

# DEPARTMENT OF HEALTH



## PROPOSED CHANGES TO REGULATIONS.

### Medicaid Behavioral Health Services State Plan Service Authorization.

- 7 AAC 135. Medicaid Coverage; Behavioral Health Services



**PUBLIC REVIEW DRAFT**  
**March 28, 2025.**

**COMMENT PERIOD ENDS: May 8, 2025.**

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

**Notes to the 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paragraph, or subparagraph is being added, or that an existing section, subsection, paragraph, or subparagraph is being repealed and readopted (replaced), *the new or replaced text is not bolded or underlined*.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 135. Medicaid Coverage; Behavioral Health Services**

7 AAC 135.040(b) is amended to read:

(b) A community behavioral health services provider or mental health physician clinic may provide the following behavioral health clinic services without prior authorization from the department:

(1) any combination of individual, group, and family psychotherapy **under 7 AAC 135.150** [, NOT TO EXCEED 30 HOURS FOR EACH RECIPIENT IN A STATE FISCAL YEAR];

(2) psychiatric assessments under 7 AAC 135.110(e) [, NOT TO EXCEED FOUR PER RECIPIENT IN A STATE FISCAL YEAR];

(3) psychological **and neuropsychological** testing and evaluation under 7 AAC 135.110(g) [, NOT TO EXCEED SIX HOURS PER RECIPIENT IN A STATE FISCAL YEAR, EXCEPT THAT NEUROPSYCHOLOGICAL TESTING AND EVALUATION IS LIMITED

TO 12 HOURS PER RECIPIENT IN A STATE FISCAL YEAR IF THE PROVIDER HAS DOCUMENTATION VALIDATING THE PROVIDER'S QUALIFICATIONS TO PROVIDE NEUROPSYCHOLOGICAL TESTING AND EVALUATION SERVICES];

(4) pharmacologic management services under 7 AAC 135.140 [, NOT TO EXCEED ONE VISIT PER RECIPIENT PER WEEK DURING THE FIRST FOUR WEEKS AFTER THE RECIPIENT BEGINS RECEIVING PHARMACOLOGIC MANAGEMENT SERVICES, AND, THEREAFTER, NOT TO EXCEED ONE VISIT PER RECIPIENT PER MONTH AS LONG AS THE RECIPIENT IS RECEIVING A SERVICE UNDER THIS CHAPTER, UNLESS MORE FREQUENT MONITORING IS REQUIRED BECAUSE OF

(A) THE REQUIREMENTS OF THE SPECIFIC MEDICATION; OR

(B) A RECIPIENT'S UNUSUAL CLINICAL REACTION TO A MEDICATION];

(5) an [IF THE INDIVIDUAL IS NOT ALREADY RECEIVING SERVICES UNDER THIS CHAPTER AT THE TIME THE ASSESSMENT IS PROVIDED UNDER THIS PARAGRAPH, ONE] integrated mental health and substance use intake assessment under 7 AAC 135.110, or a combination of a [ONE] mental health intake assessment and a [ONE] substance use intake assessment under 7 AAC 135.110; the assessment or combination of assessments must consist of

(A) one or more face-to-face sessions; and

(B) a review of collaterally connected information;

(6) repealed / / [BASED ON A CURRENT BEHAVIORAL HEALTH TREATMENT PLAN, ONE INTEGRATED MENTAL HEALTH AND SUBSTANCE USE INTAKE ASSESSMENT UNDER 7 AAC 135.110, OR A

COMBINATION OF ONE MENTAL HEALTH INTAKE ASSESSMENT AND ONE SUBSTANCE USE INTAKE ASSESSMENT UNDER 7 AAC 135.110, EVERY SIX MONTHS];

(7) short-term crisis intervention services under 7 AAC 135.160, or a combination of behavioral health clinic service, rehabilitation service, and intervention service under 7 AAC 135.010 that are included in the crisis plan [,] that do not exceed 22 **consecutive** hours **in a single encounter** [OF THE TOTAL SHORT-TERM CRISIS INTERVENTION SERVICES PROVIDED TO A RECIPIENT DURING A STATE FISCAL YEAR];

(8) screening and brief intervention services **under 7 AAC 135.240** [, WITH NO LIMIT].

