

Table of Contents

State/Territory Name: North Carolina

State Plan Amendment (SPA) #: 21-0023

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

December 16, 2021

Dave Richard
Deputy Secretary, NC Medicaid
North Carolina Department of Health and Human Services
2501 Mail Service Center
Raleigh, NC 27699-2501

Re: North Carolina State Plan Amendment 21-0023

Dear Mr. Richard:

We reviewed your proposed Medicaid State Plan Amendment, NC 21-0023, which was submitted to the Centers for Medicare & Medicaid Services (CMS) on September 28, 2021. This amendment proposes to add Research-Based Intensive Behavioral Health Treatment (RBI-BHT) for individuals over the age of 21.

CMS approved NC 21-0023 on December 15, 2021, with an effective date of July 1, 2021.

If you have any questions regarding this amendment, please contact William Pak at (404) 562-7407 or via email at William.Pak@cms.hhs.gov.

Sincerely,



James G. Scott, Director
Division of Program Operations
Medicaid and CHIP Operations Group

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|------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|----------------|
| TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL FOR: HEALTH CARE FINANCING ADMINISTRATION | 1. TRANSMITTAL NUMBER: 21-0023 | 2. STATE NC |
| | 3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID) | |
| TO: REGIONAL ADMINISTRATOR HEALTH CARE FINANCING ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES | 4. PROPOSED EFFECTIVE DATE July 1, 2021 | |

5. TYPE OF PLAN MATERIAL (Check One):

- NEW STATE PLAN
 AMENDMENT TO BE CONSIDERED AS NEW PLAN
 AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)

| | |
|----------------|---------------------------------------------------------------------------------|
| 42 CFR 440.167 | 7. FEDERAL BUDGET IMPACT: a. FFY 2022 \$2,698,008 b. FFY 2023 \$2,613,301 |
|----------------|---------------------------------------------------------------------------------|


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| 8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT: Attachment 3.1-A.1, Page 15-A.1 Attachment 4.19-B, Section 13, Page 29 | 9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable): Attachment 3.1-A.1, Page 15-A.1 Attachment 4.19-B, Section 13, Page 29 |
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10. SUBJECT OF AMENDMENT:


Research Based Intensive Behavioral Health Treatments (RBI-BHT)

11. 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: Secretary

| | |
|-------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| 12. SIGNATURE OF STATE AGENCY OFFICIAL:  | 16. RETURN TO: Office of the Secretary Department of Health and Human Services 2001 Mail Service Center Raleigh, NC 27699-20014 |
| 13. TYPED NAME: Mandy Cohen, MD, MPH | |
| 14. TITLE: Secretary | |
| 15. DATE SUBMITTED: 9/28/2021 | |

| | |
|---------------------------------------|--------------------------------------|
| FOR REGIONAL OFFICE USE ONLY | |
| 17. DATE RECEIVED: September 28, 2021 | 18. DATE APPROVED: December 15, 2021 |

| | |
|-------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| PLAN APPROVED – ONE COPY ATTACHED | |
| 19. EFFECTIVE DATE OF APPROVED MATERIAL: July 1, 2021 | 20. SIGNATURE OF REGIONAL OFFICIAL:  |
| 21. TYPED NAME: James G. Scott | 22. TITLE: Director, Division of Program Operations |

23. REMARKS:

Pen and ink change authorized via e-mail on November 29, 2021 to include Attachment 3.1-A.1, Page 15-A.1

State Plan Under Title XIX of the Social Security Act
Medical Assistance Program
State: NORTH CAROLINA

13. c. Preventive Services under Other Diagnostic, Screening, Preventive, Treatment, and Rehabilitative Services

Research-based Behavioral Health Treatment (RB-BHT):

RB-BHT services are researched-based behavioral intervention services that prevent or minimize the disabilities and behavioral challenges associated with Autism Spectrum Disorder (ASD) and promote, to the extent practicable, the adaptive functioning of a beneficiary. Research Based-Behavioral Health Treatments, demonstrates clinical efficacy in treating ASD, prevents or minimizes the adverse effects of ASD and; promotes, to the maximum extent possible, the functioning of a beneficiary.

In accordance with 42 CFR 440.130(c), RB-BHT services are covered as medically necessary services based upon the recommendation and referral of a licensed physician or a licensed doctorate- level psychologist for individuals who have been diagnosed with Autism Spectrum Disorder as defined below. Services that treat or address ASD under this state plan are available for the following beneficiaries: infants, children and adolescents age 0 to up to 21st birthday and adults (over 21st birthday). Services that treat or address ASD will be provided to all individuals who meet the medical necessity criteria for receipt of the service(s). For Individuals over the age of 21 the intervention provided must be supported by credible scientific or clinical evidence, as appropriate for the treatment of Autism Spectrum Disorder and the individuals age range.

Individuals diagnosed with Autism Spectrum Disorder utilizing a scientifically validated tool or tools for diagnosis of ASD including individuals diagnosed under Section 8A of the State plan. For an individual (0-3), at the time if initiating services, a provisional diagnosis of ASD is accepted.

- Behavioral / Adaptive / Functional assessment and development of treatment plan;
- Delivery of RB-BHT services;
 - Adapting environments to promote positive behaviors and learning while reducing negative behaviors (*e.g.*, naturalistic intervention, antecedent based intervention, visual supports);
 - Applying reinforcement to change behaviors and promote learning (*e.g.* Reinforcement, differential reinforcement of alternative behaviors, extinction);
 - Teaching techniques to increase positive behaviors, build motivation, and develop social, communication, and adaptive skills (*e.g.*, discrete trial teaching, modeling, social skills instruction, picture exchange communication systems, pivotal response training, social narratives, self-management, prompting);
 - Using typically developing peers (*e.g.*, individuals who do not have ASD) to teach and interact with children with ASD (*e.g.*, peer mediated instruction, structured play groups);
 - Applying technological tools to change behaviors and teach skills (*e.g.*, video modeling, tablet-based learning software); and
- Training of parents/ guardians/caregivers on interventions consistent with the RB-BHT, and

MEDICAL ASSISTANCE
State: NORTH CAROLINA

PAYMENTS FOR MEDICAL AND REMEDIAL CARE AND SERVICE

30. Research-Based Intensive Behavioral Health Treatment (RBI-BHT)

The agency's fee schedule rates are effective for services provided on or after the effective date of July 1, 2017. The fee schedule is published on the NC Division of Health Benefits website at <https://medicaid.ncdhhs.gov/providers/fee-schedules>.

Except as otherwise noted in the plan, state-developed fee schedule rates are the same for both governmental and private providers of RBI-BHT services.

This service will be provided by direct enrolled Medicaid providers who may be either private or governmental. This service is not cost settled for any provider.

The facilities providing this service are not IMD facilities and NC Medicaid is not reimbursing room and board for this service.

TN No. 21-0023

Approval Date: 12/15/2021

Effective Date: 07/01/2021

Supersedes

TN No. 17-0006