



## Department of Behavioral Health INFORMATION NOTICE 18-01

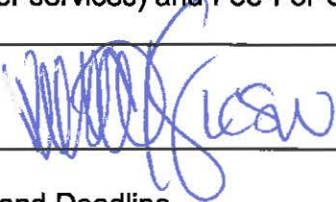
---

**Date** March 1, 2018

---

**To** Department of Behavioral Health (DBH) Contract Agencies (providing Mental Health and Substance Use Disorder services) and Fee-For-Service Providers

---

**From** Veronica Kelley, LCSW, Director 

---

**Subject** Network Adequacy Requirements and Deadline

---

**Introduction** Due to requirements of the Medicaid and Children's Health Insurance Program (CHIP) Managed Care Final Rule, specifically Title 42 of the Code of Federal Regulations Part 438.68, as specified in Chapter 738, Statutes of 2017 (Assembly Bill 205), the Department of Behavioral Health (DBH) is issuing this Information Notice (IN) to advise DBH Contract Agencies and Fee-For-Service (FFS) Providers of the Network Adequacy requirements for both time and distance and timely access that become effective **July 1, 2018**. This IN also serves as notification of required documentation Contract Agencies and FFS Providers must provide to DBH by **March 17, 2018**, in order for DBH to submit its Network Certification to the Department of Health Care Services, in accordance with [MHSUDS Information Notice No. 18-011](#).

---

**Network Adequacy Standards** Assembly Bill 205 clarified network adequacy standards for outpatient mental health services and substance use disorder services, including time and distance and timely access standards. The network adequacy standards are based on the population density of each county.

**Timely Access**

Timely access standards refers to the number of business days in which a Mental Health Plan (MHP) must make an appointment available to a client from the date the client, or a provider acting on behalf of the client, requests a medically necessary services. DBH (MHP) and its network of Medi-Cal providers, including Drug Medi-Cal (DMC) Organized Delivery System (ODS) providers, must meet State standards for timely access to care and services, taking into account the urgency of the need for services.

**Time and Distance**

Time means the number of minutes it takes a client to travel from the client's residence to the nearest provider site. Distance means the number of miles a client must travel from the client's residence to the nearest provider site.



## Department of Behavioral Health INFORMATION NOTICE 18-01

**Network Adequacy Standards,**  
continued

Commencing July 1, 2018, DBH must adhere to the following timely access and time and distance requirements:

Specialty Mental Health Service	Timely Access	Time and Distance
Psychiatry	Within <b>15</b> business days from request of appointment	Up to <b>45</b> miles or <b>75</b> mins from the client's place of residence
Mental Health Services, Targeted Case Management, Crisis Intervention, and Medication Support Services	Within <b>ten (10)</b> business days from request of appointment	Up to <b>45</b> miles or <b>75</b> mins from the client's place of residence

**Important Note:** As specified in Title 28 of the California Code of Regulations, Section 1300.67.2.2, the applicable mental health services appointment time standards may be extended if the referring or treating provider, or the health professional providing triage or screening services, as applicable, acting within the scope of his/her practice and consistent with professionally recognized standards of practice, has determined and noted in the client's record that a longer waiting time will not have a detrimental impact on the health of the client. Additionally, periodic office visits to monitor and treat mental health conditions may be scheduled in advance consistent with professionally recognized standards of practice as determined by the treating licensed mental health provider acting within the scope of his/her practice.

Substance Use Disorder (SUD) Service	Timely Access	Time and Distance
Outpatient SUD services	Within <b>ten (10)</b> business days from request of appointment.	Up to <b>60</b> miles or <b>90</b> mins from the client's place of residence
Opioid Treatment Programs (OTP)	Within <b>three (3)</b> business days from request of appointment	Up to <b>45</b> miles or <b>75</b> mins from the client's place of residence

**Important Note:** For DMC-ODS services, time, distance and timely access standards differ between outpatient SUD services and OTPs due to the need for beneficiaries in an OTP to receive their medication daily since imminent withdrawal will occur without medication.

*Continued on next page*





## Department of Behavioral Health INFORMATION NOTICE 18-01

### Community-Based, Mobile, and Telehealth Services

Community-Based, Mobile and Telehealth services are permitted for DBH to use when determining if it meets network adequacy standards, and/or as an alternative access request. When a provider travels to the client and/or a community-based setting to deliver services, DHCS will consider a substitute standard, other than time and distance. Community-based and mobile services must be provided in a timely manner based on timely access standards and consistent with the client's individualized Client Plan.

