



# 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, Magellan wants to remind contracted Outpatient Clinics about the Pennsylvania Medicaid regulatory limitations for Group Therapy (90853) size. The regulations currently differ slightly for licensed Psychiatric Outpatient Clinics and Substance Use Disorder (SUD) Outpatient (OP) Clinics. However, there is a waiver process that SUD OP Clinics may follow to request an expansion in the allowable size for up to twelve individuals. The specific guidelines are outlined below.

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The maximum amount of individuals who can participate in a Medicaid-funded Group Psychotherapy session at any time is outlined by the regulations. This limit in group size varies depending on whether the provider is licensed as a Psychiatric Outpatient Clinic or an Outpatient Drug and Alcohol (SUD) Clinic.

Licensed Mental Health Outpatient Clinics must ensure Compliance with Title 55 of the Pennsylvania (PA) Code, Chapters 1153 and 5200. Per [PA Code 55 § 1153.2](#) Definitions:

- **PSYCHIATRIC OUTPATIENT CLINIC Group Psychotherapy** is Psychotherapy provided to **no less than two and no more than twelve persons** with diagnosed mental illness or emotional disturbance. These sessions shall be conducted by a clinical staff person.

Although Outpatient Drug and Alcohol (SUD) Clinics are not licensed by the Office of Mental Health and Substance Use Services (OMHSAS), providers receiving PA Medicaid dollars must ensure Compliance with Title 55 of the Pennsylvania Code, Chapter 1223. Per [PA Code 55 § 1223.2](#) Definitions:

- **OUTPATIENT DRUG AND ALCOHOL CLINIC Group Psychotherapy** is Psychotherapy provided to **no less than two and no more than ten persons** with diagnosed drug/alcohol abuse or dependence problems for a minimum of 1 hour. These sessions

shall be conducted by drug/alcohol clinic psychotherapy personnel under the supervision of a physician.

- Outpatient Drug and Alcohol Clinics may submit a waiver to OMHSAS for consideration to expand the maximum group size to 12 individuals. In March 2022, OMHSAS issued revised [guidelines](#) regarding the waiver submission process. Any questions should be directed to your applicable OMHSAS Regional Field Office.

\*Please note that adding an additional group facilitator does not allow a provider to double or otherwise expand the maximum size of the group. Regardless of the number of provider staff co-facilitating or leading the group, the maximum allowable size without a waiver is 10 (SUD Clinics) or 12 (MH OP Clinics).

Regulatory requirements are assessed during routine and targeted audits by Magellan's Special Investigations Unit (SIU). Retractions and/or Corrective Action Plans may be applied as indicated.

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At Magellan, we will continue to educate our providers with updated MA Bulletins, regulations, and other pertinent information 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, Bureau of Program Integrity (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**

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