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3 **320-P ~~ELIGIBILITY DETERMINATIONS-SERIOUS EMOTIONAL~~**
4 **~~DISTURBANCE AND SERIOUS MENTAL ILLNESS ELIGIBILITY~~**
5 **~~DETERMINATIONS AND SERIOUS EMOTIONAL~~**
6 **~~DISTURBANCE ELIGIBILITY DETERMINATION~~**

7 REVISION DATE: (TBD), 7/14/21

8 REVIEW DATE:

9 EFFECTIVE DATE: October 1, 2019

10 REFERENCES: A.R.S. 36-550, A.A.C. R9-21-101(B), AMPM Policy 320-P

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12 **PURPOSE**

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14 This policy applies to the Division of Developmental Disabilities' (Division)
15 Administrative Services Subcontractors (AdSS) and establishes requirements
16 for eligibility determinations for individuals with Serious Emotional
17 Disturbance (SED) and/or Serious Mental Illness (SMI). The Division contracts
18 with the AdSS and delegates the responsibilities of implementing this policy.
19 The Division provides oversight and monitoring of delegated duties.

20 **DEFINITIONS**

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22 1. "Business Day" means a Monday, Tuesday, Wednesday, Thursday or
23 Friday, excluding State and Federal Holidays.

24 ~~"Assessment" means the ongoing collection and analysis of an~~
25 ~~individual's medical, psychological, psychiatric, and social conditions to~~
26 ~~initially determine if a health disorder exists, if there is a need for~~

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28 ~~behavioral health services, and on an ongoing basis ensure that the~~
29 ~~individual's service plan is designed to meet the individual's (and~~
30 ~~family's) current needs and long-term goals.~~
- 31 2. "Designated Representative" means an individual parent, guardian,
32 relative, advocate, friend, or other individual, designated orally or in
33 writing by a Member or Responsible Person who, upon the request of
34 the Member, assists the Member in protecting the Member's rights and
35 voicing the Member's service needs.
- 36 3. "Determining Entity" means an entity designated by the AHCCCS
37 and designee authorized to make SED and ~~or the determination of SMI~~
38 eligibility determinations ~~eligibility.~~
- 39 4. "Member" means the same as "Client" as defined in A.R.S. § 36-551.
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41 5. "Removal of Serious Emotional Disturbance Designation" means the
42 process that results in the removal of the SED behavioral health
43 category from the individual's most recent, active enrollment segment.
- 44 6. "Removal of Serious Mental Illness Designation" means the process
45 that results in a modification to a Member's medical record by
46 changing the behavioral health category designation from SMI to
47 General Mental Health.

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49 7. "Responsible Person" means the parent or guardian of a minor with a
50 developmental disability, the guardian of an adult with a
51 developmental disability or an adult with a developmental disability
52 who is a Member or an applicant for whom no guardian has been
53 appointed.

54 ~~Health Care Decision Maker~~ An individual who is authorized to make
55 ~~health care treatment decisions for the patient. As applicable to the~~
56 ~~situation, this may include a parent of an unemancipated minor or a~~
57 ~~person lawfully authorized to make health care treatment decisions~~
58 ~~pursuant to A.R.S. §§ Title 14, chapter 5, article 2 or 3; or A.R.S. §§~~
59 ~~8-514.05, 36-3221, 36-3231 or 36-3281.~~

60 8. "Serious Emotional Disturbance" ~~(SED)~~ means a designation for
61 individuals from birth up to age 18 who currently, or at any time
62 during the past year, have had a diagnosable mental or emotional
63 disorder of sufficient duration to meet diagnostic criteria specified
64 within the current version of the Diagnostic and Statistical Manual of
65 Mental Disorders that resulted in functional impairment, which
66 substantially interferes with or limits the individual's ~~child's~~ role or
67 functioning in family, school, or community activities.

