



October 22, 2007

Susan Ichiho
Office of Regulations
California Department of Mental Health
1600 Ninth Street, Room 153
Sacramento, CA 95814

Re: Proposed Regulations – Authorization for Out-of-Plan Services –
Modifications to Text of Proposed Regulations

Dear Ms. Ichiho:

The California Mental Health Directors Association (CMHDA) represents the directors of public mental health authorities in counties throughout California, providing mental health services to children, transition-age youth, adults and older adults living with mental illness. On behalf of CMHDA, I would like to offer comments on the modifications of the proposed regulations text regarding authorization for out-of-plan services to foster youth and adopted children.

As you know, CMHDA has worked to address many administrative barriers related to the Medi-Cal Early and Periodic Screening, Diagnosis and Treatment (EPSDT) program for foster youth meeting medical necessity criteria who are placed outside their county of jurisdiction. While we support the general direction of the proposed regulations, we do have one remaining concern regarding the modifications to the text of the proposed regulations.

Section 1830.220 Authorization of Out-of-Plan Services (b) (4) (A) (2).

We agree with the proposed timeliness provision requiring the county of origin to arrange for reimbursement for services provided to the child or youth within 30 days of the date of the authorization of service. However, we recommend the latter part of this provision, “through the host county,” be deleted. This provision would make the host county the fiscal intermediary for the county of origin, which

is not fiscally prudent. Additionally, there are a number of legal and cost accounting measures governing the responsibility of payment for services by the county of origin that would preclude this arrangement from taking place.

Further, we believe that this portion of the provision is too limiting and could unnecessarily impede more timely arrangements that have been coordinated directly with a provider in the host county. Providers are most often the entities arranging for services and reimbursement of services with a county of origin on behalf of a foster or adopted child residing in a host county. As such, a county of origin and a "requesting provider" should be permitted to enter into an arrangement of services and reimbursement for services under the 30-day timeliness standard without further complicating the process through reimbursement of services with the host county.

Recommendation: "Within 30 days of the date of authorization of service, the MHP of the county of origin shall arrange for reimbursement for the service provided to the child or youth ~~through the host county.~~"

Thank you, again, for the opportunity to comment. Should you have any questions or need additional information, please feel free to contact me at 916/556-3477 ext. 112.

Sincerely,

A handwritten signature in cursive script, appearing to read "Erin Riggs".

Erin Riggs, MSW
Associate Director, Legislation & Public Policy