7 AAC 135.040(c)(1) is amended to read:

(1) **case management services under 7 AAC 135.180; a directing clinician may bill not more than one hour each week for service monitoring for a recipient of case management services** [CASE MANAGEMENT, NOT TO EXCEED 180 HOURS PER RECIPIENT PER STATE FISCAL YEAR; NO MORE THAN ONE HOUR PER WEEK PER RECIPIENT MAY BE USED IN MONITORING BY THE DIRECTING PHYSICIAN OF THE PROVISION OF SERVICES];

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

(2) individual therapeutic behavioral health services for children under 7 AAC 135.220, or a combination of individual therapeutic behavioral health services for children and peer support services under 7 AAC 135.210 and 7 AAC 135.220; [THE SERVICES OR

COMBINATION OF SERVICES MAY NOT EXCEED 100 HOURS PER RECIPIENT PER STATE FISCAL YEAR];

7 AAC 135.040(c)(3) is amended to read:

(3) group therapeutic behavioral health services for children under 7 AAC 135.220 [, NOT TO EXCEED 140 HOURS PER RECIPIENT PER STATE FISCAL YEAR];

7 AAC 135.040(c)(4) is amended to read:

(4) family therapeutic behavioral health services for children under 7 AAC 135.220, or a combination of family therapeutic behavioral health services for children and peer support services under 7 AAC 135.210 and 7 AAC 135.220; [THE SERVICES OR COMBINATION OF SERVICES MAY NOT EXCEED 180 HOURS PER RECIPIENT PER FISCAL YEAR;]

7 AAC 135.040(c)(8) is amended to read:

(8) medication administration services **under 7 AAC 135.260, limited to one billable service each day** [AS PROVIDED IN THE RECIPIENT'S BEHAVIORAL HEALTH TREATMENT PLAN];

7 AAC 135.040(c)(9) is amended to read:

(9) [ONE] medical evaluation of a recipient **receiving** [IN AN] opioid use disorder treatment **services** [PROGRAM PER ADMISSION FOR THAT OPIOID USE DISORDER TREATMENT PROGRAM], including

(A) consultation and referral; **and**

(B) [VERIFICATION OF ONE YEAR OF ADDICTION; AND

(C)] establishing dosage for **medication for the treatment of opioid use disorder** [METHADONE OR ANOTHER AGONIST OR PARTIAL AGONIST];

7 AAC 135.040(c)(10) is amended to read:

(10) **medication administration services of medication for the treatment of an opioid use disorder or alcohol use disorder** [METHADONE OR ANTABUSE ADMINISTRATION AS PRESCRIBED BY A PHYSICIAN];

7 AAC 135.040(c)(11) is amended to read:

(11) withdrawal management services **under 7 AAC 135.190, not to exceed one withdrawal management service episode each day; in this paragraph, "service episode" means the completion of services identified in this paragraph for which a single payment is made in accordance with 7 AAC 145.580** [, WITH NO LIMIT];

7 AAC 135.040(c)(12) is amended to read:

(12) behavioral health screening in accordance with 7 AAC 135.100 to determine eligibility for admission to a treatment program [, LIMITED TO ONE SCREENING PER PROGRAM ADMISSION FOR NEW OR RETURNING RECIPIENTS];

7 AAC 135.040(c)(13) is amended to read:

(13) medical evaluation for a recipient **prior to providing** [NOT RECEIVING

METHADONE, LIMITED TO ONE MEDICAL EVALUATION PER RECIPIENT PER ADMISSION TO] withdrawal management services [TREATMENT];

