



# Senate Bill 823 Implementation

February 17, 2021



# Agenda

- Welcome & Introductions
- History of *The American Society of Addiction Medicine (ASAM) Criteria*© and Drug Medi-Cal Organized Delivery System (DMC-ODS)
- Overview of Senate Bill (SB) 823
- Behavioral Health Information Notice No.: 21-001
  - DHCS Level of Care (LOC) Designation
  - ASAM LOC Certification
  - DHCS LOC Designation Application Process
- Training and Technical Assistance
- Questions and Discussion



# **History of *The ASAM Criteria*© and DMC-ODS**



## History of *The ASAM Criteria*©

- ASAM's treatment criteria is a result of a collaboration that began in the 1980s to define one national set of criteria for providing outcome-oriented and evidence based treatment for addiction.
- *The ASAM Criteria*© uses a comprehensive multidimensional assessment and a seamless continuum of services necessary for the treatment of individuals with substance use disorders.
- Properly credentialed or licensed personnel with addiction treatment experience are required when using the ASAM treatment criteria, which is designed to **deliver a person-centered, individualized, and outcome-driven treatment.**



# History of DMC-ODS

- DMC-ODS was established through a Medicaid Section 1115 waiver approved by the federal government in 2015.
- DMC-ODS is Medi-Cal's five year effort to expand, improve, and reorganize its system for treating individuals with substance use disorders
- Participation in the waiver is by county and is voluntary.
- Few waiver requirements included:
  - Counties to provide access to a full continuum of SUD services modeled after The ASAM Criteria©; and
  - Participating licensed adult alcoholism or drug abuse recovery or treatment (AOD) facilities to obtain a designation through DHCS.



# Overview of SB 823



## Overview of SB 823

- Adds Section 11834.015 to the California Health and Safety Code (HSC)
- Requires DHCS to adopt ASAM treatment criteria, or an equivalent evidence-based standard, as a minimum standard of care for all licensed AOD facilities.
- Authorizes DHCS to implement, interpret, or make specific provisions of the bill by means of provider bulletins or similar instructions.

# What Changed from SB 823 Implementation?

Prior to SB 823 Implementation	After SB 823 Implementation
Only DMC-ODS waiver participating AOD facilities were required to obtain DHCS ASAM designation	Requires <b>all</b> DHCS licensed AOD residential facilities to obtain at least one designation and/or at least one certification
DHCS designation(s) were optional for non-waiver participating AOD facilities	
DHCS offered Levels of Care 3.1, 3.3, and 3.5	DHCS includes Level of Care 3.2 – Withdrawal Management
	Failure to comply with the new regulation may be subject to disciplinary action, including but not limited to, license suspension or revocation





# Behavioral Health Information Notice No.: 21-001





# Behavioral Health Information Notice (BHIN) No.: [21-001](#)

Effective February 1, 2021

## **POLICY:**

- All licensed AOD facilities shall obtain **at least one DHCS LOC Designation and/or at least one residential ASAM LOC Certification** consistent with all of its program services.
- If an AOD facility opts to obtain an ASAM LOC Certification, then that facility will not be required to obtain a DHCS LOC Designation. However, nothing precludes a facility from obtaining both a DHCS LOC Designation or ASAM LOC Certification.

The DHCS LOC Designations are **not** equivalent to or affiliated with the ASAM LOC Certifications developed by ASAM/ Commission on Accreditation of Rehabilitation Facilities (CARF) International. An approval for a DHCS LOC Designation does not guarantee eligibility for an ASAM LOC Certification. However, an approved residential ASAM LOC Certification is sufficient to meet the DHCS requirement. Licensees must directly contact ASAM/CARF to obtain information regarding its certification process and requirements.



