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State/Territory Name: Mississippi

State Plan Amendment (SPA) #: 21-0040

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) Summary Form (with 179-like data)
- 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

September 21, 2021

Mr. Drew Snyder Executive Director
Mississippi Division of Medicaid
550 High Street, Suite 1000
Jackson, MS 39201

Re: Mississippi State Plan Amendment (SPA) 21-0040

Dear Mr. Snyder:

The Centers for Medicare & Medicaid Services (CMS) reviewed your Medicaid State Plan Amendment (SPA) submitted under transmittal number (TN) 21-0040. This amendment proposes to add coverage language and requirements to targeted case management for the chronically mental ill to comply with 42 CFR §§ 440.169 and 441.18, effective July 1, 2021.

We conducted our review of your submittal according to statutory requirements in Title XIX of the Social Security Act and implementing regulations 42 CFR § 435.733. This letter is to inform you that Mississippi Medicaid SPA 21-0040 was approved on September 20, 2021, with an effective date of July 1, 2021.


If you have any questions, please contact Etta Hawkins at (404) 562-7429 or via email at Etta.Hawkins@cms.hhs.gov.

Sincerely,

A black rectangular box redacting the signature of James G. Scott.

James G. Scott, Director
Division of Program Operations

Enclosures

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL		1. TRANSMITTAL NUMBER: 21-0040	2. STATE MS
FOR: CENTERS FOR MEDICARE AND MEDICAID SERVICES		3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)	
TO: REGIONAL ADMINISTRATOR CENTERS FOR MEDICARE AND MEDICAID SERVICES DEPARTMENT OF HEALTH AND HUMAN SERVICES		4. PROPOSED EFFECTIVE DATE July 1, 2021	
5. TYPE OF PLAN MATERIAL (<i>Check One</i>):			
<input type="checkbox"/> NEW STATE PLAN <input type="checkbox"/> AMENDMENT TO BE CONSIDERED AS NEW PLAN <input checked="" type="checkbox"/> AMENDMENT			
COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (<i>Separate Transmittal for each amendment</i>)			
6. FEDERAL STATUTE/REGULATION CITATION: 42 C.F.R. §§ 440.169, 441.18		7. FEDERAL BUDGET IMPACT: FFY 2021: \$0.00 FFY 2022: \$0.00	
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT: Supplement 1B to Attachment 3.1-A, Page 1-3		9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (<i>If Applicable</i>): Supplement 1B to Attachment 3.1-A, Exhibit 19a, Page 2 (deleted) Supplement 1B to Attachment 3.1-A, Page 1-3	
10. SUBJECT OF AMENDMENT: State Plan Amendment (SPA) 21-0040 is being submitted to allow the Division of Medicaid (DOM) to add coverage language and requirements to targeted case management for the chronically mentally ill to comply with 42 C.F.R. § 440.169 and § 441.18, effective July 1, 2021.			
11. GOVERNOR'S REVIEW (<i>Check One</i>):			
<input checked="" type="checkbox"/> GOVERNOR'S OFFICE REPORTED NO COMMENT <input type="checkbox"/> OTHER, AS SPECIFIED:			
<input type="checkbox"/> COMMENTS OF GOVERNOR'S OFFICE ENCLOSED <input type="checkbox"/> NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL			
12. SIGNATURE OF STATE AGENCY OFFICIAL: /s/		16. RETURN TO: Drew L. Snyder Miss. Division of Medicaid Attn: Margaret Wilson 550 High Street, Suite 1000 Jackson, MS 39201-1399	
13. TYPED NAME: Drew L. Snyder			
14. TITLE: Executive Director			
15. DATE SUBMITTED: 06/30/2021			
FOR REGIONAL OFFICE USE ONLY			
17. DATE RECEIVED: 06/30/2021		18. DATE APPROVED: 09/20/2021	
PLAN APPROVED – ONE COPY ATTACHED			
19. EFFECTIVE DATE OF APPROVED MATERIAL: 07/01/2021		20. SIGNATURE OF REGIONAL OFFICIAL: 	
21. TYPED NAME: James G. Scott		22. TITLE: Director, Division of Program Operations	
23. REMARKS:			

State of Mississippi

DESCRIPTIONS OF LIMITATIONS AS TO AMOUNT, DURATION AND SCOPE OF MEDICAL CARE AND SERVICES PROVIDED

TARGETED CASE MANAGEMENT FOR CHRONICALLY MENTALLY ILL COMMUNITY BASED RECIPIENTS.

- A. Target Group: Chronically mentally ill individuals who need community based mental health services to reduce dysfunction and attain their highest level of independent living or self-care.

 X Target group includes individuals transitioning to a community setting. Case-management services will be made available for up to thirty (30) consecutive days of a covered stay in a medical institution. The target group does not include individuals between ages 22 and 64 who are served in Institutions for Mental Disease or individuals who are inmates of public institutions.

- B. Areas of State in which services will be provided:

 X Entire State;

 Only in the following geographic areas (authority of Section 1915 (g) (1) of the Act is invoked to provide services less than Statewide):

- C. Comparability of Services:

 Services are provided in accordance with Section 1902 (a) (10) (B) of the Act;

 X Services are not comparable in amount, duration and scope. Authority of Section 1915 (g) (1) of the Act is invoked to provide services without regard to the requirements of Section 1902 (a) (10) (B) of the Act.

