

DEPARTMENT OF HEALTH



PROPOSED CHANGES TO REGULATIONS.

Medicaid Payment Rates for Community Behavioral Health & Mental Health Physician Clinic Services.

- 7 AAC 145.580. Behavioral health services payment rates.
- 7 AAC 160.900. Medicaid Program; General Provisions.



PUBLIC REVIEW DRAFT.

August 26, 2024.

COMMENT PERIOD ENDS: October 16, 2024.

**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paragraph, or subparagraph is being added, or that an existing section, subsection, paragraph, or subparagraph is being repealed and readopted (replaced), *the new or replaced text is not bolded or underlined*.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 145. Medicaid Payment Rates.

7 AAC 145.580(a)(2) is amended to read:

(2) the rate established in the department's *Chart of Community Behavioral Health and Mental Health Physician Clinic Medicaid Covered Services Rates*, adopted by reference in 7 AAC 160.900 [; FOR STATE FISCAL YEAR 2020, THE PAYMENT RATES WILL BE 95 PERCENT OF THE JANUARY 1, 2019 PAYMENT RATES].

7 AAC 145.580(b) is amended to read:

(b) **Rates** [ON OR AFTER JULY 1, 2018, RATES] of payment in the department's *Chart of Community Behavioral Health and Mental Health Physician Clinic Medicaid Covered Services Rates*, adopted by reference in 7 AAC 160.900, will be reestablished at least every four years using a modeled rate methodology that includes components for salaries, fringe benefits, productivity, program support, administrative/general costs, and duration of units of service. Other sources that will be used in the modeled rate methodology include information from the

Department of Labor and Workforce Development, Research and Analysis Section; the United States Internal Revenue Service; and provider surveys.

7 AAC 145.580(c) is amended to read:

(c) Each July 1 [, EXCEPT JULY 1, 2019,] that rates of payment in the *Chart of Community Behavioral Health and Mental Health Physician Clinic Medicaid Covered Services Rates*, adopted by reference in 7 AAC 160.900, are not reestablished under (b) of this section, the department will adjust the rates of payment in the *Chart of Community Behavioral Health and Mental Health Physician Clinic Medicaid Covered Services Rates* for inflation using the CMS Home Health Agency Market Basket in the most recent quarterly publication of the **S&P Global Market Intelligence** [IHS MARKIT] *Healthcare Cost Review* available 60 days before July 1.

7 AAC 145.580(f) is amended to read:

(f) Each July 1, the department will adjust the rates of payment in the *Medicaid Procedure Codes and Rates - Autism Services*, adopted by reference in 7 AAC 160.900, for inflation using the CMS Home Health Agency Market Basket in the most recent quarterly publication of the **S&P Global Market Intelligence** [IHS MARKIT] *Healthcare Cost Review* available 60 days before July 1. (Eff. 2/1/2010, Register 193; am 10/1/2011, Register 199; am 4/9/2017, Register 222; am 5/21/2017, Register 222; am 7/1/2018, Register 226; am 1/1/2019, Register 228; am 7/1/2019, Register 231; am 10/25/2019, Register 232; am 4/24/2020, Register 234; am 6/30/2021, Register 238; am 5/25/2022, Register 242; am 2/2/2024, Register 249; am ____/____/_____, Register _____)

Authority: AS 47.05.010 AS 47.07.030 AS 47.07.040

Chapter 160. Medicaid Program; General Provisions.

7 AAC 160.900. Requirements adopted by reference.

7 AAC 160.900(d)(59) is amended to read:

(59) the *Chart of Community Behavioral Health and Mental Health Physician Clinic Medicaid Covered Services Rates*, dated **August 15, 2024** [SEPTEMBER 28, 2022]; (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 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 6/16/2016, REGISTER 218;] 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 5/21/2020, Register 234; am 6/25/2020, Register 234; am 10/1/2020, Register 235; am 10/4/2020, Register 236; am 1/1/2021, Register 236; am 3/31/2021, Register 238; am 6/30/2021, Register 238; am 8/27/2021, Register 239; am 9/9/2021, Register 239; am 10/9/2021, Register 240; am 11/1/2021, Register 240; am 5/25/2022, Register 242; am

Register _____, _____ 2024 HEALTH

9/4/2022, Register 243; am 9/18/2022, Register 243; am 10/16/2022, Register 244; am 12/1/2022, Register 244; am 12/23/2022, Register 244; am 3/3/2023, Register 245; am 3/26/2023, Register 245; am 5/1/2023, Register 246; am 5/19/2023, Register 246; am 1/1/2024, Register 248; am 2/1/2024, Register 249; am 2/2/2024, Register 249; **add'l** [ADDT'L] am 2/2/2024, Register 249; am 3/1/2024, Register 249; am ____/____/_____, Register _____; am ____/____/_____, Register _____)

Authority: AS 47.05.010 AS 47.07.030 AS 47.07.085
AS 47.05.012 AS 47.07.040