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69 ~~“Serious Emotional Disturbance (SED) Removal of Designation” means~~
70 ~~the process that results in the removal of the SED behavioral/behavioral~~
71 ~~health category from the individual’s most recent, active enrollment~~
72 ~~segment~~
- 73 9. ~~“Serious Mental Illness” (SMI) means~~ Aa designation as defined in
74 A.R.S. §36-550 and determined in an individual 18 years of age or
75 older.
- 76 ~~“Serious Mental Illness Decertification” means~~ Tthe process that
77 ~~results in a modification to a member’s medical record by changing the~~
78 ~~behavioral health category designation from SMI to General Mental~~
79 ~~Health.~~
- 80 10. ~~“Serious Emotional Disturbance or Serious Mental Illness (SMI)-~~
81 ~~Eligibility Determination” means~~ a process used to
82 ~~determine/determination as to~~ whether an individual meets the
83 diagnostic and functional criteria established for the purpose of
84 determining an individual’s eligibility for SED ~~or~~ for SMI services.
- 85 ~~“Serious Mental Illness (SMI) Evaluation”~~ Tmeans the process of
86 ~~analyzing current and past treatment information, including~~
87 ~~assessment, treatment, other medical records, and documentation, for~~
88 ~~purposes of determining an individual’s eligibility for SMI services.~~

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90 **POLICY**

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~~A critical component of the AHCCCS delivery system is the effective and efficient identification of members who have behavioral health needs due to the severity of their behavioral health disorder. One such group is members designated to have a serious mental illness (SMI). Without receipt of the appropriate care, these members are at high risk for further deterioration of their physical and mental condition, increased hospitalizations, and potential homelessness and incarceration. To ensure that members who may have an SMI are promptly identified and evaluated, AHCCCS has established a standardized process for the referral, evaluation, and determination of SMI eligibility as set forth in this policy. The Division has adopted exhibits from AHCCCS – AMPM Policy 320-P – for use by the AdSS.¶~~

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A. GENERAL REQUIREMENTS

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1. ~~1.~~ The AdSS shall ensure ~~All Members shall ensure all~~

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~~Membermembers~~ from birth to 18 years of age are evaluated for

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SED eligibility by a qualified clinician ~~and have~~ and referred to

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the Determining Entity if the ~~Member or~~ Responsible Person or

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Designated Representative makes such a request.

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2. The AdSS shall ensure all Members ages 17.5 or older are ~~be~~

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evaluated for SMI eligibility by a qualified clinician, as defined in

- 112
113 A.A.C. R9-21-101(B), and are referred to the ~~have an SMI~~
114 ~~eligibility determination made by the~~ Determining Entity if:
- 115 a. The ~~Member or~~ Responsible Person or Designated
116 Representative makes such a request,
117 ~~or a Health Care Decision Maker makes a request, on~~
118 ~~behalf of the Member,~~
 - 119 b. An Arizona ~~Superior~~ Court issues an order instructing ~~that~~
120 a Member ~~is to~~ undergo an SMI evaluation/~~determination,~~
121 ~~or~~
 - 122 c. It is ~~clinically~~ indicated by the presence of a qualifying
123 diagnosis, or
 - 124 d. There is reason to believe that the assessment may
125 indicate the presence of a qualifying diagnosis and
126 functional limitation(s), and~~r~~
 - 127 e. The actual SMI eligibility category will not become effective
128 until a member turns 18 years of age.
- 129 3. The AdSS shall ensure the SED and SMI eligibility evaluation
130 records ~~shall~~ contain all documentation considered during the
131 review, including ~~but not limited to,~~ current and/~~or~~ historical

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133 treatment records. ~~The record may be maintained in either~~
134 ~~hardcopy or electronic format.~~
- 135 4. The AdSS shall develop and make available to providers any
136 requirements or guidance on SED and SMI eligibility evaluation
137 record location and ~~for~~ maintenance.
- 138 5. ~~2.~~ The AdSS shall ~~compute~~ ~~the~~ ~~time~~ ~~is~~ as follows:
139
140 a. Day zero: The day the initial assessment is completed by a
141 qualified clinician, regardless of time of the assessment;
142 b. Day one: The next business day after the initial
143 assessment is completed. The individual or organization
144 completing the initial assessment must provide it to the
145 Determining Entity as soon as practicable, but no later
146 than 11:59 pm on day one;
147 c. Day three: The third business day after the initial
148 assessment is completed. The Determining Entity shall
149 have at least two business days to complete the final SED
150 or SMI determination, but the final SED or SMI
151 determination must be completed no later than day three;
152 and

153
154 d. Determination due date: Day three, three business days
155 after day zero, excluding weekends and holidays, and is
156 the date that the determination decision must be rendered.
157 This date may be amended if an extension is approved in
158 accordance with this policy.

