

CR 89-47

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CERTIFICATE

STATE OF WISCONSIN)
) SS
DEPARTMENT OF HEALTH AND SOCIAL SERVICES)

I, Patricia A. Goodrich, Secretary of the Department of Health and Social Services and custodian of the official records of the Department, do hereby certify that the annexed rules relating to Medical Assistance coverage of day treatment programs for alcohol and other drug abusers were duly approved and adopted by this Department on October 31, 1989.

I further certify that this copy has been compared by me with the original on file in the Department and that this copy is a true copy of the original, and of the whole of the original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the State Office Building, 1 W. Wilson Street, in the city of Madison, this 31st day of October, 1989.

SEAL:



Patricia A. Goodrich, Secretary
Department of Health and Social Services

1-1-90

10-26-89

ORDER OF THE
DEPARTMENT OF HEALTH AND SOCIAL SERVICES
CREATING RULES

To create HSS 101.03(12m), 105.25 and 107.13(3m), relating to coverage by Medical Assistance of alcohol or other drug abuse (AODA) day treatment services.

Analysis Prepared by the Department of Health and Social Services

Currently Medical Assistance (MA) will pay for two treatment options for MA recipients who have been experiencing difficulties related to their abuse of alcohol or other drugs. A recipient may receive alcohol or other drug abuse (AODA) treatment as a hospital inpatient or be provided defined AODA outpatient treatment by an outpatient clinic or other certified AODA outpatient program. There are recipients for whom inpatient treatment or treatment by an outpatient program are appropriate. However, neither of these alternatives addresses the service needs of recipients who require more intensive, short-term medical treatment than that made available by an outpatient program and yet do not need to be inpatients. These recipients need AODA day treatment.

MA coverage of AODA day treatment, mandated by s. 49.46(2)(b)6 k, Stats., went into effect when the Department published emergency rules to implement that statute on March 9, 1989, following approval by the Legislature's Joint Finance Committee under s. 49.45(26), Stats., of the Department's plan for an MA AODA managed care system. The statutory authorization for this new covered benefit will expire on June 30, 1990, unless reauthorized before then. The rules included in this order will replace the emergency rules that are now in effect.

This order consists of standards for MA-certified providers of AODA day treatment as well as conditions and limitations for coverage by MA of AODA day treatment services, with identification of services that will not be covered. The provider certification standards incorporate by reference the Department's certification standards for AODA day treatment programs, s. HSS 61.61.

The Department's authority to adopt these rules is found in s. 49.45(10), Stats. The rules interpret s. 49.46(2)(b)6 k, Stats.

SECTION 1. HSS 101.03(12m) is created to read:

HSS 101.03(12m) "AODA day treatment" means alcohol and other drug abuse treatment services provided by a provider certified under s. HSS 105.25 to a recipient who, in the clinical judgement of a qualified treatment professional, is experiencing a problem with alcohol or other drugs and requires intensive services of a prescribed duration, which may include assessment and evaluation,

treatment planning, group and individual counseling, recipient education when necessary for effective treatment, and rehabilitative services, to ameliorate or remove the disability and restore effective functioning.

SECTION 2. HSS 105.25 is created to read:

HSS 105.25 CERTIFICATION OF ALCOHOL AND OTHER DRUG ABUSE (AODA) DAY TREATMENT PROVIDERS. (1) TYPES OF PROVIDERS. For MA certification, an alcohol and other drug abuse (AODA) day treatment provider shall be certified under ss. HSS 61.61 and 105.23.

(2) STAFFING REQUIREMENTS. (a) An alcohol and drug counselor certified as provided in s. HSS 61.06(14) shall be on duty during all hours in which services are provided to participate in treatment planning and implementation and daily program coordination.

(b) A treatment plan for each participating recipient shall be developed, directed and monitored by designated members of an interdisciplinary treatment team which includes an alcohol and drug counselor II or III, certified as provided in s. HSS 61.06(14), a physician or licensed psychologist, and other health care professionals. The treatment team shall maintain a written record of each recipient's treatment and progress toward meeting the goals described in the recipient's plan of care.

(c) All treatment shall be coordinated and provided by at least one qualified professional staff member who has demonstrated experience in delivering direct treatment to persons with alcohol and other drug abuse problems. Other staff members, such as an AODA counselor I who has filed for certification with the Wisconsin alcoholism and drug counselor certification board, inc., may assist in treatment under the supervision of a qualified professional staff member.

