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Lieutenant Governor
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Anchorage, Alaska 99501
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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Triptaa Surve
Department of Health and Social Services

FROM: April Simpson, Office of the Lieutenant Governor
465.4081 

DATE: October 11, 2019

RE: Filed Permanent Regulations: Department of Health and Social Services

Department of Health and Social Services Regulation re: Div. of Behavioral Health:
Medicaid Coverage, Mental Health Physician Clinic Revised Requirements (7 AAC 135)

Attorney General File:	2019200141
Regulation Filed:	10/11/2019
Effective Date:	11/10/2019
Print:	232, January 2020

cc with enclosures: Harry Hale, Department of Law
Judy Herndon, LexisNexis

ORDER ADOPTING CHANGES TO REGULATIONS
OF THE DEPARTMENT OF HEALTH & SOCIAL SERVICES

The attached 6 pages of regulations, dealing with Medicaid Coverage, Mental Health Physician Clinic Revised Requirements, are adopted and certified to be a correct copy of the regulation changes that the Department of Health and Social Services adopts under the authority of AS 47.05.010, AS 47.07.030, AS 47.07.040, AS 47.07.055, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

It is estimated that this action will require increased appropriations as shown on the attached fiscal note.

In considering public comments, the Department of Health and Social Services paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: 10/3/19


Adam Crum, Commissioner
Department of Health & Social Services

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that¹ on Oct. 11th,
2019, at 8:35Am., I filed the attached regulations according to the provisions of AS 44.62.040 -
44.62.120.


Lieutenant Governor

Effective: November 10, 2019.

Register: 232, January 2020.

7 AAC 135.030(a)(2) is amended to read:

(2) a mental health physician clinic that meets the requirements of (d) [AND (e)] of this section;

7 AAC 135.030(d) is repealed and readopted to read:

(d) The department will pay for behavioral health clinic services provided by a mental health physician clinic only if the

(1) mental health physician clinic is operated by one or more physicians licensed under AS 08.64 who provide direct supervision ^{under} ~~in accordance with~~ AS 47.07.030(g) to all clinic employees and to individuals on contract with the clinic to provide behavioral health clinic services;

(2) services are for treatment of a diagnosable mental health disorder;

(3) services are provided by one of the physicians operating the clinic or by one of the following individuals who work under the direct supervision of those physicians:

(A) a psychologist who is licensed under 7 AAC 110.550;

(B) a psychological associate who is licensed under AS 08.86 or in the jurisdiction where services are provided, and who renders the services within the scope of practice identified in 12 AAC 60;

(C) a clinical social worker who is licensed under AS 08.95;

(D) a physician assistant who is licensed ^{as required} under 7 AAC 110.455;

(E) an advanced nurse ^{practice registered} practitioner who is licensed and certified as required under 7 AAC 110.100;

(F) a psychiatric nursing clinical specialist who is licensed under AS 08.68 or in the jurisdiction where services are provided;

(G) a marital and family therapist who is licensed under AS 08.63 or in a jurisdiction with requirements substantially similar to the requirements of AS 08.63 where services are provided; or

(H) a professional counselor who is licensed under AS 08.29 or in a jurisdiction with requirements substantially similar to the requirements of AS 08.29 where services are provided; and

(4) services are provided on the premises of the mental health physician clinic or through a telemedicine application under 7 AAC 110.620 - 7 AAC 110.639, unless the service is provided to a ~~homeless person~~ ^{person identified as}

7 AAC 135.030(e) is repealed:

(e) Repealed 11 / 10 /2019. (Eff. 10/1/2011, Register 199; am 7/1/2018, Register 226; am 11 / 10 /2019, Register 232)

Authority: AS 47.05.010 AS 47.07.030

7 AAC 135.040(b)(2) is amended to read:

(2) psychiatric assessments under 7 AAC 135.110(e) [OR (f)], not to exceed four per recipient in a state fiscal year;

(7) short-term crisis intervention services under 7 AAC 135.160 that do not exceed 22 hours of the total short-term crisis intervention services provided to a recipient during a state fiscal year; [.]