159 ~~3. A TRBHA or Tribal ALTCS Program may delegate to the AHCCCS~~
160 ~~designee which conducts SMI Determinations, all of the responsibilities~~
161 ~~established underspecified in this Policy and/or is contained in their~~
162 ~~Intergovernmental Agreement.~~

163 ~~4. A member is at least the age of 17.5. (Refer to AHCCCS Transition to~~
164 ~~Adulthood Practice Tool).~~

165 **B. PROCESS FOR COMPLETION OF INITIAL SED OR SMI**
166 **ASSESSMENT/EVALUATION**

167 1. ~~1.~~ The AdSS shall require ~~that ensure the~~ behavioral health
168 providers, upon receipt of a referral or identification of the need
169 for an SED or SMI Eligibility Determination, to schedule an
170 assessment with the Member ~~member~~ and a qualified clinician, if
171 one has not been completed within the past six months, within
172 seven business days of receipt of the referral or request, or ~~as~~
173 expeditiously as the Member's health condition requires. ~~if one~~

174 ~~has not been completed within the past last six months. Upon~~
175 ~~receipt of a request, referral, or identification of the need for an~~
176 ~~SMI determination, the behavioral health provider will schedule~~
177 ~~an appointment for an initial meeting with the member and a~~
178 ~~qualified clinician. This shall occur as expeditiously as the~~
179 ~~member's health condition requires, but no later than seven~~
180 ~~business days after receiving the request or referral.~~

181 2. For urgent eligibility determination referrals for members
182 admitted to a hospital for psychiatric reasons, ~~the~~ The AdSS shall
183 allow the hospital ~~an inpatient facility~~ to complete the assessment
184 if it meets the criteria needed to render a decision. ~~SED or SMI~~
185 ~~eligibility determination and referral for Members admitted to a~~
186 ~~hospital for psychiatric reasons. For referrals seeking an SMI~~
187 ~~eligibility determination for members admitted to a hospital for~~
188 ~~psychiatric reasons the entity scheduling the evaluation shall~~
189 ~~ensure that documented efforts are made to schedule a~~
190 ~~face-to-face SMI assessment with the member while~~
191 ~~hospitalized.~~

192 3. The AdSS shall ensure ~~During~~ that the qualified clinicians
193 complete the following during the assessment ~~initial SMI~~
194

- 195 ~~evaluation~~ meeting with the Member: ~~and qualified clinician, the~~
196 ~~clinician shall:~~
- 197
- a. Make a clinical judgment as to whether the Member is competent ~~enough~~ to participate in the ~~an~~ assessment ~~evaluation~~;
 - b. Obtain written consent to conduct the assessment from the Member or, ~~if applicable, the Member's Responsible Person~~ ~~member's Health Care Decision Maker~~, unless the Member is under court order to undergo an evaluation as part of ~~the member is under court-ordered treatment proceedings; evaluation. as part of court-ordered treatment proceedings;~~
 - c. Provide the Member or Responsible Person ~~member and, if applicable, the member's Health Care Decision Maker, the~~ with the information required in A.A.C. R9-21-301(D)(2), a Member's ~~client~~ rights brochure, and the Member's notice of right to appeal ~~notice~~ required by A.A.C. R9-21-401(B);
 - d. Obtain authorization for the release of information, if applicable, for any documentation that would assist in the

- 198
199 determination of the Member's eligibility for SED or SMI
200 designation ~~services~~;
- 201 e. Conduct an assessment that is an accurate representation
202 of the Member's current level of functioning, if one has not
203 been completed within the past ~~last~~ six months;
- 204 f. Complete the SED or SMI ~~D~~determination packet on the
205 SMI Provider Submission Portal ~~Form (refer to AMPM 320-P-~~
206 ~~Attachment A)~~; and
- 207 g. Upon completion, ~~of the assessment of the initial SMI-~~
208 ~~evaluation~~, submit all information to the Determining
209 Entity within one business day.

210 **C. CRITERIA FOR SED ELIGIBILITY**

- 211
212 1. The AdSS shall ensure the final determination of SED includes
213 both a qualifying SED diagnosis and functional impairment
214 ~~because that is a result~~ of the a qualifying SED diagnosis.
- 215 2. The AdSS shall refer ~~Refer to Prepaid Medical Management~~
216 ~~Information System (PMMIS) screen RF260 and the Medical~~
217 Coding Page on the AHCCCS website for a list of qualifying
218 diagnoses.
- 219 3. The AdSS shall ensure the functional criteria for SED, due to a