7 AAC 135.040(c)(14) is amended to read:

(14) behavioral health treatment plan review for a recipient in an opioid [USE DISORDER] treatment program [, LIMITED TO ONE REVIEW PER ADMISSION];

7 AAC 135.040(c)(15) is amended to read:

(15) day treatment services for children under 7 AAC 135.250, not to exceed [180 HOURS PER STATE FISCAL YEAR; DAY TREATMENT SERVICES MAY NOT BE PROVIDED MORE THAN] six hours each [PER] school day;

7 AAC 135.040(c)(17) is amended to read:

(17) residential substance use disorder treatment services under 7 AAC 135.280, not to exceed one billable service each day [WITH NO LIMIT];

7 AAC 135.040(c)(18) is amended to read:

(18) short-term crisis stabilization services under 7 AAC 135.170 that do not exceed 22 consecutive hours in a single encounter; and

[(A) DO NOT EXCEED 22 HOURS OF THE TOTAL SHORT-TERM CRISIS STABILIZATION SERVICES PROVIDED TO A RECIPIENT DURING A STATE FISCAL YEAR; AND

(B) ARE PROVIDED DURING A PSYCHIATRIC EMERGENCY

THAT IS DOCUMENTED IN THE RECIPIENT'S CLINICAL RECORD.]

7 AAC 135.040(c)(19) is amended to read:

(19) autism services provided in accordance with 7 AAC 135.350 [THAT DO NOT EXCEED MORE THAN

(A) A TOTAL OF 1,040 HOURS IN A SIX-MONTH PERIOD FOR EITHER

(i) ADAPTIVE BEHAVIOR TREATMENT BY PROTOCOL;

(ii) GROUP ADAPTIVE BEHAVIOR TREATMENT BY PROTOCOL; OR

(iii) A COMBINATION OF ADAPTIVE BEHAVIOR TREATMENT BY PROTOCOL AND GROUP ADAPTIVE BEHAVIOR TREATMENT BY PROTOCOL;

(B) 52 HOURS OF ADAPTIVE BEHAVIOR TREATMENT BY PROTOCOL MODIFICATION IN A SIX-MONTH PERIOD;

(C) 12 FAMILY ADAPTIVE BEHAVIOR TREATMENT GUIDANCE SESSIONS IN A 12-MONTH PERIOD OF TIME;

(D) ONE BEHAVIOR IDENTIFICATION REASSESSMENT IN A SIX-MONTH PERIOD; AND

(E) THE INITIAL BEHAVIOR IDENTIFICATION ASSESSMENT CONDUCTED BY A LICENSED BEHAVIOR ANALYST IN ACCORDANCE WITH 7 AAC 135.350(b) FOR A NEW OR RETURNING RECIPIENT].



7 AAC 135.040(f) is repealed:

(f) Repealed \_\_\_\_/\_\_\_\_/\_\_\_\_ [THE DEPARTMENT WILL NOT PAY FOR MORE THAN ONE SERVICE EPISODE PER DAY OF A DETOXIFICATION SERVICE. IN THIS SUBSECTION, "SERVICE EPISODE" MEANS THE COMPLETION OF ALL SERVICES IDENTIFIED IN THIS SECTION FOR WHICH A SINGLE PAYMENT IS MADE IN ACCORDANCE WITH 7 AAC 145.580].

7 AAC 135.040(h) is repealed:

(h) Repealed \_\_\_\_/\_\_\_\_/\_\_\_\_ [IN THIS SECTION, "STATE FISCAL YEAR" HAS THE MEANING GIVEN "FISCAL YEAR" IN AS 37.05.920 AND 37.05.990]. (Eff.

10/1/2011, Register 199; am 4/9/2017, Register 222; am 7/1/2018, Register 226; am 11/10/2019, Register 232; am 4/24/2020, Register 234; am 6/30/2021, Register 238; am 12/23/2022, Register 244; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 47.05.010 AS 47.07.030

7 AAC 135.160(b)(2) is amended to read:

(2) does not exceed 22 hours of the total short-term crisis intervention services provided to a recipient [DURING A STATE FISCAL YEAR].