7 AAC 135.040(b) is amended by adding a new subparagraph, to read:

(8) screening and brief intervention services, with no limit.

7 AAC 135.040(c)(16) is repealed:

(16) repealed 11 / 10 /2019;

(Eff. 10/1/2011, Register 199; am 4/9/2017, Register 222; am 7/1/2018, Register 226; am 11 / 10 /2019, Register 232)

Authority: AS 47.05.010 AS 47.07.030

7 AAC 135.110(a)(2) is amended to read:

- (A) a mental health intake assessment under (b) of this section;
- (B) a psychiatric assessment under (e) [OR (f)] of this section;
- (C) psychological testing and evaluation under (g) of this section; [.]

(D) an integrated mental health and substance use intake assessment under (d) of this section.

7 AAC 135.110(b)(2) is amended to read:

(A) the requirements of 7 AAC 135.010(b)(1), if the provider is a community behavioral health services provider;

MEMORANDUM


State of Alaska Department of Law

To: The Honorable Kevin Meyer
Lieutenant Governor

Date: October 7, 2019

File No.: 2019200141

Tel. No.: 465-3600

From: Susan R. Pollard 
Chief Assistant Attorney General
and Regulations Attorney
Legislation and Regulations Section

Re: Department of Health and Social
Services Regulation re: 7 AAC 135:
Div. of Behavioral Health: Medicaid
Coverage, Mental Health Physician
Clinic Revised Requirements

The Department of Law has reviewed the attached regulations of the Department of Health and Social Services against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Department of Health and Social Services after the close of the public comment period. The regulations concern mental health physician clinic requirements as relates to Medicaid coverage for behavioral health services. Specifically, the regulations amend 7 AAC 135.030(d) regarding requirements for payment of behavioral health clinic services and make other changes to 7 AAC 135 related to provider requirements.

The March 7, 2019, public notice and the October 3, 2019, adoption order both state that this action is expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is included as part of this regulations packet and the anticipated amount was included in the additional regulation notice information.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.125. The corrections are shown on the attached copy of the regulations. Our edit to 7 AAC 135.030(d)(3)(E) reflects the statutory change from “advanced nurse practitioner” to “advanced practice registered nurse” in AS 08.68.

SRP:sjw

cc: Honorable Adam Crum, Commissioner, Department of Health and Social Services
Rick Calcote, Mental Health Clinician, Department of Health and Social Services
Triptaa Surve, Project Coordinator, Department of Health and Social Services
Kelly Henriksen, Assistant Attorney General, Civil Division

FISCAL NOTE

Agency: Department of Health & Social Services.

Appropriation/Allocation: General Fund Medicaid, Mental Health, & Federal Funds.

General subject of regulation: Medicaid Coverage, Revised Requirements for a Mental Health Physician Clinic.

Citation of regulation: 7 AAC 135.

Estimated appropriations required (in thousands of dollars): FY2020- \$307.2; FY2021- \$307.2.

Expenditures/Revenues

	FY20 Appropriation Requested	(Thousands of Dollars)	
	FY20	FY21	FY ____
OPERATING EXPENDITURES			
Personal Services			
Travel			
Services			
Commodities			
Capital Outlay			
Grants & Benefits			
Miscellaneous			
TOTAL OPERATING			

FUNDING SOURCE		(Thousands of Dollars)	
1002	Federal Receipts	\$460.8	\$460.8
1003	GF Match	\$307.2	\$307.2
1004	General Fund		
1005	GF/Program (DGF)		
1007	I/A Rcpts (Other)		
1037	GF/MH (UGF)		

POSITIONS			
Full-time			
Part-time			
Temporary			

CHANGE IN REVENUES			

Date 2.26.2019

Prepared by: *Rick Calcote, MS.*

Rick Calcote, Mental Health Clinician III
 Division of Behavioral Health, Dept. of Health & Social Services
 Telephone Number: (907) 269-3617

NOTICE OF PROPOSED CHANGES ON MEDICAID COVERAGE, MENTAL HEALTH PHYSICIAN CLINIC REQUIREMENTS, IN THE REGULATIONS OF THE DEPARTMENT OF HEALTH & SOCIAL SERVICES.