- 220
221 qualifying SED diagnosis, includes dysfunction in at least one of
222 the following four domains ~~due to a qualifying SED diagnosis, for~~
223 most of the past six months, or for most of the past three
224 months with an expected continued duration of at least three
225 months:
- 226 a. Seriously disruptive to family or community, ~~including:~~
227 i. Pervasively or imminently dangerous to self or
228 others' bodily safety;
229 ii. Regularly engages in assaultive behavior;
230 iii. Has been arrested, incarcerated, hospitalized or is at
231 risk of confinement because of dangerous behavior;
232 iv. Persistently neglectful or abusive towards others;
233 v. Severe disruption of daily life due to frequent
234 thoughts of death, suicide or self-harm, often with
235 behavioral intent or plan; or
236 vi. Affective disruption causes significant damage to the
237 Member's education or personal relationships.
238 b. Dysfunction in role performance:
239 i. Frequently disruptive or in trouble at home or at
240 school;
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- ii. Frequently suspended or expelled from school;
 - iii. Major disruption of role functioning;
 - iv. Requires structured or supervised school setting;
 - v. Performance significantly below expectation for cognitive or developmental level; or
 - vi. Unable to attend school or meet other developmentally appropriate responsibilities.
- c. Child and Adolescent Level of Care Utilization System (CALOCUS) recommended level of care 4, 5, or 6. ~~or~~
- d. Risk of deterioration:
- i. A qualifying diagnosis with probable chronic, relapsing, and remitting course;
 - ii. Comorbidities including developmental or intellectual disability, substance use disorder, or personality disorder ~~);~~;
 - iii. Persistent or chronic factors such as social isolation, poverty, extreme chronic stressors; or
 - iv. Other, ~~(e.g.,~~ such as past psychiatric history, gains in functioning have not solidified or are a result of current compliance only, court-committed, or care is

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270 complicated and requires multiple providers.)

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272 4. The AdSS shall not allow the following reasons alone, ~~in and of~~
273 ~~themselves,~~ to be sufficient ~~as reason~~ for denial of SED

274 eligibility:

275 a. An inability to obtain existing records or information; or

276 b. Lack of a face-to-face psychiatric or psychological

277 evaluation.

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279 **D. CRITERIA FOR SMI ELIGIBILITY**

280 1. The AdSS shall ensure the final determination of SMI
281 includes ~~requires~~ both a qualifying SMI diagnosis and functional
282 impairment because of the qualifying diagnosis.

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284 2. The AdSS shall refer ~~Refer to PMMIS screen RF260 and the~~
285 Medical Coding Page on the AHCCCS website for a list of
286 qualifying diagnoses. ~~(refer to AMPM 320-P Attachment B for~~
287 ~~qualifying diagnoses).~~

288 3. ~~2.~~ The AdSS shall ensure ~~To meet~~ the functional criteria for
289 SMI status, ~~includes, due to a member must have, as a result of~~
290 a qualifying SMI diagnosis, includes dysfunction in at least one
291 ~~ocriterion within~~ of the following four domains, ~~as a result of a~~
292 ~~qualifying SMI diagnosis f the four domains,~~ for as specified

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294 ~~below for~~ most of the past twelve months, or for most of the
295 past six months with an expected continued duration of at least
296 six months:
- 297 a. Inability to live in an independent or family setting without
298 supervision:
- 299 i. Neglect or disruption of ability to attend to basic
300 needs;
- 301 ii. Needs assistance in caring for self;
- 302
303 iii. Unable to care for self in a safe or sanitary manner;
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305 iv. Housing, food and clothing is provided or arranged
306 for by others;
- 307 v. Unable to attend to the majority of basic needs of
308 hygiene, grooming, nutrition, medical and dental
309 care;
- 310 vi. Unwilling to seek prenatal care or ~~necessary medical/~~
311 ~~or dental~~ care for serious medical or dental
312 conditions;
- 313 vii. Refuses treatment for life threatening illnesses
314 because of behavioral health disorder; or
- 315 viii. A risk of serious harm to self or others.

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- b. Seriously disruptive to family ~~and~~/or community:
 - i. Pervasively or imminently dangerous to self or others' bodily safety;
 - ii. Regularly engages in assaultive behavior;
 - iii. Has been arrested, incarcerated, hospitalized or at risk of confinement because of dangerous behavior;
 - iv. Persistently neglectful or abusive towards others;
 - v. Severe disruption of daily life due to frequent thoughts of death, suicide, or self-harm, often with behavioral intent ~~and~~/or plan;⁷ or
 - vi. Affective disruption causes significant damage to the Member's education, livelihood, career, or personal relationships.
 - c. Dysfunction in role performance:
 - i. Frequently disruptive or in trouble at work or at school;
 - ii. Frequently terminated from work or suspended or/
expelled from school;
 - iii. Major disruption of role functioning;

