

Nursing Facility Based Specialized Services and Specialized Rehabilitative Service Regulatory Authority and Contractual Requirements

Specialized Services

Federal Regulations CFR Title 42, Volume 3

Sec. 483.120 Specialized Services

(a) Definition (1) For mental illness, specialized services means the services specified by the State which, combined with services provided by the NF, results in the continuous and aggressive implementation of an individualized plan of care that ----

- (i) is developed and supervised by an interdisciplinary team, which includes a physician, qualified mental health professionals and as appropriate other professionals
- (ii) Prescribes specific therapies and activities for the treatment of persons experiencing an acute episode of serious mental illness, which necessitates supervision by trained mental health ; and
- (iii) Is directed toward diagnosing and reducing the resident's behavioral symptoms that necessitated institutionalization, improving his or her level of independent functioning, and achieving a functioning level that permits reduction in the intensity of mental health services to below the level of specialized services at the earliest possible time.

(2) For mental retardation, specialized services means the services specified by the State which, combined with services provided by the NF or other service providers, results in treatment which meets the requirements of Sec. 483.130 or Sec. 483.134 and 483.136.

© Services of lesser intensity than specialized services. The NF must provide mental health or mental retardation services which are of a lesser intensity than specialized services to all residents who need such services

Appropriate Placement & Treatment

42 CFR 483.120 (b) - "The state must provide or arrange for the provision of specialized services, in accordance with this subpart, to all NF residents with MI or MR whose needs are such that continues supervision, treatment and training by qualified mental health or mental retardation personnel is necessary, as identified by the screening provided in 483.130 or 483.134 and 483.136"

CMS PASRR Self-Evaluation for States 2009

"In states providing SS in the NF: If SS are needed, a determination that NF is also needed can only be made when the SMHA or SMRA obtains written assurances that the state will provide the required SS while the person resides in the chosen nursing facility"

CFR 42 483.130 (n)

State Rules

State Medicaid Plan

The provision of specialized services is a required element of State Medicaid's plans PASRR program. State Medicaid agencies are responsible for administering and supervision of State Medicaid plans. Thus State Medicaid agencies bear overall responsibility for meeting PASRR obligations to provide or arrange for specialized services. However, the State Medicaid agency is not required to provide services directly may delegate required activities unless specifically prohibited by statute.

PASRR 8.411 .6.A

Specialized Services for clients with Major Mental Illness shall be provided in a nursing facility as follows:

1. A treatment plan designed and supervised by an interdisciplinary team to include a physician, a qualified mental health professional, and other professionals as appropriate.
2. A specialized program that prescribes specific therapies and activities for the treatment of persons experiencing an acute episode of Major Mental Illness, which necessitates supervision by trained mental health and is directed towards diagnosing and reducing the client's behavioral symptoms that necessitated institutionalization.

BHO Contract

The Contractor shall provide or arrange for the provision of all medically necessary mental health services to Program Members seeking mental health services. The Contractor shall assess the need for services, develop a service plan, provide or arrange for necessary service, coordinate mental health services rendered by multiple providers, coordinate mental health services with other health care and human services agencies and providers, and refer Members to other health care and human services agencies and providers as appropriate.

BHO Services

- Psychiatrist
- Rehabilitation – Partial Long Day, Partial Short Day, Group, Individual, Individual Brief
- Psychosocial Rehab
- Clinic services, case management
- Medication Management
- Emergency

Specialized Rehabilitative Services

Federal Regulations CFR Title 42, Volume 3

Sec. 483.45 Specialized Rehabilitative Services

- (a) Provision of services. If specialized rehabilitative services such as but not limited to physical therapy, speech-language pathology, occupational therapy, and mental health rehabilitative services for mental health or mental retardation, are required in the resident's comprehensive plan of care, the facility must
- (1) Provide the required services; or

State Rules

PASRR 84.11

8.411.6. B. Specialized services for clients with Developmental Disabilities shall include a program of specialized and generic training, specific therapies or treatments, activities, health services, and related services as identified in the plan of care to:

1. reduce the client's behavioral symptoms that would otherwise necessitate a more restrictive placement
2. Teach the client behaviors necessary for self determination and independence.
3. Prevent or decelerated the regression of the client's current optimal functional status.
4. Improve the client's level of independent functioning.
5. Assist the client to achieve a level of functioning that may result in a reduction of the intensity of specialized services.

8.1 Social Services. The facility shall identify, plan care for, and meet the identified emotional and social needs of each resident to enhance resident psycho-social health and well being.

9.1 Resident Activities, The facility shall offer a program of organized activities that promotes residents' physical, social, mental, and intellectual well-being, encourages resident independence and pursuit of interests, maintains an optimal level of psycho-social functioning, and retains in residents a sense of continuing usefulness to themselves and the community.

15.1 Occupational Therapy. The facility shall provide or make arrangements for referral to occupational therapy services for whom a physician refers to such therapy. If the facility provides occupational therapy services directly, it shall comply with the '*established*' requirements.

15.2 Physical Therapy. The facility shall provide or make arrangements for referral to physical therapy services for whom a physician refers to such therapy. If the facility provides physical therapy services directly, it shall comply with the '*established*' requirements.

15.3 Speech Therapy. The facility shall provide or make arrangements for referral to speech therapy services for whom a physician refers to such therapy. If the facility provides speech therapy services directly, it shall comply with the '*established*' requirements.