



JENNIFER KENT
DIRECTOR

State of California—Health and Human Services Agency
Department of Health Care Services



EDMUND G. BROWN JR.
GOVERNOR

November 12, 2015

Mr. Patrick Gardner
President
Young Minds Advocacy
275 5th Street
San Francisco, CA 94103

SUBJECT: Response to October 14, 2015 Correspondence

Dear Mr. Gardner,

Thank you for your October 14, 2015 letter requesting clarification of Department of Health Care Services (DHCS) policy now that court jurisdiction has ended in the Katie A. matter.

Federal Medicaid law requires states to provide Early and Periodic Screening, Diagnostic and Treatment Services (EPSDT) to beneficiaries under the age of 21 who are eligible for the full scope of Medicaid services as medically necessary to correct or ameliorate defects and physical and mental illnesses or conditions. This requirement obligates states to provide Medicaid-covered services whether specified in the state plan or not. (See Mental Health Services Division (MHSD) Information Notice No. 13-01; see also 42 U.S.C. § 1396a(a)(43) and 42 U.S.C. § 1396d(r).) Under the Medi-Cal Specialty Mental Health Services Waiver, Mental Health Plans (MHPs) are responsible for providing, or arranging for the provision of, specialty mental health services for eligible beneficiaries. (See MHSD Information Notice No. 13-01.) Intensive Care Coordination (ICC) and Intensive Home Based Services (IHBS) are allowable services under the Medicaid Act and, as such, can be provided through the EPSDT benefit.

With the end of court jurisdiction over the Katie A. matter, DHCS agrees it is worthwhile to, and will, issue an Information Notice to MHPs clarifying that EPSDT services have included ICC and IHBS services that can be provided to beneficiaries under age 21 who are eligible for the full scope of Medi-Cal services and who meet medical necessity criteria for those services. DHCS will clarify that membership in the Katie A. subclass is not a prerequisite to receiving ICC and IHBS. The notice will supercede any prior Information Notices to the extent they conflict.

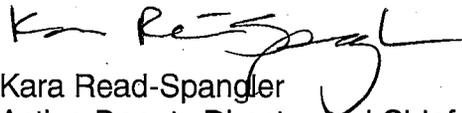
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We would like your input on the proposed Information Notice described above. We anticipate having a draft of the Information Notice one month from the date of this letter. We will expect to receive any input from you within two weeks of providing you the proposed notice.

The Department also intends to compile a list of existing guidance that may benefit from similar clarification and, if appropriate, prepare proposed revisions to this other guidance within approximately 12 weeks from the date of this letter. Changes to certain documents will require collaboration with the California Department of Social Services. We will also ensure that the Katie A. Community Team as well as the County Behavioral Health Directors Association of California (CBHDA) are advised of changes to the guidance before any is published. We anticipate that obtaining appropriate review of the proposed revised guidance may take more than 12 weeks to complete, but will endeavor to reach a final result as expeditiously as possible.

We look forward to continuing to work collaboratively with you and other Katie A. stakeholders to address any concerns with the ongoing implementation of these Katie A.-related services.

Sincerely,



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