

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011**

**SESSION LAW 2012-171  
SENATE BILL 525**

AN ACT RELATING TO CRITICAL ACCESS BEHAVIORAL HEALTH AGENCIES.

The General Assembly of North Carolina enacts:

**SECTION 1.** Qualified provider. – The Department of Health and Human Services (Department) shall ensure that Critical Access Behavioral Health Agencies (CABHAs) are the only providers of the following Medicaid services: (i) Community Support Team; (ii) Intensive In-Home; and (iii) Child and Adolescent Day Treatment. CABHAs shall provide these services in accordance with all of the following:

- (1) State statutory requirements regulating the provision of mental health and substance abuse services in Chapter 122C of the General Statutes.
- (2) Chapters 21 through 25 and Chapter 27 of Title 10A of the North Carolina Administrative Code.
- (3) Clinical policy requirements specified in Medicaid Clinical Coverage Policy, Section 8, and in the 1915(b) MH/DD/SAS Health Plan Waiver.
- (4) Federal Medicaid policy as outlined in 42 C.F.R. Chapter IV, Subchapter C.

**SECTION 2.** Required services. – Each CABHA shall, at a minimum, provide comprehensive clinical assessment, medication management, outpatient therapy, and at least two of the following listed services within an age and disability-specific continuum:

- (1) Intensive In-Home.
- (2) Community Support Team.
- (3) Child and Adolescent Day Treatment.
- (4) Substance Abuse Intensive Outpatient Program.
- (5) Substance Abuse Comprehensive Outpatient Treatment.
- (6) Child and Adolescent Residential Treatment Level II – Family and Program Type, Level III, or Level IV (provision of multiple residential service levels counts as one service).
- (7) Psychosocial Rehabilitation.
- (8) Assertive Community Treatment Team.
- (9) Multi-Systemic Therapy.
- (10) Partial Hospitalization.
- (11) Substance Abuse Medically Monitored Community Residential Treatment.
- (12) Substance Abuse Non-Medical Community Residential Treatment.
- (13) Outpatient Opioid Treatment.
- (14) Any other mental health or substance abuse service required to be delivered by a CABHA as set forth in the North Carolina State Plan of Medical Assistance as approved by the Centers for Medicare and Medicaid Services (CMS) or in a waiver approved by CMS pursuant to 42 U.S.C. § 1915(b).

**SECTION 3.** Staffing. – In accordance with the North Carolina State Plan of Medical Assistance, the Department shall ensure each CABHA meet the following staffing requirements:

- (1) A medical director who is a medical doctor licensed in North Carolina, enrolled as a provider, and in good standing with the Division of Medical Assistance. The medical director shall provide medical, clinical, and quality management oversight of the agency's CABHA services described in Section 2 of this act.
- (2) A clinical director who shall be one of the following licensed or certified providers:



- a. Licensed medical doctor.
  - b. Licensed psychologist.
  - c. Licensed clinical social worker.
  - d. Licensed psychological associate.
  - e. Licensed professional counselor.
  - f. Licensed marriage and family therapist.
  - g. Licensed nurse practitioner.
  - h. Licensed clinical addiction specialist.
  - i. Certified clinical supervisor.
- (3) A quality management/training director who shall have any training or experience in quality management or training.

**SECTION 4.** This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 2<sup>nd</sup> day of July, 2012.

s/ Walter H. Dalton  
President of the Senate

s/ Thom Tillis  
Speaker of the House of Representatives

s/ Beverly E. Perdue  
Governor

Approved 4:41 p.m. this 12<sup>th</sup> day of July, 2012