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State/Territory Name: Minnesota

State Plan Amendment (SPA) #: 24-0039

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS Form 179
- 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

February 10, 2025

John Connolly

Assistant Commissioner and State Medicaid Director

Minnesota Department of Human Services

540 Cedar Street

St. Paul, Minnesota 55164-0983

Re: Minnesota State Plan Amendment (SPA) – 24-0039

Dear Medicaid Director Connolly:

The Centers for Medicare & Medicaid Services (CMS) reviewed your Medicaid State Plan Amendment (SPA) submitted under transmittal number (TN) 24-0039. This amendment makes changes to provider qualifications for Child and Family Psychoeducation, Early Intensive Developmental and Behavioral Intervention (EIDBI), Mental Health Services, and Adult Rehabilitative Mental Health Services (ARMHS).

We conducted our review of your submittal according to statutory requirements in Title XIX of the Social Security Act and implementing regulations. This letter informs you that Minnesota's State Plan Amendment 24-0039 was approved on February 10, 2025, with an effective date of January 1, 2025.

Enclosed are copies of Form CMS-179 and approved SPA pages to be incorporated into the Minnesota State Plan.

If you have any questions, please contact Sandra Porter at (312)353-8310, or via email at Sandra.Porter@cms.hhs.gov.

Sincerely,

A black rectangular box redacting the signature of Ruth A. Hughes.

Ruth A. Hughes, Acting Director
Division of Program Operations

Enclosures

cc: Patrick Hulman
Alexandria Zoellner

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL
FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES**

1. TRANSMITTAL NUMBER

2 4 — 0 0 3 9

2. STATE

MN3. PROGRAM IDENTIFICATION: TITLE OF THE SOCIAL
SECURITY ACT

XIX



XXI

TO: CENTER DIRECTOR
CENTERS FOR MEDICAID & CHIP SERVICES
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE

January 1, 2025

5. FEDERAL STATUTE/REGULATION CITATION

42 CFR § 440 and Title XIX of the Social Security Act

6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars)

a. FFY 2025\$ 0b. FFY 2026\$ 0

7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT

Attachment 3.1-A Page 17uu, 17xx-3, 25, 54d.1a (NEW)

Attachment 3.1-B Page 16uu, 16xx-3, 24, 53d.1a

8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION
OR ATTACHMENT (If Applicable)

same

9. SUBJECT OF AMENDMENT

Makes changes to provider qualifications for Child and Family Psychoeducation, EIDBI, Mental Health Services, and ARMHS.

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:

11. SIGNATURE OF STATE AGENCY OFFICIAL

12. TYPED NAME

Patrick Hultman

13. TITLE

Deputy Medicaid Director

14. DATE SUBMITTED

November 13, 2024

15. RETURN TO

Patrick Hultman

Minnesota Department of Human Services

Federal Relations Unit

540 Cedar Street, PO Box 64983

Saint Paul, MN 55164

FOR CMS USE ONLY

16. DATE RECEIVED

November 13, 2024

17. DATE APPROVED

February 10, 2025

PLAN APPROVED - ONE COPY ATTACHED

18. EFFECTIVE DATE OF APPROVED MATERIAL

January 1, 2025

19. SIGNATURE OF APPROVING OFFICIAL

20. TYPED NAME OF APPROVING OFFICIAL

Ruth A. Hughes

21. TITLE OF APPROVING OFFICIAL

Acting Director, Division of Program Operations

22. REMARKS

STATE: MINNESOTA
Effective: January 1, 2025
TN: 24-39
Approved: February 10, 2025
Supersedes: 22-24, 14-17, 13-14, 12-13

Attachment 3.1-A
Page 17uu

4.b. Early and periodic screening, diagnosis, and Treatment services.
(continued)

The services below are not eligible for medical assistance payment as youth ACT services:

- A. recipient transportation services otherwise paid under this Attachment;
- B. services billed by a non-enrolled Medicaid provider;
- C. services provided by volunteers;
- D. direct billing of days spent "on call" when not providing services;
- E. job-specific skills services, such as on-the-job training;
- F. performance of household tasks, chores, or related activities for the recipient;
- G. outreach services, as defined for adult rehabilitative mental health services on page 53g;
- H. inpatient psychiatric hospital treatment;
- I. mental health residential treatment;
- J. partial hospitalization;
- K. physician services outside of care provided by a psychiatrist serving as a member of the treatment team;
- L. room and board costs;
- M. children's mental health day treatment services;
- N. mental health behavioral aid services.