# DHCS LOC Designation

DHCS developed the following LOC Designations:

- **DHCS Level 3.1** – Clinically Managed Low-Intensity Residential Services
- **DHCS Level 3.2** – Clinically Managed Residential Withdrawal Management
- **DHCS Level 3.3** – Clinically Managed Population-Specific High-Intensity Residential Services
- **DHCS Level 3.5** – Clinically Managed High-Intensity Residential Services

# DHCS LOC Designation Description\*

DHCS Levels of Care	Description
<p><b>Level 3.1</b> Clinically Managed Low-Intensity Residential Services</p>	<p>Appropriate for individuals who need time and structure to practice and integrate their recovery and coping skills in a residential, supportive environment.</p>
<p><b>Level 3.2</b> Clinically Managed Residential Withdrawal Management</p>	<p>Organized services in a social setting emphasizing on peer support for individuals with moderate risk of withdrawal.</p>
<p><b>Level 3.3</b> Clinically Managed Population-Specific High-Intensity Residential Services</p>	<p>Specific for individuals with cognitive or other functioning impairments.</p>
<p><b>Level 3.5</b> Clinically Managed High-Intensity Residential Services</p>	<p>Specific for individuals with co-occurring mental health disorders and have multiple challenges to recovery.</p>

\*Refer to Exhibit A of BHIN No.: 21-001

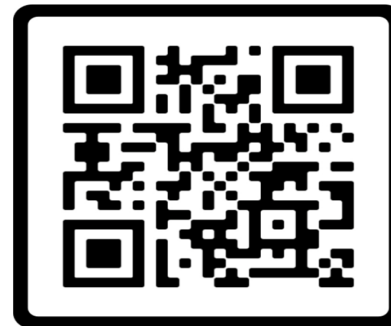


# DHCS LOC Designation Requirements

## Minimum Components for DHCS LOC Designations

- Services Name
- Description of Care
- Program
- Minimum Services
- Personnel Requirements
- LOC Assessments
- Treatment and Recovery Plans
- Treatment and Recovery Services Documentation

[Exhibit A](#) Reference





# How to Obtain DHCS LOC Designation

## Initial License Applicants

- Submit a DHCS LOC Designation Application ([DHCS 4022](#)) and required supporting documentation concurrently with the Initial Treatment Provider Application ([DHCS 6002](#))

## Current AOD Licensed Facilities

### **Without DHCS Provisional LOC Designation(s):**

- Submit a DHCS LOC Designation Application ([DHCS 4022](#)) and required supporting documents no later than **August 31, 2021**

### **With DHCS Provisional LOC Designation(s):**

#### ***Request no change in designation(s) or adding additional designation(s)***

- Submit a Current Provider LOC Attestation Statement ([DHCS 4031](#)) to DHCS no later than **May 31, 2021**

#### ***Request change or adding additional designation(s)***

- Submit a DHCS LOC Designation Application ([DHCS 4022](#)) and required supporting documents



# Required Supporting Documents\*

- Facility Staffing Data ([DHCS 5050](#))
- Detailed Monthly Program Staff Schedule
- Weekly Activities Schedule ([DHCS 5086](#))
- Detailed Weekly Program Activities Schedule
- Program's Level of Care Assessment for Residents



\*BHIN 21-001 under "Required Supporting Documentation", page 4.



# DHCS Level Of Care Application and Review Process

- DHCS will review the DHCS LOC Designation Application Package and notify the AOD facility if the application is complete or incomplete.
- AOD facility will have **60 calendar days** from the date of the notification of incomplete application to submit the missing information and/or documentation.
- If application is determined to be complete and in accordance to submission requirements, DHCS shall issue a revised license reflecting a DHCS Provisional LOC Designation(s).
- All DHCS LOC Designation(s) shall remain provisional until DHCS has completed an on-site or virtual LOC compliance review of the AOD facility.
- In the event an AOD facility ceases providing any of the approved DHCS LOC Designation services, the AOD facility shall provide DHCS a written notification within **10 working days** of that occurrence.





## ASAM LOC Certification

ASAM, in partnership with CARF International, developed a distinct Level of Care Certification program to assess and verify a treatment program's ability to deliver services consistent with the levels of care described in *The ASAM Criteria*©.