Telehealth must comply with DHCS' Medi-Cal Provider Manual telehealth policy and telehealth providers must meet the following criteria:

- Licensed to practice medicine in the State of California
- Screened and enrolled as providers in the Medi-Cal program; and,
- Able to comply with state and federal requirements for the Medi-Cal program.

To fulfill network adequacy requirements, the telehealth provider must be available to provide telehealth services to all clients in the defined service area. Additionally, the physical location where clients receive telehealth services must meet the State's time and distance standards or an approved alternative access standard.

---

### Network Data Reporting Requirements

DBH is required to submit documentation to DHCS verifying that it has complied with the State's requirements for availability and accessibility of services, including the adequacy of the provider network. DHCS requires DBH submit the required documentation, including the Network Adequacy Certification Tool (NACT) by **March 30, 2018**. In order to meet this deadline, DBH is requiring all its Contract Agencies and FFS Providers that bill Medi-Cal submit the following documentation by **March 17, 2018**:

- Sub-contractor provider agreement boilerplates including agreements pertaining to interpretation, language line and telehealth services (not permitted, therefore, not required of FFS Providers)
- NACT Certification Tool
- Policies and Procedures regarding:
  - Timely Access
  - Service Availability
  - Physical Accessibility
  - Telehealth Services
  - 24/7 Access Line requirements
  - 24/7 language assistance

---

*Continued on next page*



## Department of Behavioral Health INFORMATION NOTICE 18-01

### Submission Requirements

DBH as an operating DMC-ODS county is required submit the NACT on an annual basis April 1 each year thereafter.

After the initial NACT and supporting documentation submission deadline of **March 30, 2018** for Mental Health Services, DBH is required to submit subsequent NACTs on a quarterly basis beginning **July 1, 2018**.

The DHCS subsequent due dates are July 1, October 1, January 1, and April 1. Should any of these due dates falls on a weekend or holiday, then the deadline is the next business day.

In order to meet the DHCS deadlines, DBH has established the following deadlines for Contract Agencies and FFS Providers to submit subsequent documentation each quarter:

- June 15,
- September 15,
- December 15, and
- March 15.

If any of these deadlines occur on a weekend or holiday, DBH Contract Provider and FFS Providers shall submit the documentation the next DBH business day.

Please note, the deadlines for submission of Network Adequacy documentation is not flexible nor negotiable as DBH's failure to meet DHCS' deadline could result in fines, sanctions and penalties.

DBH's network providers shall submit the Network Data Reporting Requirements outlined in this IN via its File Transfer Protocol (FTP) server. Should you have difficulty in accessing your FTP Server, please contact IT directly via a helpdesk ticket at 909-884-4884 and advise it is regarding Network Adequacy so the request can be prioritized.

---

### Notification Requirements

As the MHP, DBH is required to notify DHCS within **ten (10)** business days, any time there has been a significant change in the Plan's operations that would affect the adequacy and capacity of services, including but not limited to changes that could potentially change the composition of the Plan's provider network, such as loss of a network provider.

---

*Continued on next page*



## Department of Behavioral Health INFORMATION NOTICE 18-01

### **Notification Requirements,** continued

In order to meet the DHCS deadline, DBH requires its Contract Agencies and FFS Providers notify DBH within **five (5)** business days of any change, including decisions made in advance that will result in a change to DBH's network by affecting the adequacy and capacity of services, including, but not limited to, the following:

- Loss of a Psychiatrist (serving children/youth, working in rural area(s), etc.);
- Loss of an approved sub-contractor;
- Loss of several network providers; and
- Decision not to renew contract or end contract before expiration.

---

### **Network Adequacy Non-Compliance**

DBH will provide technical assistance to its Contract Agencies and FFS Providers in an attempt to assist in meeting Network Adequacy standards. Inability of a Contract Agency or FFS Provider to meet Network Adequacy requirements or to submit required information outlined in this IN by the designated due date, can result in DBH's ability to exercise the Probationary Status Article and/or Termination Clause of the contract.

---

### **References**

Assembly Bill 205, 2017  
Title 42 of the Code of Federal Regulations, Parts 438.68, 438.207

---

### **Questions**

If your agency has any questions regarding data collection for Network Adequacy, please contact DBH Research and Evaluation at 909-388-0978 or via email at [research@dbh.sbcounty.gov](mailto:research@dbh.sbcounty.gov).

For general questions regarding this Information Notice, please contact Quality Management Services at 909-386-8227 or via email at [DBH-QualityManagementDivision@dbh.sbcounty.gov](mailto:DBH-QualityManagementDivision@dbh.sbcounty.gov).

---