1. **Child and Family Psychoeducation Services** provide information or demonstration to an individual or family as part of an individual, family, multifamily group, or peer group session. Family psychoeducation services explain, educate, and support the child and family in understanding a child's symptoms of mental illness, the impact on the child's development, and needed components of treatment and skill development. Services are provided so that the individual, family, or group can help the child prevent relapse and the acquisition of comorbid disorders, while achieving optimal mental health and long-term resilience. Child and Family psychoeducation services are provided by a mental health professional, ~~or a mental health practitioner working as a clinical trainee, or a mental health practitioner~~ as defined in Item 6.d.A.

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Supersedes:23-17, 18-12,

17-06, 14-08

Attachment 3.1-A

Page 17xx-3

4.b. Early and periodic screening, diagnosis, and Treatment services.
(continued)

Provider Qualifications and Training.

Qualified Supervising Professional: All EIDBI services must be billed by, and either provided by or under the clinical supervision of a qualified supervising professional who assumes full professional responsibility for the services provided by Level I, II and III EIDBI providers. A qualified supervising professional is a mental health professional, as described in item 6.d.A, or a Licensed Board-Certified Behavior Analyst.

Qualified supervising professionals must work within their licensed scope of practice, and have at least 2,000 hours of supervised, clinical experience and/or training in the examination and/or treatment of children with ASD or a related condition, or equivalent documented coursework at the graduate level by an accredited university in the areas of ASD diagnostics, ASD developmental and behavioral treatment strategies and typical child development.

The following non-licensed practitioners are qualified to provide EIDBI treatment when services are provided for the direct benefit of the child, supervised directly and within the scope of practice of the qualified supervising professional who assumes full professional responsibility for these activities, and they are billed by a qualified supervising professional as described below:

A. Level I EIDBI provider:

All Level I providers must be employed by an EIDBI agency and meet at least one of the following standards:

1. Have both of the following:

- a. At least 2,000 hours of supervised, clinical experience and/or training in the examination and/or treatment of children with ASD or a related condition, or equivalent documented coursework at the graduate level by an accredited university in the areas of ASD diagnostics, ASD developmental and behavioral treatment strategies, and typical child development, or an equivalent combination of documented coursework and hours of experience. Providers without the required hours of supervision must receive observation and direction from a qualified supervising professional at least once per month until he or she has 2,000 hours of supervised clinical experience; and

6.d. Other practitioners' services.

A. **Mental health** services are limited to those provided by the following mental health professionals within the applicable scope of licensure:

1. licensed psychologist;
2. licensed independent clinical social worker;
3. an advanced practice registered nurse who is licensed and is certified as a clinical nurse specialist in mental health, or is certified as a nurse practitioner in pediatric or family or adult mental health nursing by a national nurse certification organization;
4. licensed marriage and family therapists. Covered Medicaid mental health services do not include marriage counseling; and
5. licensed professional clinical counselor.
- ~~6. a licensed physician if the physician is: certified by the American Board of Psychiatry and Neurology, certified by the American Osteopathic Board of Neurology and Psychiatry, eligible for board certification in psychiatry.~~

Mental health services are subject to the same limitations as psychiatric services described under Item 5.a., Physicians' services.

~~Under the supervision of an enrolled psychiatrist or other mental health professional listed in this item, a clinical trainee may provide diagnostic assessment, clinical care consultation, and explanation of findings or psychotherapy. A clinical trainee may also provide psychological testing under the supervision of a licensed psychologist. A clinical trainee must:~~

1. have completed an accredited graduate program of study to prepare the staff person for independent licensure as a mental health professional and in compliance with the requirements of the applicable health-related licensing board, including requirements for supervised practice; or
2. be enrolled in an accredited graduate program of study to prepare the staff person for independent licensure as a mental health professional and participating in a practicum or internship through the individual's graduate program; or
3. have completed a practicum or internship and has not yet taken or received results from required test or is waiting for the final licensure decision.