Currently, ASAM/CARF certifies the following:

- **ASAM Level 3.1** - Clinically Managed Low-Intensity Residential Services
- **ASAM Level 3.5** - Clinically Managed High-Intensity Residential Services
- **ASAM Level 3.7** - Medically Monitored High-Intensity Inpatient Services



# Process For Notifying DHCS of ASAM LOC Certification

## Initial License Applicants

- Submit an Initial Treatment Provider Application ([DHCS 6002](#)), New Provider LOC Attestation Statement ([DHCS 4030](#)), and either 1) a copy of its ASAM LOC Certification, or 2) documentation demonstrating that it has applied for an ASAM Level of Care Certification

## Current AOD Licensed Facilities

- Submit a Current Provider LOC Attestation Statement ([DHCS 4031](#)) and either 1) a copy of its ASAM LOC Certification or 2) documentation demonstrating that it has applied for an ASAM LOC, to DHCS no later than **August 31, 2021**

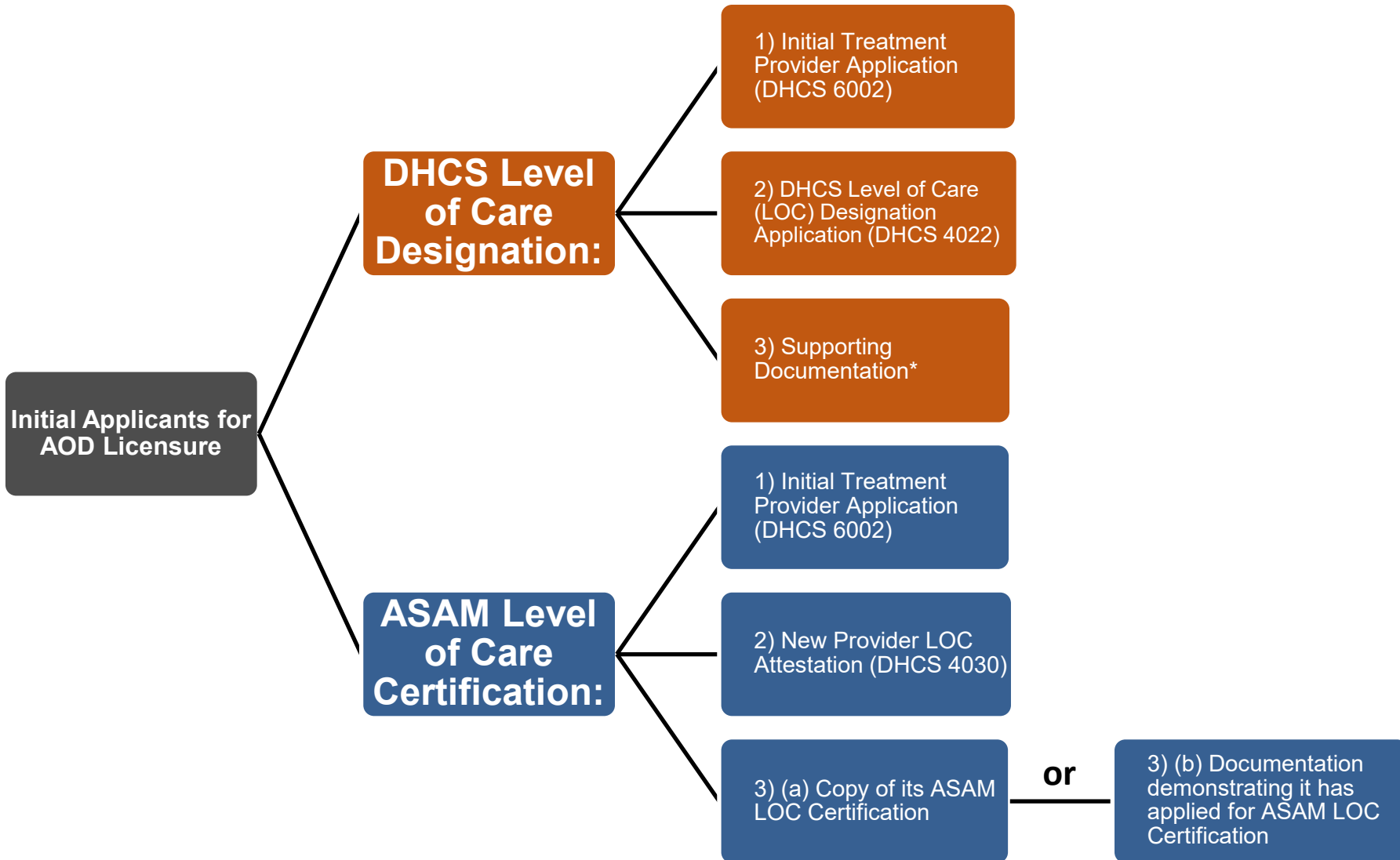
Licensed AOD facilities may submit the ASAM LOC Certification designation to DHCS in lieu of the DHCS LOC Designation.