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339 iv. Requires structured or supervised work or school
340 setting;
- 341 v. Performance significantly below expectation for
342 cognitive/developmental level; or
- 343 vi. Unable to work, attend school, or meet other
344 developmentally appropriate responsibilities., or
- 345 d. Risk of deterioration: - ~~If a member does not meet any one~~
346 ~~of the above functional criteria, and is expected to~~
347 ~~deteriorate to such a level without treatment, SMI~~
348 ~~eligibility may be established based on any of the following~~
349 ~~criteria, of which criterion (ii) is particularly pertinent to~~
350 ~~members of the Division:~~
- 351 i. A qualifying diagnosis with probable chronic,
352 relapsing and remitting course;
- 353 ii. Co-morbidities including developmental and
354 intellectual disability, substance use and personality
355 disorders; ~~such (e.g., developmental/intellectual~~
356 ~~disability, substance use disorder, personality~~
357 ~~disorders);~~

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359 iii. Persistent or chronic factors such as social isolation,
360 poverty, extreme chronic stressors; ~~(e.g.,~~
361 ~~life-threatening or debilitating medical illnesses,~~
362 ~~victimization);~~ or
363 iv. Other, such as past ~~(e.g., Past~~ psychiatric history,
364 gains in functioning have not solidified or are a result
365 of current compliance only, court-committed, care is
366 complicated and requires multiple providers.)
367 4. The AdSS shall not allow the following reasons alone, ~~in and of~~
368 ~~themselves~~, to be sufficient for denial of SMI eligibility:
369 a. An inability to obtain existing records or information, or
370 b. Lack of a face-to-face psychiatric or psychological
371 evaluation.

372 **E. MEMBERS WITH CO-OCCURRING SUBSTANCE USE**

- 373 1. The AdSS shall ensure, for purposes of SED or SMI eligibility
374 determination, ~~the~~ For purposes of SMI eligibility determination,
375 presumption of functional impairment is as follows ~~due to a~~
376 ~~qualifying SED diagnosis~~ follows for Members with co-occurring
377 substance use: ~~when assessing for SED or SMI eligibility:~~
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380 a. For psychotic diagnoses other than substance-induced
381 psychosis (bipolar I disorder with psychotic features,
382 delusional disorder, major depression, recurrent, severe,
383 with psychotic features, schizophrenia, schizoaffective
384 disorder, and any other diagnosis of persistent psychotic
385 disorder) functional impairment is presumed to be due to
386 the qualifying mental health diagnosis.
- 387 b. For other qualifying psychiatric disorders, functional
388 impairment is presumed to be due to the psychiatric
389 diagnosis, unless:
- 390 i. The severity, frequency, duration, or characteristics
391 of symptoms contributing to the functional
392 impairment cannot be attributed to the qualifying
393 mental health diagnosis; or
- 394 ii. The assessor can demonstrate, based on a historical
395 or prospective period of treatment, that the
396 functional impairment is present only when the
397 Member is actively using substances or experiencing
398 symptoms of withdrawal from substances.

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- iii. In order to make such determinations, the assessor shall first look at a period of either 30 days or longer of abstinence, or 60 days or longer of reduced use that is less than the threshold expected to produce the resulting symptoms and disability, and establish that the symptoms and resulting disability were no longer present after the 30- or 60-day period and ~~or~~ no longer required mental health treatment to prevent recurrence of symptoms.
 - c. A diagnosis of substance-induced psychosis can only be made if both of the following conditions are present:
 - i. There is no psychosis present before a period of substance use that is of sufficient type, duration, and intensity to cause psychotic symptoms, and
 - ii. The psychosis remits completely (not partially) after a period of abstinence of 30 days or less.
 - d. Continuation of new onset psychotic symptoms after a 30-day period of abstinence requires a presumptive diagnosis of a persistent psychotic disorder.

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420 e. For persistent psychosis of undetermined onset, the
421 absence of clear remission of psychosis during a period of
422 abstinence of 30 days or less should be considered
423 presumptive evidence of a persistent psychotic disorder for
424 SED or SMI eligibility purposes.
- 425 f. For Members who are not able to attain or maintain a
426 period of abstinence from substance use, who continue to
427 use substances and/or do not experience consecutive days
428 of abstinence, this is not a disqualifier to initiate the SED
429 or SMI eligibility and determination process. Some
430 Members will not meet the 30-day period of abstinence.
431 This does not preclude them from the SED or SMI eligibility
432 assessment and determination process.