BRIEF DESCRIPTION

The Department of Health & Social Services proposes to change regulations on the Medicaid coverage for a mental health physician clinic requirements.

The Department of Health & Social Services proposes to adopt regulation changes in Title 7 of the Alaska Administrative Code, dealing with Medicaid coverage for behavioral health services dealing with mental health physician clinic requirements, including the following:

- (1) 7 AAC 135. Medicaid Coverage; Behavioral Health Services, is proposed to be changed as follows: Adopt new requirements for a mental health physician clinic; add screening and brief intervention services, and an integrated mental health and substance use intake assessment to the list of approved Medicaid services provided by a mental health physician clinic.
- (2) 7 AAC 135.110(f), interactive psychiatric assessment using equipment and devices, is proposed to be repealed. The Medicaid service titled *interactive psychiatric assessment using equipment and devices* is no longer a recognized service by the Centers for Medicare & Medicaid, and is not a billable service under the *Current Procedural Terminology (CPT) Standard Edition*.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Mr. Rick Calcote, at 3601 C Street, Suite 878, Anchorage, AK 99503. Additionally, the Department of Health & Social Services will accept comments by facsimile at (907) 269-3623 and by electronic mail at hss.dbh.publiccomments@alaska.gov. The comments must be received not later than 5 p.m. on May 7, 2019.

Oral or written comments also may be submitted at a hearing to be held on April 12, 2019, at Conference Room 880, 3601 C Street, Anchorage, AK 99503. The hearing will be held from 10 a.m. to 12 noon and might be extended to accommodate those present before 11:45 a.m. who did not have an opportunity to comment. If you are unable to attend in person, but would like to comment during the oral public hearing, you can call the teleconference number (800) 315-6338 (Toll Free) and use the code 36171#.

You may submit written questions relevant to the proposed action to Mr. Rick Calcote, at rick.calcote@alaska.gov, 3601 C Street, Suite 878, Anchorage, AK 99503. The questions must be received at least 10 days before the end of the public comment period. The Department of Health & Social Services will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Mr. Rick Calcote at rick.calcote@alaska.gov or at (907) 269-3617 later than April 8, 2019, to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Mr. Rick Calcote at rick.calcote@alaska.gov , or at (907) 269-3617.

A copy of material proposed for adoption by reference may be viewed at the agency's office at the Department of Health & Social Services, Division of Behavioral Health, 3601 C Street, Suite 878, Anchorage, AK 99503.

After the public comment period ends, the Department of Health & Social Services will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **You should comment during the time allowed if your interests could be affected. Written comments received are public records and are subject to public inspection.**


Statutory authority: AS 47.05.010; AS 47.07.030; AS 47.07.040; AS 47.07.055.

Statutes being implemented, interpreted, or made specific: AS 47.05.010; AS 47.07.030; AS 47.07.040; AS 47.07.055.

Fiscal information: It is estimated that the proposed regulation changes will require increased appropriations (in thousands of dollars) as follows: FY2020, \$307.2; FY2021, \$307.2.

The Division of Behavioral Health/Department of Health & Social Services keeps a list of individuals and organizations interested in its regulations. Those on the list will automatically be sent a copy of all of the Division of Behavioral Health/Department of Health & Social Services notices of proposed regulation changes. To be added to or removed from the list, send a request to the Division of Behavioral Health/Department of Health & Social Services at 3601 C Street, Suite 878, Anchorage, AK 99503, giving your name, and either your e-mail address or mailing address, as you prefer for receiving notices.

DATE: 3/5/19



Adam Crum
Commissioner,
Department of Health & Social Services

NOTICE OF PROPOSED CHANGES ON MEDICAID COVERAGE, MENTAL HEALTH PHYSICIAN CLINIC REQUIREMENTS, IN THE REGULATIONS OF THE DEPARTMENT OF HEALTH & SOCIAL SERVICES.