# Designation Flow Chart (Exhibit B)

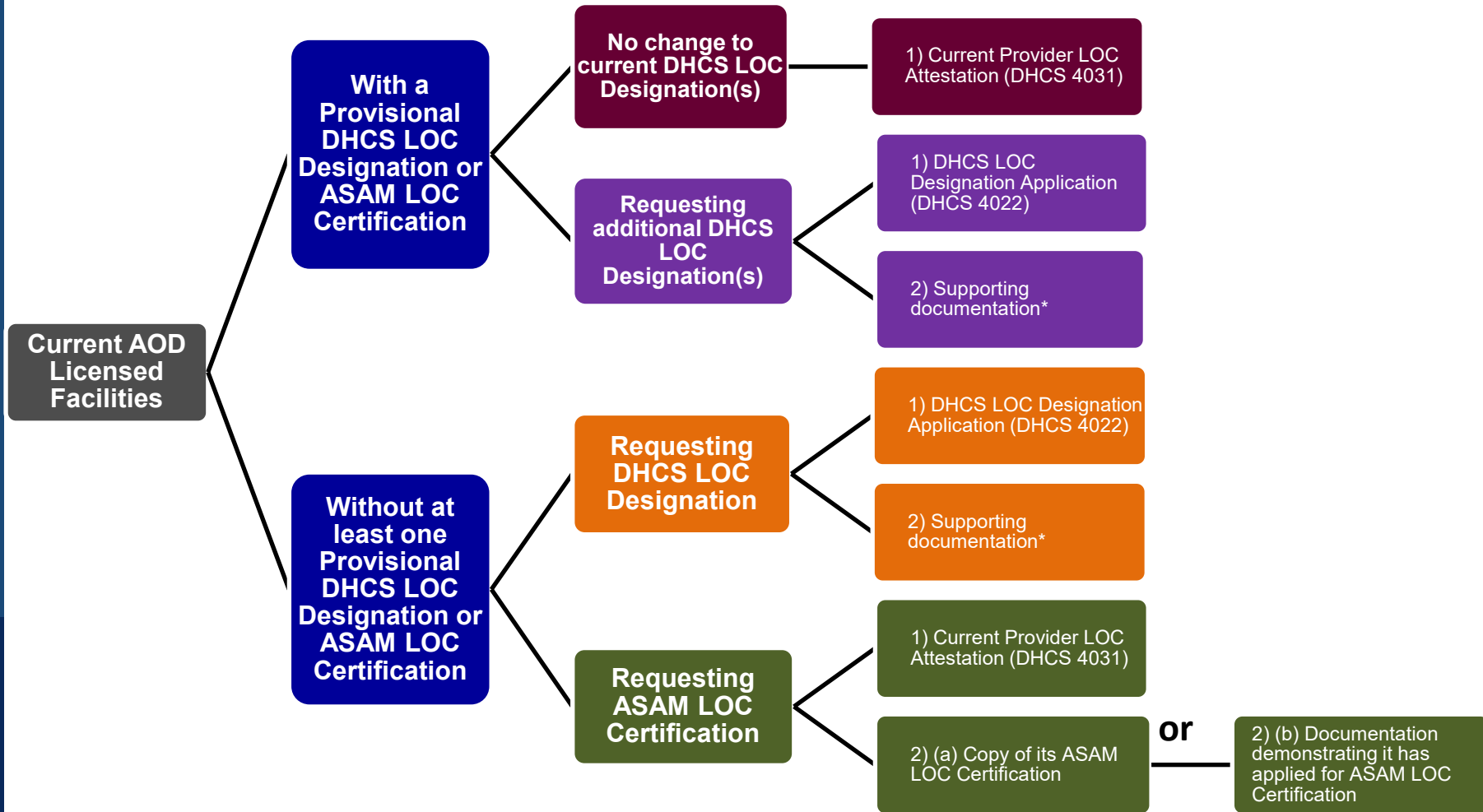


# Designation Flow Chart



\*Exhibit B Reference. Supporting documentation is detailed in BHIN 21-001 under "Required Supporting Documentation", page 4.

# Designation Flow Chart



\*Exhibit B reference. Supporting documentation is detailed in BHIN 21-001 under “Required Supporting Documentation”, page 4.



# Compliance

- In accordance with HSC Section 11834.015, **all** licensed AOD facilities shall comply with BHIN No.:21-001 until DHCS adopts formal regulations.
- Licensed AOD facilities shall only provide services within the scope of its license and, once received, its DHCS Provisional LOC Designation or ASAM LOC Certification.
- DHCS shall ensure compliance with BHIN No.: 21-001 as a part of its licensing compliance reviews authorized by HSC Section 11834.01(c).
- Pursuant to HSC Section 11834.36, any licensed AOD facility that fails to adhere with the requirements set forth in this IN may be subject to disciplinary action, including but not limited to, license suspension or revocation.



# Training and Technical Assistance

- **DHCS Training and Technical Assistance**
  - Technical assistance and webinar training events
    - University of California, Los Angeles Integrated Substance Abuse Programs (UCLA-ISAP) partnership
      - ASAM A (Beginner), B (Intermediate), and C (Advance) Level Trainings