- D. Definition of Services:

Targeted case management services are defined as services furnished to assist individuals, eligible under the State Plan, in gaining access to needed medical, social, educational and other services. Targeted Case Management includes the following assistance:

- ❖ Comprehensive assessment and periodic reassessment of individual needs, to determine the need for any medical, educational, social or other services. These assessment activities include
 - taking client history;
 - identifying the individual's needs and completing related documentation; and
 - gathering information from other sources such as family members, medical providers, social workers, and educators (if necessary), to form a complete assessment of the eligible individual;
 - Assessments are conducted within one week of referral or at least forty-eight (48) hours prior to discharge from an inpatient facility.
 - Reassessments are conducted at least annually and more often if medically necessary.

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- ❖ Development (and periodic revision) of a specific care plan that is based on the information collected through the assessment that:
 - specifies the goals and actions to address the medical, social, educational, and other services needed by the individual;
 - includes activities such as ensuring the active participation of the eligible individual, and working with the individual (or the individual's authorized health care decision maker) and others to develop those goals; and
 - identifies a course of action to respond to the assessed needs of the eligible individual;
- Referral and related activities (such as scheduling appointments for the individual) to help the eligible individual obtain needed services including
 - activities that help link the individual with medical, social, educational providers, or other programs and services that are capable of providing needed services to address identified needs and achieve goals specified in the care plan; and
- ❖ Monitoring and follow-up activities:
 - activities and contacts that are necessary to ensure the care plan is implemented and adequately addresses the eligible individual's needs, and which may be with the individual, family members, service providers, or other entities or individuals and conducted as frequently as necessary, and including at least one annual monitoring, to determine whether the following conditions are met:
 - services are being furnished in accordance with the individual's care plan;
 - services in the care plan are adequate; and
 - changes in the needs or status of the individual are reflected in the care plan. Monitoring and follow-up activities include making necessary adjustments in the care plan and service arrangements with providers.
 - Case managers have monthly contact with the beneficiary via telephone and quarterly face-to-face visits.

X Case management includes contacts with non-eligible individuals that are directly related to identifying the eligible individual's needs and care, for the purposes of helping the eligible individual access services; identifying needs and supports to assist the eligible individual in obtaining services; providing case managers with useful feedback, and alerting case managers to changes in the eligible individual's needs. (42 CFR 440.169(e))

E. Qualifications of Providers:

Targeted case management services are provided by case managers employed by Community Mental Health Centers (CMHCs) or Private Mental Health Centers (PMHCs) certified by the Mississippi Department of Mental Health. Targeted Case Management for people with serious mental illness or serious emotional disturbance must be provided by one of the following:

1. A licensed social worker (LSW) with two (2) years of experience in mental health,
2. A registered nurse with two (2) years of experience in mental health, or
3. An employee that holds at least a Master's degree in an addictions, mental health, intellectual/developmental disabilities, or human services/behavioral health-related field and has either (1) a professional license or (2) a DMH credential as a Mental Health Therapist, Intellectual and Developmental Disabilities Therapist, or Addictions Therapist as appropriate to the service and population being served.

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F. Freedom of Choice Exception:

- X Target group consists of eligible individuals with chronic mental illness. Providers are limited to qualified Medicaid providers of case management services capable of ensuring that individuals with chronic mental illness receive needed services:

Targeted case management services are provided by case managers employed by Community Mental Health Centers (CMHCs) or Private Mental Health Centers (PMHCs). Targeted case management services provided by CMHCs and PMHCs are certified by the Mississippi Department of Mental Health. Case managers must hold qualifications specific to the target population as described in Qualifications of Providers as detailed above.

- G. Payment for targeted case management for the chronically mentally ill does not duplicate payments made to public agencies or private entities under other program authorities for this same purpose.

- H. Providers maintain case records that document for all individuals receiving case management as follows: (i) The name of the individual; (ii) The dates of the case management services; (iii) The name of the provider agency (if relevant) and the person providing the case management service; (iv) The nature, content, units of the case management services received and whether goals specified in the care plan have been achieved; (v) Whether the individual has declined services in the care plan; (vi) The need for, and occurrences of, coordination with other case managers; (vii) A timeline for obtaining needed services; (viii) A timeline for reevaluation of the plan.

I. Limitations:

Targeted Case Management for the Chronically Mentally Ill is limited to two-hundred sixty (260), fifteen (15) minute units per state fiscal year. The Division of Medicaid covers all medically necessary services for EPSDT eligible beneficiaries ages birth to twenty-one (21) in accordance with 1905(a) of the Act, without regard to services limitations and with prior authorizations.

Case management does not include, and Federal Financial Participation (FFP) is not available in expenditures for, services defined in §440.169 when the case management activities are an integral and inseparable component of another covered Medicaid service (State Medicaid Manual (SMM) 4302.F).

Case management does not include, and Federal Financial Participation (FFP) is not available in expenditures for, services defined in §440.169 when the case management activities constitute the direct delivery of underlying medical, educational, social, or other services to which an eligible individual has been referred, including for foster care programs, services such as, but not limited to, the following: research gathering and completion of documentation required by the foster care program; assessing adoption placements; recruiting or interviewing potential foster care parents; serving legal papers; home investigations; providing transportation; administering foster care subsidies; making placement arrangements. (42 CFR 441.18(c))

FFP only is available for case management services or targeted case management services if there are no other third parties liable to pay for such services, including as reimbursement under a medical, social, educational, or other program except for case management that is included in an individualized education program or individualized family service plan consistent with §1903(c) of the Act. (§§1902(a)(25) and 1905(c))