The Department of Health & Social Services proposes to adopt regulation changes in Title 7 of the Alaska Administrative Code, dealing with Medicaid coverage for behavioral health services dealing with mental health physician clinic requirements, including the following:

- (1) 7 AAC 135. Medicaid Coverage; Behavioral Health Services, is proposed to be changed as follows: Adopt new requirements for a mental health physician clinic; add screening and brief intervention services, and an integrated mental health and substance use intake assessment to the list of approved Medicaid services provided by a mental health physician clinic.
- (2) 7 AAC 135.110(f), interactive psychiatric assessment using equipment and devices, is proposed to be repealed. The Medicaid service titled *interactive psychiatric assessment using equipment and devices* is no longer a recognized service by the Centers for Medicare & Medicaid, and is not a billable service under the *Current Procedural Terminology (CPT) Standard Edition*.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Mr. Rick Calcote, at 3601 C Street, Suite 878, Anchorage, AK 99503. Additionally, the Department of Health & Social Services will accept comments by facsimile at (907) 269-3623 and by electronic mail at hss.dbh.publiccomments@alaska.gov. The comments must be received not later than 5 p.m. on May 7, 2019.

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A copy of material proposed for adoption by reference may be viewed at the agency's office at the Department of Health & Social Services, Division of Behavioral Health, 3601 C Street, Suite 878, Anchorage, AK 99503.

After the public comment period ends, the Department of Health & Social Services will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **You should comment during the time allowed if your interests could be affected. Written comments received are public records and are subject to public inspection.**

Statutory authority: AS 47.05.010; AS 47.07.030; AS 47.07.040; AS 47.07.055.

Statutes being implemented, interpreted, or made specific: AS 47.05.010; AS 47.07.030; AS 47.07.040; AS 47.07.055.

Fiscal information: It is estimated that the proposed regulation changes will require increased appropriations (in thousands of dollars) as follows: FY2020, \$307.2; FY2021, \$307.2.

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DATE: 3/5/19



Adam Crum
Commissioner,
Department of Health & Social Services

ADDITIONAL REGULATION NOTICE INFORMATION
(AS 44.62.190(d))

1. Adopting agency: Department of Health & Social Services
2. General subject of regulation: Medicaid Coverage, Revised Requirements for a Mental Health Physician Clinic.
3. Citation of regulation (may be grouped): 7 AAC 135.
4. Department of Law file number, if any: 2019200141.
5. Reason for the proposed action:
 - (X) Compliance with federal law or action (identify): The Medicaid service titled *interactive psychiatric assessment using equipment and devices* is no longer a recognized service by the Centers for Medicare & Medicaid Services (CMS).
 - (X) Compliance with new or changed state statute
 - () Compliance with federal or state court decision (identify): _____
 - () Development of program standards
 - () Other (identify): _____
6. Appropriation/Allocation: General Fund Medicaid, Mental Health, & Federal Funds.

7. Estimated annual cost to comply with the proposed action to:
 - A private person: \$0.
 - Another state agency: \$0.
 - A municipality: \$0.

8. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY2020 ____	Subsequent Years
Operating Cost	\$ _____	\$ _____
Capital Cost	\$ _____	\$ _____
1002 Federal receipts	\$460.8 ____	\$ _____
1003 General fund match	\$307.2 ____	\$ _____
1004 General fund	\$ _____	\$ _____
1005 General fund/ program	\$ _____	\$ _____
Other (identify)	\$ _____	\$ _____

9. The name of the contact person for the regulation:

Name: Rick Calcote

Title: Mental Health Clinician III
Address: 3601 C St., Suite 878, Anchorage, AK 99503
Telephone: (907) 269-3617
E-mail address: rick.calcote@alaska.gov

10. The origin of the proposed action:

- Staff of state agency
 Federal government
 General public
 Petition for regulation change⁷
 Other (identify): _____

11.

