

# Magellan Compliance Notebook – April, 2016

Magellan Behavioral Health of Pennsylvania, Inc. (Magellan) strives to be proactive and use education as a preventative tool to help ensure our members receive the highest quality of care through you, the provider. The Compliance Department at Magellan is committed to sending monthly e-mails to targeted providers regarding a Compliance-related subject.

*This e-mail communication is specific to your HealthChoices (Pennsylvania Medicaid) Contract with Magellan.*

This month we would like to share a critical update with contracted Outpatient Clinics (Mental Health and Drug & Alcohol) regarding the services provided to Magellan HealthChoices recipients by Certified Registered Nurse Practitioners (CRNP).

## **Definitions:**

**Certified Registered Nurse Practitioner (CRNP)** — a professional nurse licensed in this Commonwealth who is certified by the Board in a specialty and who, while functioning in the expanded role as a professional nurse, performs acts of medical diagnosis or prescription of medical therapeutic or corrective measures in collaboration with a physician licensed to practice in this Commonwealth.

**Certification**—the authorization granted by the Board to a professional nurse who has demonstrated the qualifications for recognition as a CRNP.

**Collaborative agreement**—the written and signed agreement between a CRNP and a collaborating physician in which they agree to the details of their collaboration including the elements in the definition of collaboration.

## *Reference:*

- Title 49 PA Code Chapter 21 Subchapter C 21.251  
(<http://www.pacode.com/secure/data/049/chapter21/subchapCtoc.html>)

## **Medication Management Visits by a CRNP**

As defined by an agency's Exhibit B Magellan Reimbursement Schedule, Outpatient Clinics may bill for Office Outpatient / Medication Management visits by a Certified Registered Nurse Practitioner (CRNP). CRNP prescribing practices are defined by licensing and regulatory requirements.

According to the PA Code (see below references), psychiatric clinic medication visits shall be a minimum duration of 15 minutes. They shall be provided for the purpose of administering medication and for evaluating the physical and mental condition of the patient during the course of prescribed medication. A CRNP may collaborate only with physicians who hold a current license to practice in this Commonwealth. When acting in collaboration with a physician as set forth in a collaborative agreement and within the CRNP's specialty, a CRNP with current prescriptive authority approval may develop and implement treatment plans for pharmaceutical treatments; and, prescribe psychotropic medication relevant to the area of practice of the CRNP if that authorization is documented in the collaborative agreement with a physician. A CRNP may not delegate prescriptive authority. Payment will not be made for the same service and procedure furnished to the same recipient by a CRNP and physician, with whom the CRNP has protocols, on the same day.

#### *References:*

- Title 49 PA Code Chapter 21 Subchapter C 21.282a  
(<http://www.pacode.com/secure/data/049/chapter21/s21.282a.html>)
- 49 PA Code Chapter 21 Subchapter C 21.283  
(<http://www.pacode.com/secure/data/049/chapter21/s21.283.html>)
- 49 PA Code Chapter 21 Subchapter C 21.284  
(<http://www.pacode.com/secure/data/049/chapter21/s21.284.html>)
- 55 PA Code Chapter 1153.41a  
(<http://www.pacode.com/secure/data/055/chapter1153/s1153.41a.html>)
- 55 PA Code Chapter 1153.52  
(<http://www.pacode.com/secure/data/055/chapter1153/s1153.52.html>)
- 55 PA Code Chapter 5200.42a  
(<http://www.pacode.com/secure/data/055/chapter5200/s5200.42a.html>)

## **CRNP Qualifications**

According to the PA Code (see below references), when acting in collaboration with a physician as set forth in a collaborative agreement and within the CRNP's specialty, a CRNP may perform comprehensive assessments of patients and establish medical diagnoses; order, perform and supervise diagnostic tests for patients and, to the extent the interpretation of diagnostic tests is within the scope of the CRNP's specialty and consistent with the collaborative agreement, may interpret diagnostic tests; Develop and implement treatment plans, including issuing orders to implement treatment plans. A CRNP with current prescriptive authority approval may develop and implement treatment plans for pharmaceutical treatments; and prescribe psychotropic medication relevant to the area of practice of the CRNP if that authorization is documented in the collaborative agreement with a physician.

