The Argument for Psychologists’ Participation in Medicaid

APA Practice State Leadership Conference
Washington DC
February 29, 2016

Co-Sponsored by the APA Division of State, Provincial, and Territorial Affairs—Division 31
Medicaid Reimbursement Rates
for Psychologists

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Member, Committee for the Advancement of Professional Practice (CAPP)
Medicaid Reimbursement Rates for Psychologists

- Psychologists require correct information regarding reimbursement rates and participation requirements in order to make informed decisions about being Medicaid providers.

- Goal: To provide psychologists with a central state-by-state resource for up-to-date Medicaid reimbursement rates and policies.
## Washington Example:

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* PA: Perioperative Anesthesia

**Reference:**

- [Health Care Authority (HCA)](https://www.healthcareauthority.wa.gov)
- [Mental Health & Psychology Services](https://www.healthcareauthority.wa.gov/services/mental-health)
- [Effective July 1, 2013](https://www.healthcareauthority.wa.gov/services/mental-health)
- [Updated 7/31/2015](https://www.healthcareauthority.wa.gov/services/mental-health)
Request for Information

• Challenges:
  – Medicaid policies are very cumbersome to navigate and interpret, in addition to varying on a state-by-state basis.
  – State Medicaid websites are often not up-to-date with the current changes in rates and policy.
  – Need rate information from SPTA leadership in order to create accurate and informed resource.

• Please contact me if you have access to information about Medicaid rates and policies in your state.
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LRA Research and APA/PO Advocacy: Independent Practice and H&B codes

APA Practice State Leadership Conference
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Stacey Larson, JD/PsyD
Director, Office of Legal & Regulatory Affairs
APA Practice Directorate
The Need for Medicaid Initiatives

- Medicaid population has substantial unmet mental health needs.

- Behavioral health interventions based on psychological research have proven effective in managing chronic diseases such as diabetes and cancer, and conditions like irritable bowel syndrome and depression.

- However, there are significant barriers to provider participation, such as the difficulties some states face regarding reimbursement for Health & Behavior codes (H&B codes), restrictions on the provision of psychological services and prohibition of services provided by doctoral psychology interns.
Medicaid Expansion

• In 2015, Medicaid enrollment increased by 13.8%. As of November 2015, 70.8 million people were covered by Medicaid and CHIP.
  – Medicaid is the nation’s biggest payor for mental health services.
• Medicaid expansion is creating demand for more mental health providers and psychologists; however, there are barriers to psychologist participation.
Medicaid Expansion: State of the States

- 32 States (including DC) have expanded Medicaid
  - Some states are doing this under Section 1115 waivers—which means that those states have applied to CMS to expand ways that are different than federal rules
- 3 States are contemplating Medicaid expansion
- 16 States are not expanding Medicaid at this time

Medicaid: State Research & Initiatives

50 State Research

• Research started by Epstein, Becker, and Green law firm and continued by Legal & Regulatory Affairs (LRA) in Practice

• **Finding:** Few states are without barriers to psychologists and interns fully serving this very needy population.
  – Independent Practice of Psychology
  – Reimbursement of H&B Codes
  – Intern Reimbursement

• Because Medicaid issues are state-specific, we’ve been identifying target states and collaborating with the state psychological associations.
Reimbursement for Independent Private Practice

• 7 states (and DC) do not appear to allow for private practice psychologists to provide services within the Medicaid system.

• Some states have “hybrid” billing policies which place restrictions on what services may be provided, to whom and where.
Health & Behavior Codes

- H&B Codes were created for use by non-physician providers, including psychologists
  - They are billed in 15 minute increments. It is possible to bill more than one code per session.
  - They have proven very useful in integrated care settings. H&B Codes are utilized when the patient has a primary medical diagnosis.

- Only 13 states clearly utilize H&B codes in some form.
  - Even within these states, all 5 codes are rarely utilized.
  - Currently, APA is working on a 50 state review of the reimbursement of H&B codes to get a better handle on which states allow reimbursement and of which codes
    - This research was initiated by Dr. Stephen Gillaspy and Michele Bentley in OK.
LRA Advocacy

• LRA has worked with state psychological associations on questions related to:
  – Medicaid reimbursement—re: testing, correct billing, recoupment question.
  – H&B Codes.
  – Provision of services within full scope of practice.
• Collaboration with the Education Directorate and APAGS to develop materials and research to help states with the internship issues
  – Caroline Bergner, Education Directorate Fellow, who works with LRA will be discussing the issues related to intern reimbursement and Medicaid managed care.
General Advocacy Strategies

There are multiple potential advocacy strategies:

- Working directly with your State Medicaid Department to develop a regulatory/procedural change.
- Encouraging your State Medicaid Department to apply for/submit:
  - CMS Section 1115 research and demonstration waivers
  - State Plan Amendments (SPAs)
- Legislative change
CONTACT INFORMATION:

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Medicaid Reimbursement for Doctoral Psychology Interns: Practice and Education Collaboration

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Caroline Bergner, JD
Policy and Advocacy Fellow
APA Education Directorate
Medicaid Reimbursement for Doctoral Psychology Interns

- Billing for services provided by trainees is often not allowed by Medicaid and private insurance companies.
- Because Doctoral Psychology Interns’ (Interns) services are not billable, it is difficult for internship sites to support the costs of running a quality training program.
- Medicaid Reimbursement for interns can help defray the costs of these training programs by making Interns’ work billable.
- APA created the Grants for Internships Program as a way of both creating more internships and making them sustainable through providing advocacy for Medicaid reimbursement for interns.
History of Collaboration between Practice & Education

- Practice collaborated with the Education Directorate and the law firm Epstein, Becker, and Green to identify barriers to intern reimbursement across the 50 states.
- Practice has collaborated with the Education Directorate to hire a Fellow to help its Office of Legal & Regulatory Affairs identify and overcome these barriers.
- Practice and Education are also collaborating with the American Psychological Association of Graduate Students (APAGS) on how best to create and sustain more accredited internship positions.
Medicaid Reimbursement for Interns – State by State

12 States Where Interns are Currently Reimbursed by Medicaid in Some Settings

1. Alabama
2. Arkansas
3. Colorado
4. Georgia
5. Minnesota
6. Ohio
7. Oklahoma
8. Oregon
9. South Carolina
10. Vermont
11. Wisconsin
12. Wyoming

Two States that are currently in the process of rulemaking or are in negotiations with the licensing board to allow intern reimbursement by Medicaid

1. Nevada
2. Texas
Advocacy Methods

• Regulatory Method
  – North Carolina
  – Washington, DC

• Legislative Method
  – Oregon
  – New Jersey

• Working with Medicaid Managed Care entities
States Investigated During our Advocacy Process

- North Carolina
- Texas
- Connecticut
- Colorado
- Maryland
- Maine
- Florida
- California
- Tennessee
- Wyoming
- New Jersey
- Virginia
- Missouri
- Ohio
- Washington, DC
- Nevada
- Georgia
- Minnesota
- Arkansas
- Iowa
- New York
Medicaid Managed Care

• Approximately 80% of Medicaid enrollees are served through managed care delivery systems.
• States have largely shifted to these types of delivery systems to keep costs low and to deliver value-based care outside of the fee-for-service model.
• States often contract with Managed Care Organizations (MCOs) to deliver the mandatory services that must be covered under each State’s Medicaid State Plan.
Challenges with MCOs for Psychologists & Trainees

- MCOs contract with Medicaid to provide a base set of health services, but the MCOs decide how, and with which providers, they carry them out.
- Contracts between States and MCOs are not easily accessible or available to the public.
- We surmise that some MCOs, like private insurance companies, will not allow the use of interns, or even postdoctoral students, on their provider panels because they are not fully licensed providers.
- Each state may have multiple MCOs providing services.
  - E.g. Florida has seven different companies, Colorado has five, etc.
Research & Strategies to Work with MCOs

• We have identified and investigated several states that use Managed Care for either part or all of their Medicaid services.

• We are identifying MCOs that have contracted with several states to provide Medicaid services.
  – E.G. Blue Cross Blue Shield in MN, TX, KY, NY

• We will work with identified state psychological associations to ensure MCOs include billing for trainees in states where they currently do not cover those services.
Other Initiatives

Survey of Early Career Psychologists (ECPs) regarding internship and postdoctoral fellowship location

- “You practice where you intern.”
- To support this belief, we needed to determine state-by-state data and trends on this topic.
- We polled ECPs for their graduate school, internship, and postdoctoral training locations and reasoning for choosing those locations.
- We are in the process of analyzing the data gathered and would like to collaborate with SPTAs who are interested in using this state-specific data.
Call to Action

• We would like to work with SPTAs to continue to expand the number of states which allow for intern reimbursement in Medicaid.

• In what ways have you effectively communicated with your state regulators/legislators/MCOs on this issue?
CONTACT INFORMATION:

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Discussion

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Associate Executive Director
Office of Legal & Regulatory Affairs
APA Practice Directorate

Catherine L. Grus, PhD
Deputy Executive Director
APA Education Directorate
Questions to Address during Medicaid Discussion: Independent Practice, H&B Codes, Interns, Reimbursement Rates

1. What advocacy strategies can you identify that would help achieve these goals?
2. What data, if available, would help advocate for these reimbursement types?
3. What barriers to these reimbursement measures have you come across in your practice?