Date:

2.27.19

Prepared by:

Rick Calcote MS

[signature]

Name (printed): Rick Calcote

Title (printed): Mental Health Clinician III

Telephone: (907) 269-3617

ANCHORAGE DAILY NEWS

AFFIDAVIT OF PUBLICATION

Account #: 270229

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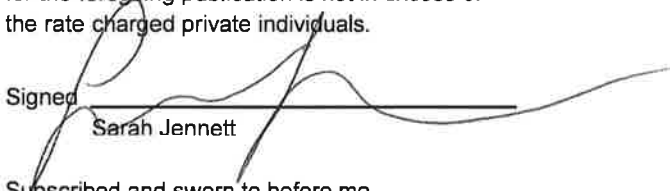
STATE OF ALASKA
THIRD JUDICIAL DISTRICT

Sarah Jennett

being first duly sworn on oath deposes and says that he/she is a representative of the Anchorage Daily News, a daily newspaper. That said newspaper has been approved by the Third Judicial Court, Anchorage, Alaska, and it now and has been published in the English language continually as a daily newspaper in Anchorage, Alaska, and it is now and during all said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a copy of an advertisement as it was published in regular issues (and not in supplemental form) of said newspaper on

March 07, 2019

and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is not in excess of the rate charged private individuals.

Signed 
Sarah Jennett

Subscribed and sworn to before me
this 7th day of March, 2019.

Notary Public in and for
The State of Alaska,
Third Division
Anchorage, Alaska

MY COMMISSION EXPIRES

7/14/2020

STATE OF ALASKA
NOTARY
PUBLIC
Jada L. Nowling

NOTICE OF PROPOSED CHANGES ON MEDICAID COVERAGE, MENTAL HEALTH PHYSICIAN CLINIC REQUIREMENTS, IN THE REGULATIONS OF THE DEPARTMENT OF HEALTH & SOCIAL SERVICES.

The Department of Health & Social Services proposes to adopt regulation changes in Title 7 of the Alaska Administrative Code, dealing with Medicaid coverage for behavioral health services dealing with mental health physician clinic requirements, including the following:

(1) 7 AAC 135. Medicaid Coverage; Behavioral Health Services, is proposed to be changed as follows:
Adopt new requirements for a mental health physician clinic; add screening and brief intervention services, and an integrated mental health and substance use intake assessment to the list of approved Medicaid services provided by a mental health physician clinic.

(2) 7 AAC 135.110(f), interactive psychiatric assessment using equipment and devices, is proposed to be repealed. The Medicaid service titled interactive psychiatric assessment using equipment and devices is no longer a recognized service by the Centers for Medicare & Medicaid, and is not a billable service under the Current Procedural Terminology (CPT) Standard Edition.

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AFFIDAVIT OF NOTICE OF PROPOSED REGULATION
AND FURNISHING OF ADDITIONAL INFORMATION

I, Rick Calcote, Mental Health Clinician III, of the Department of Health & Social Services, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 7 AAC 135, Medicaid Coverage, Mental Health Physician Clinic, Revised Requirements, has been given by being

- (1) published in a newspaper or trade publication;
- (2) furnished to every person who has filed a request for notice of proposed action with the state agency;
- (3) furnished to appropriate state officials;
- (4) furnished to interested persons;
- (5) furnished to the Department of Law, along with a copy of the proposed regulation;
- (6) furnished electronically to incumbent State of Alaska legislators;
- (7) posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1).

As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (2), (4) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

Date: June 14, 2019

Rick Calcote, MSW

Rick Calcote, Mental Health Clinician III

Subscribed and sworn to before me at Anchorage, Alaska on
6/14/2019
(date)

[Signature]

Notary Public in and for the State of Alaska



AFFIDAVIT OF ORAL HEARING

I, Rick Calcote, Mental Health Clinician III, of the Department of Health & Social Services, being sworn, state the following:

On April 12, 2019, at 10:00 a.m., in room 880, 3601 C St., Anchorage, AK 99503, I presided over a public hearing held under AS 44.62.210 for the purpose of taking testimony in connection with the adoption of changes to 7 AAC 135, Medicaid Coverage, Mental Health Physician Clinic Revised Requirements.