*In order to provide services to Magellan HealthChoices (Medicaid) Recipients within a Psychiatric Outpatient Clinic or Substance Abuse Outpatient Clinic, a CRNP must have certification as either an Adult Psychiatric Mental Health Nurse Practitioner or a Psychiatric Mental Health Nurse Practitioner (formerly known as Family Psychiatric–Mental Health Nurse*

Practitioner). Please note that although the above need for specialization is supported by the PA Code, Behavioral Health Managed Care Organizations may implement standards that are more stringent than the regulations.

*References:*

- 49 PA Code Chapter 21 Subchapter C 21.282a  
(<http://www.pacode.com/secure/data/049/chapter21/s21.282a.html>)
- 49 PA Code Chapter 21 Subchapter C 21.283  
(<http://www.pacode.com/secure/data/049/chapter21/s21.283.html>)
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(<http://www.pacode.com/secure/data/049/chapter21/s21.284.html>)

## **Diagnostic Assessments & Psychiatric Evaluations**

As defined by an agency's Exhibit B Magellan Reimbursement Schedule, "Psychiatric Diagnostic Evaluation- without medical services" refers to the evaluation or assessment conducted by a Mental Health Professional (or a Mental Health Worker under the supervision of a Mental Health Professional), including a CRNP. A "Psychiatric Diagnostic Assessment- no medical services; by Psychiatrist/ Specialized Physician" refers to the psychiatric evaluation. As such, only a physician may conduct a "psychiatric evaluation".

OMHSAS Policy Clarification #03-08 states: "a *psychiatric evaluation* must be performed only by a psychiatrist, but psychiatric evaluations are required for only a limited set of services. A psychiatric evaluation is required for admission to an accredited Residential Treatment Facility (RTF) or a Long Term Structured Residence (LTSR); and evaluations for involuntary commitments (302's) must also be completed only by a physician. The term *psychiatric evaluation* or *psych eval* is often used loosely to describe the initial diagnostic evaluations required by 55 PA Code 1153.53 (7) for admission to and treatment planning for members seeking outpatient services in outpatient mental health clinics. There is no requirement that these diagnostic evaluations be completed by a psychiatrist and they may be completed by a CRNP or PA. Current regulation does still require that treatment plans developed by CRNP's or any other licensed or unlicensed practitioners be "reviewed and approved by a psychiatrist" (55 PA Code 5200.31). With regard to providing diagnostic evaluations in Drug & Alcohol treatment clinics, the same limits and billing issues apply. The Department of Health regulations do not prohibit the use of CRNP's and PA's to perform mental health assessments/ evaluations in so far as they are permitted to do so by state regulation governing the scope of their practice. This refers only to the CRNP or PA performing a mental health function, not a D&A Assessment. Within those confines, the CRNP or PA could collaborate with the D&A workers as appropriate for patients with co-occurring disorders, but their function should remain primarily focused on MH services for the purposes of performing a diagnostic mental health evaluation."

As also indicated by the current regulations, within 15 consecutive calendar days following intake, a mental health professional or mental health worker under the supervision of a mental health professional, shall examine and initially assess each patient in the clinic; determine the

patient's diagnosis and prepare an initial treatment plan; and date and sign the examination, diagnosis and treatment plan in the patient's record.

*References:*

- OMHSAS Policy Clarification #03-08
- 55 PA Code Chapter 1153.52  
(<http://www.pacode.com/secure/data/055/chapter1153/s1153.52.html>)
- 55 PA Code Chapter 5200.31  
(<http://www.pacode.com/secure/data/055/chapter5200/s5200.31.html>)

All CRNP Services provided to Magellan HealthChoices members must be delivered in accordance with the above requirements. This will be assessed during routine and targeted audits by Magellan's Network and Compliance Departments. Retractions and/or Corrective Action may be applied as indicated.

At Magellan, we will continue to educate our providers with updated MA Bulletins, Regulations and other pertinent information in order to ensure Compliance.

Thank you for your ongoing hard work and dedication to our members!

## Magellan of Pennsylvania's Compliance Team

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