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State/Territory Name: Kansas

State Plan Amendment (SPA) #: 22-0012

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form/Summary Form
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
601 E. 12th St., Room 355
Kansas City, Missouri 64106



Medicaid and CHIP Operations Group

June 21, 2022

Sarah Fertig, State Medicaid Director
Kansas Department of Health and Environment
Division of Health Care Finance
Landon State Office Building
900 SW Jackson, Suite 900 N
Topeka, KS 66612-1220

Re: Kansas State Plan Amendment (SPA) 22-0012

Dear Ms. Fertig:

The Centers for Medicare & Medicaid Services (CMS) reviewed your Medicaid State Plan Amendment (SPA) submitted under transmittal number (TN) 22-0012. This amendment clarifies coverage requirements for family psychotherapy.

We conducted our review of your submittal according to statutory requirements in Title XIX of the Social Security Act and implementing regulations 42 CFR 440 and 447. This letter is to inform you that Kansas Medicaid SPA 22-0012 was approved on June 21, 2022, with an effective date of May 1, 2022.

If you have any questions, please contact Michala Walker at 816-426-6503 or via email at michala.walker@cms.hhs.gov.

Sincerely,

James G. Scott, Director
Division of Program Operations

Enclosures

cc: Bobbie Graff-Hendrixson
William Stelzner

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES	1. TRANSMITTAL NUMBER <u>22</u> — <u>0012</u>	2. STATE <u>KS</u>
	3. PROGRAM IDENTIFICATION: TITLE <u>XIX</u> OF THE SOCIAL SECURITY ACT	
TO: CENTER DIRECTOR CENTERS FOR MEDICAID & CHIP SERVICES DEPARTMENT OF HEALTH AND HUMAN SERVICES	4. PROPOSED EFFECTIVE DATE May 1, 2022	
5. FEDERAL STATUTE/REGULATION CITATION 42 CFR 440, 42 CFR 447	6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars) a. FFY <u>2022</u> \$ <u>0</u> b. FFY <u>2023</u> \$ <u>0</u>	
7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT Attachment 3.1-A #13.d. Page 7 (new) Attachment 4.19-B #13.d. Page 5 (new)	8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (if Applicable) None	

9. SUBJECT OF AMENDMENT
Amending the Kansas Medicaid State Plan to add Family Psychotherapy (without patient present) as a state plan service.

10. GOVERNOR'S REVIEW (Check One)

- GOVERNOR'S OFFICE REPORTED NO COMMENT
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

OTHER, AS SPECIFIED:
Sarah Fertig is the
Governor's Designee

11. SIGNATURE OF STATE AGENCY OFFICIAL	15. RETURN TO Sarah Fertig, State Medicaid Director KDHE, Division of Health Care Finance Landon State Office Building 900 SW Jackson, Room 900-N Topeka, KS 66612-1220
12. TYPED NAME Sarah Fertig	
13. TITLE State Medicaid Director	
14. DATE SUBMITTED April 7, 2022	

FOR CMS USE ONLY

16. DATE RECEIVED April 7, 2022	17. DATE APPROVED June 21, 2022
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PLAN APPROVED - ONE COPY ATTACHED

18. EFFECTIVE DATE OF APPROVED MATERIAL May 1, 2022	
20. TYPED NAME OF APPROVING OFFICIAL James G. Scott	21. TITLE OF APPROVING OFFICIAL Director, Division of Program Operations

22. REMARKS

KANSAS MEDICAID STATE PLAN

Attachment 3.1-A
#13.d
Page 7

REHABILITATION SERVICES

7. Family Psychotherapy – Family Psychotherapy is a face-to-face psychotherapeutic interaction between a qualified practitioner, the beneficiary, and the beneficiary's family, guardian, and/or support system. It is typically inclusive of the identified beneficiary but may be performed if indicated without the beneficiary's presence. When the beneficiary is an adult, his/her permission must be obtained in writing.

Family psychotherapy service that involves the participation of a non-Medicaid eligible is for the direct benefit of the beneficiary. The service must actively involve the beneficiary in the sense of being tailored to the beneficiary's individual needs. There may be times when, based on clinical judgment, the beneficiary is not present during the delivery of the service, but remains the focus of the service.

These services may include the following components: A licensed mental health practitioner (LMHP), who help identify family relationship dynamics that may be contributing to the behavioral health concerns of the beneficiary that need to be addressed and corrected when possible.

Provider Qualifications - A licensed mental health practitioner (LMHP) is an individual who is licensed in the State of Kansas to diagnose and treat mental illness or substance abuse acting within the scope of all applicable state laws and his or her professional licensure. An LMHP includes individuals licensed to practice independently such as:

- Licensed psychologist
- Licensed clinical marriage and family therapist
- Licensed clinical professional counselor
- Licensed specialist clinical social worker
- Licensed clinical psychotherapist

An LMHP also includes individuals licensed to practice under supervision or direction:

- Licensed master's marriage and family therapist
- Licensed master's professional counselor
- Licensed master's social worker
- Licensed master's level psychologist

All licensed providers are functioning within their scope of practice in accordance with state law.

**Rehabilitation Services
Methods and Standards for Establishing Payment Rates**

Family Psychotherapy (without patient present) is reimbursed in fifty-minute increments.

Except as otherwise noted in the plan, state developed fee schedule rates are the same for both governmental and private providers for the above services. The agency's fee schedule rate was set as of May 1, 2022 and is effective for services provided on or after that date. The agency's established fee schedule rates are published on the agency's website at

<https://portal.kmap-state-ks.us/PublicPage/ProviderPricing/Disclaimer?searchBy=ScheduleList>

This link will take the user to a page titled "Reference Copyright Notice." Scroll to the bottom of the page and click on the word "Accept" to access the fee schedule. The next page that appears is titled "KMAP Fee Schedules."

To access a fee schedule:

- a. Select the program from the drop-down list -TXIX;
- b. Choose the type of rates – Medicaid;
- c. After choosing the rate type, the user will see a list of the current and historical versions of the corresponding schedule;
- d. Click the schedule TXIX.