Date: June 14, 2019

Rick Calcote, MHC
Rick Calcote, Mental Health Clinician III

Subscribed and sworn to before me at Anchorage, Alaska on
6/14/2019
(date)

L. Carlock
Notary Public in and for the State of Alaska



AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

I, Rick Calcote, Mental Health Clinician III, of the Department of Health & Social Services, being sworn, state the following:

In compliance with AS 44.62.215, the Department of Health & Social Services has kept a record of its use or rejection of factual or other substantive information that was submitted in writing and orally as public comment and that was relevant to the accuracy, coverage, or other aspect of the Department of Health & Social Services regulation on 7 AAC 135, Medicaid Coverage, Mental Health Physician Clinic, Revised Requirements.

Date: June 14, 2019

Rick Calcote, MHC-III
Rick Calcote, Mental Health Clinician III

Subscribed and sworn to before me at Anchorage, Alaska on
6/14/2019
(date)

L. Carlock
Notary Public in and for the State of Alaska



(B) the requirements of 7 AAC 135.030(d) [AND (e)], if the provider is a mental health physician clinic;

7 AAC 135.110(d)(2) is amended to read:

(A) the requirements of 7 AAC 135.010(b)(1), if the provider is a community behavioral health services provider;

(B) the requirements of 7 AAC 135.030(d) [AND (e)], if the provider is a mental health physician clinic;

7 AAC 135.110(f) is repealed:

(f) Repealed 11 / 10 /2019.

(Eff. 10/1/2011, Register 199; am 6/16/2016, Register 218; am 11 / 10 /2019, Register 232)

Authority: AS 47.05.010 AS 47.07.030

7 AAC 135.240^(u) is amended to read:

(a) A [THE DEPARTMENT WILL PAY] community behavioral health services provider, or a mental health physician clinic shall bill the department for screening and brief intervention services only if that provider conducts the screening component and, if needed, the brief intervention component in accordance with this section.

7 AAC 135.240(b) is amended to read:

(b) A provider under (a) of this section [COMMUNITY BEHAVIORAL HEALTH SERVICES PROVIDER] shall provide a screening through self-report questionnaires, structured interviews, or similar screening techniques to detect substance use problems and to identify the appropriate level of intervention. If the screening is positive for substance use problems, the

provider may provide brief intervention services that involve motivational discussion focused on raising the recipient's awareness of their substance use, the potential harmful effects of that substance use, and encouraging positive change. Brief intervention services may include

- (1) feedback;
- (2) goal setting;
- (3) coping strategies;
- (4) identification of risk factors;
- (5) information; and
- (6) advice.

7 ARC 135.240(c) is amended to read:

(c) A provider under (a) of this section [COMMUNITY BEHAVIORAL HEALTH SERVICES PROVIDER] shall refer the recipient to a behavioral health treatment program that provides services that will meet the recipient's need if

- (1) the screening reveals that the recipient is at severe risk of substance use problems;
- (2) the recipient is already substance dependent; or
- (3) the recipient has already received brief intervention or treatment for substance use and was non-responsive.

7 AAC 135.240 (d) is amended to read

(d) A provider under (a) of this section [COMMUNITY BEHAVIORAL HEALTH SERVICES PROVIDER] shall document screening and brief intervention services in a progress note in accordance with 7 AAC 135.130(a)(8).

((Publishers; 7 AAC 135.240(e) is unchanged.))

~~(e) Delivery of screening and brief intervention services does not require an intake assessment or behavioral health treatment plan.~~

7 AAC 135.²~~140~~ is amended by adding a new subsection to read:

(f) Screening and brief intervention services must be provided by a person that qualifies as a substance use disorder counselor or higher level clinician. (Eff. 10/1/2011, Register 199; am.

11 / 10 /2019, Register 232)

Authority: AS 47.05.010 AS 47.07.030

The introductory language of 7 AAC 135.990(20) is amended to read:

(20) "screening and brief intervention" means nonmandatory [NON-MANDATORY] screening by a [COMMUNITY BEHAVIORAL HEALTH SERVICES] provider under 7 AAC 135.240(a) for the purposes of

Eff. 10/1/2011, Register 199; am 6/16/2016, Register 218; am 7/1/2018, Register 226; am.

11 / 10 /2019, Register 232)

Authority: AS 47.05.010 AS 47.07.⁰³⁰~~040~~ AS 47.07.055⁰