SECTION 3. HSS 107.13(3m) is created to read:

HSS 107.13(3m) ALCOHOL AND OTHER DRUG ABUSE DAY TREATMENT SERVICES.

(a) Covered services. Alcohol and other drug abuse day treatment services shall be covered when prescribed by a physician, provided by a provider certified under s. HSS 105.25 and performed according to the recipient's treatment program in a non-residential, medically supervised setting, and when the following conditions are met:

1. An initial assessment is performed by qualified medical professionals under s. HSS 61.61(6) for a potential participant. Services under this section shall be covered if the assessment concludes that AODA day treatment is medically necessary and that the recipient is able to benefit from treatment;

2. A treatment plan based on the initial assessment is developed by the interdisciplinary team in consultation with the medical professionals who conducted the initial assessment and in collaboration with the recipient;

3. The supervising physician or psychologist approves the recipient's written treatment plan;

4. The treatment plan includes measurable individual goals, treatment modes to be used to achieve these goals and descriptions of expected treatment outcomes; and

5. The interdisciplinary team monitors the recipient's progress, adjusting the treatment plan as required.

(b) Prior authorization. 1. All AODA day treatment services except the initial assessment shall be prior authorized.

2. Any recommendation by the county human services department under s. 46.23, Stats., or the county community programs department under s. 51.42, Stats., shall be considered in review and approval of the prior authorization request.

3. Department representatives who review and approve prior authorization requests shall meet the same minimum training requirements as those mandated for AODA day treatment providers under s. HSS 105.25.

(c) Other limitations. 1. AODA day treatment services in excess of 5 hours per day are not reimbursable under MA.

2. AODA day treatment services may not be billed as psychotherapy, AODA outpatient treatment, case management, occupational therapy or any other service modality except AODA day treatment.

3. Reimbursement for AODA day treatment services may not include time devoted to meals, rest periods, transportation, recreation or entertainment.

4. Reimbursement for AODA day treatment assessment for a recipient is limited to 3 hours in a calendar year. Additional assessment hours shall be counted towards the mental health outpatient dollar or hour limit under sub. (2)(a)6 before prior authorization is required or the AODA outpatient dollar or hour limit under sub. (3)(a)4 before prior authorization is required.

(d) Non-covered services. The following are not covered services:

1. Collateral interviews and consultations, except as provided in s. HSS 107.06(4)(d);

2. Time spent in the AODA day treatment setting by affected family members of the recipient;

3. AODA day treatment services which are primarily recreation-oriented or which are provided in non-medically supervised settings. These include but are not limited to sports activities, exercise groups, and activities such as crafts, leisure time, social hours, trips to community activities and tours;

4. Services provided to an AODA day treatment recipient which are primarily social or only educational in nature. Educational sessions are covered as long as these sessions are part of an overall treatment program and include group processing of the information provided;

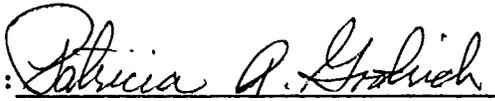
5. Prevention or education programs provided as an outreach service or as case-finding; and

6. AODA day treatment provided in the recipient's home.

The rules contained in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, as provided in s. 227.22(2), Stats.

WISCONSIN DEPARTMENT OF HEALTH AND
SOCIAL SERVICES

Dated: October 31, 1989

By: 
Patricia A. Goodrich
Secretary

SEAL:



State of Wisconsin \

DEPARTMENT OF HEALTH AND SOCIAL SERVICES
1 West Wilson Street, Madison, Wisconsin 53702

Tommy G. Thompson
Governor

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OCT 31 1989

Revisor of Statutes
Bureau

October 31, 1989

Patricia A. Goodrich
Secretary

Mailing Address:
Post Office Box 7850
Madison, WI 53707

Mr. Orlan Prestegard
Revisor of Statutes
7th Floor - 30 on the Square
Madison, WI 53702

Dear Mr. Prestegard:

As provided in s. 227.20, Stats., there is hereby submitted a certified copy of HSS 101.03, 105.25 and 107.13, administrative rules relating to Medical Assistance coverage of day treatment programs for alcohol and other drug abusers.

These rules are also being submitted to the Secretary of State as required by s. 227.20, Stats.

Sincerely,

Patricia A. Goodrich
Secretary

Enclosure