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State/Territory Name: Texas

State Plan Amendment (SPA) #: 13-24

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- 2) CMS 179 Form
- 3) Superseding Page Listing
- 4) Approved SPA Page

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
Dallas Regional Office
1301 Young Street, Suite 833
Dallas, Texas 75202



DIVISION OF MEDICAID & CHILDREN'S HEALTH - REGION VI

October 24, 2013

Our Reference: SPA TX 13-024

Ms. Kay Ghahremani
State Medicaid Director
Health and Human Services Commission
Post Office Box 13247
Mail Code H100
Austin, Texas 78711

Dear Ms. Ghahremani:

We have reviewed the State's proposed amendment to the Texas State Plan submitted under Transmittal Number 13-24, dated September 12, 2013. This state plan amendment adds provisionally licensed psychologists (PLPs) as a provider that can perform psychological counseling and services under the direct supervision of a licensed psychologist.

Based on the information submitted, we have approved the amendment for incorporation into the official Texas State Plan with an effective date change of September 1, 2013. A copy of the CMS-179 and approved plan pages are enclosed with this letter.

If you have questions, please contact Cheryl Rupley at (214) 767-6278.

Sincerely,

A black rectangular box redacting the signature of Bill Brooks.

Bill Brooks
Associate Regional Administrator

cc: Becky Brownlee, Policy Development Support

Attachment to Blocks 8 & 9 of CMS Form 179

Transmittal Number 13-024

**Number of the
Plan Section or Attachment**

**Number of the Superseded
Plan Section or Attachment**

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Appendix 1 to Attachment 3.1-B
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State: Texas
Date Received: 9/12/13
Date Approved: 10/24/13
Date Effective: 9/1/13
Transmittal Number: TX 13-24

4b. EPSDT Services (Continued)

Counseling Services

Definition:

Counseling services outlined in this section of the state plan are available to Medicaid-eligible recipients under the age of 21 years, who are eligible for Early and Periodic Screening, Diagnosis, and Treatment (EPSDT), and for whom the services are medically necessary.

Services:

Medically necessary EPSDT services are health care, diagnostic services, treatment, and other measures described in section 1905(a) of Title XIX of the Social Security Act that are necessary to correct or ameliorate any defects and physical and mental illnesses and conditions. These services are intended for the exclusive benefit of the Medicaid eligible child and include but are not limited to:

1. Services provided to assist the child and/or parents in understanding the nature of the child's disability;
2. Services provided to assist the child and/or parents in understanding the special needs of the child;
3. Services provided to assist the child and/or parents in understanding the child's development;
4. Health and behavior interventions to identify the psychological, behavioral, emotional, cognitive, and social factors important to the prevention, treatment, or management of physical health problems.
5. Counseling services by providers identified in Appendix 1 to Attachment 3.1-A, Items 6d(5), 6d(6), 6d(7), and 6d(8) of the state plan; and
6. Assessing needs for specific counseling services.

Counseling services may be provided in an individual or group setting.

Providers:

Counseling services must be provided by a qualified counselor who meets the qualification requirements of 42 CFR § 440.60(a) and all other applicable state and federal law or regulation.

Services may be provided by a:

- Licensed Psychologist;
- Provisionally Licensed Psychologist (PLP);
- Licensed Psychological Associate (LPA);
- Licensed Physician;
- Licensed Clinical Social Worker (LCSW);
- Licensed Marriage and Family Therapist (LMFT);
- Licensed Professional Counselor (LPC); or
- Licensed Specialist in School Psychology (LSSP) when the services are provided in a school setting.

State: Texas
Date Received: 9/12/13
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TN: 13-24

Approval Date: 10/24/13

Effective Date: 9/1/13

Supersedes TN: 09-07

4b. EPSDT Services (Continued)

Psychological Services

Definition:

Psychology services outlined in this section of the state plan are available to Medicaid-eligible recipients under the age of 21 years, who are eligible for Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) services, and for whom the services are medically necessary.

Services:

Medically necessary EPSDT services are health care, diagnostic services, treatment, and other measures described in section 1905(a) of Title XIX of the Social Security Act that are necessary to correct or ameliorate any defect and physical and mental illnesses and conditions. These services include but are not limited to:

1. Psychology services as identified in Appendix I to Attachment 3.1A, Item 6d(8), of the state plan;
2. Administering psychological tests and other assessment procedures, and interpreting testing and assessment results;
3. Obtaining, integrating and interpreting information about child behavior and conditions related to learning and functional needs, planning and managing a program of psychological services;
4. Evaluating a Medicaid recipient for the purpose of determining the needs for specific psychological, health or related services; and
5. Assessing the effectiveness of the delivered services on achieving the goals and objectives of the child's individual educational program (IEP).

Psychological services may be provided in an individual or group setting.

Providers:

Psychological services must be provided by a qualified psychologist who meets the requirements of, and in accordance with, 42 CFR § 440.60 and other applicable state and federal law or regulation.

Services may be provided by:

- A qualified psychologist licensed by the state;
- A qualified psychiatrist licensed by the state;
- Provisionally Licensed Psychologist (PLP);
- Licensed Psychological Associate (LPA);
- A Licensed Specialist in School Psychology (LSSP) when the services are provided in a school setting.

State: Texas

Date Received: 9/12/13

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Date Effective: 9/1/13

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Place of Service:

Psychological services may be delivered in the following places of service: office, home, outpatient setting, or other location, e.g. school.

6d(8) Psychologists' Services

Services provided by a licensed psychologist are available to Medicaid-eligible recipients. Psychological counseling and services provided by a licensed psychologist are covered if the services (1) are within the psychologist's scope of practice, as defined by state law; and (2) would be covered by the Texas Medical Assistance Program when they are provided by a licensed physician (M.D. or D.O.).

Psychologists' services must be provided by a licensed psychologist enrolled in and approved for participation in the Texas Medical Assistance Program. A psychologist is defined as a person who is licensed to practice as a psychologist in the state in which the service is performed.

Services performed by a provisionally licensed psychologist (PLP) or a licensed psychological associate (LPA) are a benefit of the Texas Medical Assistance Program only when the services are provided within the PLP's or LPA's scope of practice and under the direct supervision of a licensed psychologist.

A licensed psychologist who is employed by or remunerated by a physician, hospital, facility, or other provider may not bill the Texas Medical Assistance Program directly for psychologist's services if that billing would result in duplicate payment for the same services. If the services are covered and reimbursable by the program, payment may be made to the physician, hospital, or other provider (if approved for participation and who is enrolled in the Texas Medical Assistance Program) who employs or reimburses the licensed psychologist. The basis and amount of Medicaid reimbursement depends on the service actually provided, who provided the service, and the reimbursement methodology used by the Texas Medical Assistance Program as appropriate for the service and provider(s) involved.

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