~~A clinical trainee may provide psychological testing under the supervision of a licensed psychologist.~~

~~A licensed physician assistant working in an inpatient hospital under the supervision of a psychiatrist, or physician eligible to be licensed as a psychiatrist,~~

~~may provide medication management and training in medication self-administration. A licensed physician assistant with 2,000 hours of clinical experience in the treatment of mental illness, and meeting the supervision requirements above, may also provide the service in an outpatient setting.~~

Services by mental health professionals include developing individual treatment plans to promote good mental health and self-management of mental health conditions, and directing and

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Supersedes: NEW

ATTACHMENT 3.1-A

Page 54d.1a

13.d. Rehabilitative services. (continued)

5. A clinical trainee is defined according to 6.d.A

For the purposes of adult rehabilitative mental health services, a mental health professional is defined in item 6.d.A. Except for the provision of diagnostic assessments, a mental health professional also includes a nationally certified provider who has:

- (1) a master's degree from an accredited college or university in behavioral sciences or related fields;
- (2) at least 4,000 hours of post-master's supervised experience providing mental health services to clients; and
- (3) a valid national certification as a certified rehabilitation counselor or certified psychosocial rehabilitation practitioner.

A clinical trainee, mental health practitioner, certified peer specialist, or mental health rehabilitation worker must have at least 30 hours of continuing education every two years, as described by state law.

A clinical trainee, mental health practitioner, certified peer specialist, or mental health rehabilitation worker must perform all services described under the supervision of a mental health professional and have a written treatment supervision plan, developed within 30 days of employment and updated annually.

6. An Occupational Therapist, as described in item 11.b.

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14, 12-13

Attachment 3.1-B
Page 16uu

4.b. Early and periodic screening, diagnosis, and Treatment services.
(continued)

The services below are not eligible for medical assistance payment as youth ACT services:

- A. recipient transportation services otherwise paid under this Attachment;
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- C. services provided by volunteers;
- D. direct billing of days spent "on call" when not providing services;
- E. job-specific skills services, such as on-the-job training;
- F. performance of household tasks, chores, or related activities for the recipient;
- G. outreach services, as defined for adult rehabilitative mental health services on page 53g;
- H. inpatient psychiatric hospital treatment;
- I. mental health residential treatment;
- J. partial hospitalization;
- K. physician services outside of care provided by a psychiatrist serving as a member of the treatment team;
- L. room and board costs;
- M. children's mental health day treatment services;
- N. mental health behavioral aid services.

4. Child and Family Psychoeducation Services provide information or demonstration to an individual or family as part of an individual, family, multifamily group, or peer group session. Family psychoeducation services explain, educate, and support the child and family in understanding a child's symptoms of mental illness, the impact on the child's development, and needed components of treatment and skill development. Services are provided so that the individual, family, or group can help the child prevent relapse and the acquisition of comorbid disorders, while achieving optimal mental health and long-term resilience. Child and Family psychoeducation services are provided by a mental health professional, ~~or a mental health practitioner working as a clinical trainee, or a mental health practitioner~~ as defined in Item 6.d.A.

4.b. Early and periodic screening, diagnosis, and Treatment services.
(continued)

Provider Qualifications and Training.

Qualified Supervising Professional: All EIDBI services must be billed by, and either provided by or under the clinical supervision of a qualified supervising professional who assumes full professional responsibility for the services provided by Level I, II and III EIDBI providers. A qualified supervising professional is a mental health professional, as described in item 6.d.A, or a Licensed Board-Certified Behavior Analyst.

Qualified supervising professionals must work within their licensed scope of practice, and have at least 2,000 hours of supervised, clinical experience and/or training in the examination and/or treatment of children with ASD or a related condition, or equivalent documented coursework at the graduate level by an accredited university in the areas of ASD diagnostics, ASD developmental and behavioral treatment strategies and typical child development.

The following non-licensed practitioners are qualified to provide EIDBI treatment when services are provided for the direct benefit of the child, supervised directly and within the scope of practice of the qualified supervising professional who assumes full professional responsibility for these activities, and they are billed by a qualified supervising professional as described below:

A. Level I EIDBI provider:

Unless otherwise described below, all Level I providers must have at least 2,000 hours of supervised, clinical experience and/or training in the examination and/or treatment of children with ASD or a related condition, or equivalent documented coursework at the graduate level by an accredited university in the areas of ASD diagnostics, ASD developmental and behavioral treatment strategies, and typical child development, or an equivalent combination of documented coursework and hours of experience.