(Eff. 10/1/2011, Register 199; am 12/23/2022, Register 244; am 2/2/2024, Register 249; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 47.05.010 AS 47.07.030

The introductory language of 7 AAC 135.210(c) is amended to read:

(c) **Peer** [SUBJECT TO THE LIMITATION IN 7 AAC 135.040, PEER] support services may be offered as a standalone service or in combination with

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(Eff. 10/1/2011, Register 199; am 4/24/2020, Register 234; am 6/30/2021, Register 238; am 2/2/2024, Register 249; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 47.05.010 AS 47.07.030

7 AAC 135.300(a)(1)(C) repealed:

(C) repealed \_\_\_\_/\_\_\_\_/\_\_\_\_ [OBTAIN PRIOR AUTHORIZATION FOR PROVIDING AN EXTENSION OF AUTISM SERVICES IN ACCORDANCE WITH 7 AAC 105.130 AND 7 AAC 135.040(d)];

7 AAC 135.300(a)(2)(B) is repealed:

(B) repealed \_\_\_\_/\_\_\_\_/\_\_\_\_ [OBTAIN PRIOR AUTHORIZATION FOR PROVIDING AN EXTENSION OF AUTISM SERVICES IN ACCORDANCE WITH 7 AAC 105.130 AND 7 AAC 135.040(d)];

7 AAC 135.300(a)(3)(D) is repealed:

(D) repealed \_\_\_\_/\_\_\_\_/\_\_\_\_ [OBTAIN PRIOR AUTHORIZATION FOR PROVIDING AN EXTENSION OF AUTISM SERVICES IN ACCORDANCE WITH 7 AAC 105.130 AND 7 AAC 135.040(d)];

(Eff. 7/1/2018, Register 226; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 47.05.010 AS 47.07.030

**7 AAC 135.350. Autism services.**

The introductory language of 7 AAC 135.350(b) is amended to read:

(b) The department will pay for an initial behavior identification assessment **for a new or returning patient** if **the assessment** [IT] is conducted by a licensed behavior analyst or licensed assistant behavior analyst, and if **the assessment** [IT]

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The introductory language of 7 AAC 135.350(c) is amended to read:

(c) **The** [NOT MORE FREQUENTLY THAN ONCE EVERY SIX MONTHS, THE] department will pay for a behavior identification reassessment **if the reassessment is** conducted by a licensed behavior analyst or licensed assistant behavior analyst [TO OBTAIN PRIOR AUTHORIZATION UNDER 7 AAC 135.040(d) TO EXTEND AUTISM SERVICES]. The reassessment must establish

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7 AAC 135.350(g) is repealed:

(g) Repealed \_\_\_\_/\_\_\_\_/\_\_\_\_ [AFTER THE INITIAL SIX MONTHS OF PLANNED SERVICES PROVIDED IN ACCORDANCE WITH 7 AAC 135.040(c)(19)(A) AND (B), AND THE INITIAL BEHAVIOR IDENTIFICATION ASSESSMENT AUTHORIZED IN 7 AAC 135.040(c)(19)(E), TO RECEIVE PAYMENT FOR ANY OF THE ADDITIONAL RECIPIENT SERVICES IDENTIFIED IN (a) - (f) OF THIS SECTION, A PROVIDER MUST OBTAIN PRIOR AUTHORIZATION UNDER 7 AAC 135.040(d) AND MEET THE REQUIREMENTS

Register \_\_\_\_\_, \_\_\_\_\_ 2025

HEALTH

(c) AND (h) - (j) OF THIS SECTION].

(Eff. 7/1/2018, Register 226; am 5/25/2022, Register 242; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 47.05.010 AS 47.07.030