



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



GAVIN NEWSOM
GOVERNOR

DATE: June 15, 2021

Behavioral Health Information Notice No: 21-029

TO: California Alliance of Child and Family Services
California Association for Alcohol/Drug Educators
California Association of Alcohol & Drug Program Executives, Inc.
California Association of DUI Treatment Programs
California Association of Social Rehabilitation Agencies
California Consortium of Addiction Programs and Professionals
California Council of Community Behavioral Health Agencies
California Hospital Association
California Opioid Maintenance Providers
California State Association of Counties
Coalition of Alcohol and Drug Associations
County Behavioral Health Directors
County Behavioral Health Directors Association of California
County Drug & Alcohol Administrators
Psychiatric Health Facility Administrators

SUBJECT: Employment of Nurse Practitioners (NPs) in Psychiatric Health Facilities (PHFs)

PURPOSE: Provide guidance clarifying that NPs are permitted to work and perform employment duties in PHFs within the scope of their discipline and licensure.

REFERENCE: California Code of Regulations (CCR), title 22, sections 77001-77155; Welfare and Institutions (W&I) Code section 4080; Health and Safety (H&S) Code section 1250.2.

BACKGROUND:

DHCS has the sole authority to monitor, review, license, and levy fines on PHFs.¹
DHCS applies the standards set forth in the California Code of Regulations to license

¹ Health and Safety Code, section 1250.2; Welfare and Institutions Code section 4080.

PHFs and conducts periodic inspections to ensure compliance.² PHFs are licensed to provide 24-hour inpatient care for people with mental health disorders or other persons described in Division 5 (commencing with Section 5000) or Division 6 (commencing with Section 6000) of the W&I Code. These services include the following basic services: psychiatry, clinical psychology, psychiatric nursing, social work, rehabilitation, drug administration, and appropriate food services.

POLICY:

Treatment services in a PHF are provided under a multidisciplinary model. The patient should benefit from, and the law requires, a treatment team composed of medical professionals whose individual areas of training and education meet the treatment goals of each patient.³ NPs are permitted to work in PHFs⁴ and render treatment services which they are legally authorized to perform under their scope of practice according to California state law.

A PHF shall ensure that psychiatric services are provided by licensed physicians with training and/or experience in psychiatry.⁵ PHFs must have personnel policies concerning qualifications, responsibilities, and conditions of employment for each classification of employee, including NPs.⁶

If you have any questions regarding this Information Notice, please contact the Mental Health Licensing Section at MHLC@dhcs.ca.gov or (916) 323-1864.

Sincerely,

Original signed by

Janelle Ito-Orille, Chief
Licensing and Certification Division

² California Code of Regulations, title 22, sections 77001-77155.

³ California Code of Regulations, title 22, section 77097.

⁴ California Code of Regulations, title 22, section 77061.

⁵ California Code of Regulations, title 22, section 77063.

⁶ California Code of Regulations, title 22, section 77117.