All Level I providers must be employed by an EIDBI agency and meet at least one of the following standards:

1. Have both of the following:
 - a. At least 2,000 hours of supervised, clinical experience and/or training in the examination and/or treatment of children with ASD or a related condition, or equivalent documented coursework at the graduate level by an accredited university in the areas of ASD diagnostics, ASD developmental and behavioral treatment strategies, and typical child development, or an equivalent combination of documented coursework and hours of experience. Providers without the required hours of supervision must receive observation and direction from a qualified supervising professional at least once per month until he or she has 2,000 hours of supervised clinical experience; and

6.d. Other practitioners' services.

B. **Mental health** services are limited to those provided by the following mental health professionals within the applicable scope of licensure:

1. licensed psychologist;
2. licensed independent clinical social worker;
3. an advanced practice registered nurse who is licensed and is certified as a clinical nurse specialist in mental health, or is certified as a nurse practitioner in pediatric or family or adult mental health nursing by a national nurse certification organization;
4. licensed marriage and family therapists. Covered Medicaid mental health services do not include marriage counseling; and
5. licensed professional clinical counselor.
- ~~6. a licensed physician if the physician is: certified by the American Board of Psychiatry and Neurology, certified by the American Osteopathic Board of Neurology and Psychiatry, eligible for board certification in psychiatry.~~

Mental health services are subject to the same limitations as psychiatric services described under Item 5.a., Physicians' services.

~~Under the supervision of an enrolled psychiatrist or other mental health professional listed in this item, a clinical trainee may provide diagnostic assessment, clinical care consultation, and explanation of findings or psychotherapy. A clinical trainee may also provide psychological testing under the supervision of a licensed psychologist.~~ A clinical trainee must:

1. have completed an accredited graduate program of study to prepare the staff person for independent licensure as a mental health professional ~~and in compliance with the requirements of the applicable health related licensing board, including requirements for supervised practice;~~ or
2. be enrolled in an accredited graduate program of study to prepare the staff person for independent licensure as a mental health professional and participating in a practicum or internship through the individual's graduate program; or
3. have completed a practicum or internship and has not yet taken or received results from required test or is waiting for the final licensure decision.

~~A clinical trainee may provide psychological testing under the supervision of a licensed psychologist.~~

~~A licensed physician assistant working in an inpatient hospital under the supervision of a psychiatrist, or physician eligible to be licensed as a psychiatrist,~~

~~may provide medication management and training in medication self-administration. A licensed physician assistant with 2,000 hours of clinical experience in the treatment of mental illness, and meeting the supervision requirements above, may also provide the service in an outpatient setting.~~

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ATTACHMENT 3.1-B

Effective: January 1, 2025

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13.d. Rehabilitative services. (continued)

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For the purposes of adult rehabilitative mental health services, a mental health professional is defined in item 6.d.A. Except for the provision of diagnostic assessments, a mental health professional also includes a nationally certified provider who has:

- (1) a master's degree from an accredited college or university in behavioral sciences or related fields;
- (2) at least 4,000 hours of post-master's supervised experience providing mental health services to clients; and
- (3) a valid national certification as a certified rehabilitation counselor or certified psychosocial rehabilitation practitioner.

A clinical trainee, mental health practitioner, certified peer specialist, or mental health rehabilitation worker must have at least 30 hours of continuing education every two years, as described by state law.

A clinical trainee, mental health practitioner, certified peer specialist, or mental health rehabilitation worker must perform all services described under the supervision of a mental health professional and have a written treatment supervision plan, developed within 30 days of employment and updated annually.

~~Each staff person's treatment supervision plan must include:~~

- ~~(1) the name and qualifications of the staff person receiving treatment supervision;~~
- ~~(2) the names and licensures of the treatment supervisors who are supervising the staff person;~~
- ~~(3) how frequently the treatment supervisors must provide treatment supervision to the staff person; and~~
- ~~(4) the staff person's authorized scope of practice, including a description of the client population that the staff person serves, and a description of the treatment methods and modalities that the staff person may use to provide services to clients.~~

6. An Occupational Therapist, as described in item 11.b.