

DEPARTMENT OF HEALTH & SOCIAL SERVICES



PROPOSED CHANGES TO REGULATIONS

MEDICAID BEHAVIORAL HEALTH LICENSED PROFESSIONAL COUNSELOR SERVICES & MISCELLANY.

- 7 AAC 70. BEHAVIORAL HEALTH SERVICES.
- 7 AAC 105. MEDICAID PROVIDER & RECIPIENT PARTICIPATION.
- 7 AAC 110. MEDICAID COVERAGE; PROFESSIONAL SERVICES.
- 7 AAC 160. Medicaid Program; General Provisions.



PUBLIC REVIEW DRAFT
March 3, 2021

COMMENT PERIOD ENDS: April 15, 2021

**Please see the public notice for details about how to
comment on these proposed changes.**

Notes to reader:

1. Except as discussed in note 2, new text that amends an existing regulation is **bolded and underlined**.
2. If the lead-in line above the text of each section of the regulations states that a new section, subsection, paragraph, or subparagraph is being added, or that an existing section, subsection, paragraph, or subparagraph is being repealed and readopted (replaced), *the new or replaced text is not bolded or underlined*.
3. [ALL-CAPS TEXT WITHIN BRACKETS] indicates text that is to be deleted.
4. When the word “including” is used, Alaska Statutes provide that it means “including, but not limited to.”
5. Only the text that is being changed within a section of the current regulations is included in this draft. Refer to the text of that whole section, published in the current Alaska Administrative Code, to determine how a proposed change relates within the context of the whole section and the whole chapter.

Title 7 Health and Social Services.**Chapter 70. Behavioral Health Services.****7 AAC 70.010. Applicability.**

7 AAC 70.010(b) is amended by adding a new paragraph to read:

(8) a professional counselor licensed under AS 08.29.100.

(Eff. 10/1/2011, Register 199; am 4/9/2017, Register 222; am 7/1/2018, Register 226; am 4/24/2020, Register 234; am 7/8/2020, Register 235; am ____/____/____, Register ____)

Authority:	AS 47.05.010	AS 47.30.477	AS 47.30.570
	AS 47.30.470	AS 47.30.530	AS 47.37.140
	AS 47.30.475	AS 47.30.540	

Chapter 105. Medicaid Provider & Recipient Participation.**7 AAC 105.200. Eligible Medicaid providers.**

7 AAC 105.200(a)(1) is amended by adding a new subparagraph to read:

(a) Subject to all other requirements of 7 AAC 105 - 7 AAC 160, the following types of providers are eligible to enroll with the department and bill directly for services rendered:

(1) a person with an active license under AS 08, or under the laws of the jurisdiction in which the person provides services, to practice as

...

(U) a professional counselor;

(Eff. 2/1/2010, Register 193; am 10/1/2011, Register 199; am 5/1/2016, Register 218; am 6/16/2016, Register 218; am 7/1/2018, Register 226; am 6/2/2019, Register 230; am 4/24/2020, Register 234; am 7/8/2020, Register 235; am ____/____/____, Register ____)

Authority: AS 47.05.010 AS 47.07.030 AS 47.07.040

Chapter 110. Medicaid Coverage; Professional Services.

7 AAC 110 is amended by adding a new section to read:

Section

585. Professional counseling services

7 AAC 110.585. Professional counseling services. (a) To be eligible to provide professional counseling services for payment under 7 AAC 105 - 7 AAC 160, a provider must

(1) be enrolled as a professional counselor under 7 AAC 105.210; and

(2) have an active license to practice as a professional counselor issued by the jurisdiction in which the professional counselor provides services; if services are provided in this state, the professional counselor must hold an active license under AS 08.29.100.

(b) The department will only pay for covered professional counseling services. The

covered professional counseling services are limited to the following behavioral health clinic services:

- (1) a mental health intake assessment;
- (2) an integrated mental health and substance use intake assessment;
- (3) individual psychotherapy;
- (4) group psychotherapy;
- (5) family psychotherapy;
- (6) multi-family group psychotherapy;
- (7) screening and brief intervention services described in 7 AAC 135.240;
- (8) behavioral health screening under 7 AAC 135.100.

(c) A professional counseling services provider must maintain records in accordance with 7 AAC 105.230.

(d) If a professional counselor covered under this section provides professional counseling services for another enrolled provider, the professional counselor must request payment for those services in accordance with 7 AAC 135.910(a). (Eff. __/__/__, Register ____)

Authority:

Chapter 160. Medicaid Program; General Provisions.

7 AAC 160.900. Requirements adopted by reference.

7 AAC 160.900(e) is amended by adding a new paragraph to read:

(20) State Fiscal Year 2021 Fee Schedule for Independent Licensed Professional Counselors (LPC), dated June 1, 2021;

7 AAC 160.900(e) is amended by adding a new paragraph to read:

(21) State Fiscal Year 2021 Fee Schedule for Independent Licensed Marital and Family Therapists (LMFT), dated July 8, 2020;

7 AAC 160.900(e) is amended by adding a new paragraph to read:

(22) State Fiscal Year 2021 Fee Schedule for Independent Licensed Clinical Social Workers (LCSW), dated July 8, 2020;

(Eff. 2/1/2010, Register 193; am 8/25/2010, Register 195; am 12/1/2010, Register 196; am 1/1/2011, Register 196; am 1/15/2011, Register 197; am 2/9/2011, Register 197; am 3/1/2011, Register 197; am 10/1/2011, Register 199; am 12/1/2011, Register 200; am 1/26/2012, Register 201; am 3/8/2012, Register 201; am 4/1/2012, Register 201; add'l am 4/1/2012, Register 201; am 5/11/2012, Register 202; am 10/16/2012, Register 204; am 11/3/2012, Register 204; am 12/1/2012, Register 204; am 12/2/2012, Register 204; am 1/1/2013, Register 204; am 1/16/2013, Register 205; am 7/1/2013, Register 206; add'l am 7/1/2013, Register 206; am 11/3/2013, Register 208; am 1/1/2014, Register 208; am 2/2/2014, Register 209; am 3/19/2014, Register 209; am 3/22/2014, Register 209; am 5/18/2014, Register 210; am 2/26/2015, Register 213; am 3/15/2015, Register 213; am 7/1/2015, Register 214; am 5/1/2016, Register 218; am 6/16/2016, Register 218; am 6/16/2016, Register 218; am 7/22/2017, Register 223; am 11/5/2017, Register 224; am 3/1/2018, Register 225; am 10/1/2018, Register 227; am 1/1/2019, Register 228; am 3/24/2019, Register 229; am 6/2/2019, Register 230; am 6/13/2019, Register 230; am 7/1/2019, Register 231; am 10/25/2019, Register 232; am 11/10/2019, Register 232; am 4/24/2020, Register 234; am 6/25/2020, Register 234; am 10/1/2020, Register 235; a.m. ____/____/____, Register ____).

Register _____, _____ 2021

HEALTH AND SOCIAL SERVICES

Authority: AS 47.05.010
AS 47.05.012

AS 47.07.030

AS 47.07.040