- **ASAM treatment criteria training opportunities**
  - ASAM eTraining Series
  - Two-day trainings
  - ASAM website: <https://www.asam.org/asam-criteria>



# Reminders

- Initial License Applicants with submitted applications to DHCS and pending review will receive an email notification in regards to the designation requirement as a part of licensure.
  - LOC Designation(s) will need to be approved prior to the approval and issuance of a DHCS Provisional License.
- Designation name change in license – “DHCS Provisional ASAM Designation” to “DHCS Provisional LOC Designation”
- Clarification on Current Provider Attestations –”DHCS LOC/ASAM Designation” versus “ASAM Certification”.
- DMC-ODS Specific Questions
  - Email: [Countysupport@dhcs.ca.gov](mailto:Countysupport@dhcs.ca.gov).





# New DHCS LOC Designation Webpage

- Webpage Link

<https://www.dhcs.ca.gov/provgovpart/Pages/level-of-care-designation.aspx>





## Additional Resources

- [BHIN No.: 21-001](#)
- [Chapter 781, SB 823](#)
- [SB 823 – DHCS LOC Designation Frequently Asked Questions](#)
- [DHCS LOC Designation Webpage](#)

Questions about DHCS LOC Designations

Email: [LCDLOCDesig@dhcs.ca.gov](mailto:LCDLOCDesig@dhcs.ca.gov)



## Questions and Discussion

Please type your questions into the “Questions” box located in the GoToWebinar control panel located on the right-hand side of your screen.

