurse. CRNP and PA prescribing practices are defined by licensing and regulatory requirements.

A CRNP must collaborate with a physician who holds a current license to practice in this Commonwealth. When acting in collaboration with a physician as set forth in a collaborative

agreement and within the CRNP's specialty, a CRNP with current prescriptive authority approval may develop and implement treatment plans for pharmaceutical treatments; and, prescribe psychotropic medication relevant to the area of practice of the CRNP if that authorization is documented in the collaborative agreement with a physician. A CRNP may not delegate prescriptive authority.

A PA must have a written agreement with a supervising physician. The agreement must identify and be signed by the physician assistant and each physician that the physician assistant will be assisting who will be acting as a supervising physician; describe the manner and list functions in which the physician assistant will be assisting each named physician; and designate one of the named physicians who shall be a medical doctor as the primary supervising physician. The supervising physician must countersign the patient record completed by the physician assistant within a reasonable amount of time (may not exceed 10 days). A physician assistant or supervising physician shall provide immediate access to the written agreement to anyone seeking to confirm the scope of the physician assistant's authority.

A licensed RN may administer a drug ordered for a patient in the dosage and manner prescribed.

References:

- [Title 49 PA Code Chapter 21 Subchapter C](#)
- [Title 49 PA Code Chapter 18 Subchapter D](#)
- [Title 49 PA Code Chapter 21 Subchapter A](#)
- [Title 55 PA Code Chapter 1153 and 5200 \(newly promulgated\)](#)

Diagnostic Assessments & Psychiatric Evaluations

As defined by an agency's Exhibit B Magellan Reimbursement Schedule, "Psychiatric Diagnostic Evaluation- without medical services" refers to the evaluation or assessment conducted by a Mental Health Professional (or a Mental Health Worker under the supervision of a Mental Health Professional), including a CRNP. A "Psychiatric Diagnostic Assessment- no medical services; by Psychiatrist/ Specialized Physician" refers to the psychiatric evaluation. **As such, only a physician may conduct a "psychiatric evaluation".**

As referenced in OMHSAS Policy Clarification #03-08 and Title 55 PA Code Chapter 1153, a *psychiatric evaluation* must be performed only by a psychiatrist, but psychiatric evaluations are required for only a limited set of services. A psychiatric evaluation is required for admission to an accredited Residential Treatment Facility (RTF) or a Long Term Structured Residence (LTSR); and evaluations for involuntary commitments (302's) must also be completed only by a physician. The term *psychiatric evaluation* or *psych eval* is often used loosely to describe the initial diagnostic evaluations required by the PA Code for admission to and treatment planning for members seeking outpatient services in outpatient mental health clinics. There is no requirement that these diagnostic evaluations be completed by a psychiatrist and they may be completed by a CRNP or PA. With regard to providing diagnostic evaluations in Drug & Alcohol

treatment clinics, the same limits and billing issues apply. The Department of Health regulations do not prohibit the use of CRNP's and PA's to perform mental health assessments/ evaluations in so far as they are permitted to do so by state regulation governing the scope of their practice. This refers only to the CRNP or PA performing a mental health function, not a D&A Assessment. Within those confines, the CRNP or PA could collaborate with the D&A workers as appropriate for patients with co-occurring disorders, but their function should remain primarily focused on MH services for the purposes of performing a diagnostic mental health evaluation.

Reference:

- OMHSAS Policy Clarification #03-08
- [Title 55 PA Code Chapter 1153](#) (newly promulgated)

CRNP and PA Qualifications

According to the PA Code (see below reference), when acting in collaboration with a physician as set forth in a collaborative agreement and within the CRNP's specialty, a CRNP may perform comprehensive assessments of patients and establish medical diagnoses; order, perform and supervise diagnostic tests for patients and, to the extent the interpretation of diagnostic tests is within the scope of the CRNP's specialty and consistent with the collaborative agreement, may interpret diagnostic tests; Develop and implement treatment plans, including issuing orders to implement treatment plans. A CRNP with current prescriptive authority approval may develop and implement treatment plans for pharmaceutical treatments; and prescribe psychotropic medication relevant to the area of practice of the CRNP if that authorization is documented in the collaborative agreement with a physician.

In order to provide services to Magellan HealthChoices (Medicaid) Recipients within a Psychiatric Outpatient Clinic or Substance Abuse Outpatient Clinic, a CRNP must have certification as either an Adult Psychiatric Mental Health Nurse Practitioner or a Psychiatric Mental Health Nurse Practitioner (formerly known as Family Psychiatric–Mental Health Nurse Practitioner).

The newly promulgated Outpatient Clinic Regulations allow a CRNP or PA 2 years (or by July 30, 2020, whichever is later) to obtain a mental health certification.

References:

- 49 PA Code Chapter 21 Subchapter C
- [Title 55 PA Code Chapter 1153](#) (newly promulgated)

RN Qualifications

RN activities in a licensed outpatient clinic may include medication administration including injections, BMI measurements, medication education, and assessment of medication effectiveness in consultation with a physician. Per the PA Code (see below reference), a registered nurse shall undertake a specific practice only if the registered nurse has the necessary knowledge, preparation, experience and competency to properly execute the practice. *In order to promote competence in psychiatric mental health nursing, it's recommended that RNs working in behavioral health clinics are board certified by The American Nurses Credentialing Center as a Psychiatric-Mental Health Nurse (RN-BC).*

References:

- [49 PA Code Chapter 21 Subchapter A](#)

All CRNP, RN and PA Services provided to Magellan HealthChoices members must be delivered in accordance with the above guidelines. This will be assessed during routine and targeted audits by Magellan's Network and Compliance Departments. Retractions and/or Corrective Action may be applied as indicated.

At Magellan, we will continue to educate our providers with updated MA Bulletins, Regulations and other pertinent information in order to ensure Compliance. Although providers are ultimately responsible for knowing and complying with all applicable regulations, we proactively engage providers on an ongoing basis to make sure they are aware of compliance related requirements and expectations. Medicaid Program Integrity is truly a collaborative effort between our providers, county customers, Magellan, BPI and other oversight agencies. The monthly e-mail blast topics are generated from audit results and trends; however, are also sent in response to recent Magellan policy updates; newly released or relevant MA Bulletins and Policy Clarifications; or Regulation changes. The intention is to afford our providers with as many resources as possible to combat FWA and reduce overpayments.

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

Magellan of Pennsylvania's Compliance Team

○ 215-504-3967 | F 866-667-7744