433 **F. PROCESS FOR COMPLETION OF FINAL SED OR SMI ELIGIBILITY**
434 **DETERMINATION**

- 435 1. The AdSS shall develop policies and procedures that describe the
436 providers' requirements for submitting the evaluation packet and
437 providing additional clinical information for the Determining
438 Entity to make the final SED or SMI eligibility determination.

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440 2. The AdSS shall ensure the evaluating agency responds to the
441 Determining Entity within three business days of a request for
442 additional information ~~If the Determining Entity requires~~
443 ~~additional information to make a final SED or SMI eligibility~~
444 ~~determination, the AdSS must ensure that evaluating agencies~~
445 ~~respond to the determining entity within three business days of~~
446 ~~the request for information.~~
- 447 ~~2. The licensed psychiatrist, psychologist or nurse practitioner~~
448 ~~designated by the determining entity will make a final~~
449 ~~determination as to whether the member meets the eligibility~~
450 ~~requirements for SMI status based on:~~
- 451 ~~a. A face to face assessment or reviewing a face to face~~
452 ~~assessment by a qualified clinician; and~~
- 453 ~~b. A review of current and historical information, if any,~~
454 ~~obtained orally or in writing by the assessor from collateral~~
455 ~~sources, and/or present or previous treating clinicians.~~
- 456 ~~3. The following shall occur if the designated reviewing psychiatrist,~~
457 ~~psychologist or nurse practitioner has not conducted a~~
458 ~~face to face assessment and has a disagreement with the~~

459 ~~current evaluating or treating qualified behavioral health~~
460 ~~professional or behavioral health technician that cannot be~~
461 ~~resolved by oral or written communication.¶~~
462
463 ~~a. Disagreement regarding diagnosis: Determination that the~~
464 ~~member does not meet eligibility requirements for SMI~~
465 ~~status must be based on a face to face diagnostic~~
466 ~~evaluation conducted by a designated psychiatrist,~~
467 ~~psychologist, or nurse practitioner. The resolution of~~
468 ~~(specific reasons for) the disagreement must be~~
469 ~~documented in the member's comprehensive clinical~~
470 ~~record.¶~~
471 ~~b. Disagreement regarding functional impairment:~~
472 ~~Determination that the member does not meet eligibility~~
473 ~~requirements must be documented by the psychiatrist,~~
474 ~~psychologist or nurse practitioner in the member's~~
475 ~~comprehensive clinical record to include the specific~~
476 ~~reasons for the disagreement and will include a clinical~~
477 ~~review with the qualified clinician.¶~~

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479 4. ~~If there is sufficient information to determine SMI eligibility, the~~
480 ~~member shall be provided written notice of the SMI eligibility~~
481 ~~determination within three business days of the initial meeting~~
482 ~~with the qualified clinician in accordance with this policy.¶~~

483 **G. ~~G.~~ ISSUES PREVENTING TIMELY COMPLETION OF SMI-**
484 **ELIGIBILITY DETERMINATION AND EXTENSION OF**
485 **~~TIME~~EXTENDING COMPLETION OF SMI ELIGIBILITY TIME-**
486 **~~PERIOD~~**

487 1. The AdSS shall allow an extension of up to 20 calendar days ~~the~~
488 ~~time~~ to initiate or complete the SED or SMI eligibility
489 ~~determination to be extended no more than 20 calendar days an~~
490 ~~extension of no more than 20 calendar days time to initiate or~~
491 ~~complete the SED or SMI eligibility determination may be~~
492 ~~extended no more than 20 calendar days~~ if the Responsible
493 Person ~~Member~~ agrees to the extension and:

- 494 a. There is substantial difficulty scheduling a meeting in
495 which all necessary participants can attend;
496 b. The Member fails to keep an appointment for assessment,
497 evaluation, or any other necessary meeting;

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499 c. The Member is capable of, but temporarily refuses to
500 cooperate in the preparation of the completion of an
501 assessment or evaluation;
- 502 d. The Member, ~~or member or the member's Responsible~~
503 ~~Person, or Designated Representative healthcare decision~~
504 ~~maker and /or Designated Representative~~ requests an
505 extension of time;
- 506 e. Additional documentation has been requested but not
507 received; or
- 508 f. There is insufficient functional or diagnostic information to
509 determine SED or SMI eligibility within the required time
510 periods.
- 511 2. The AdSS shall ensure "insufficient ~~NOTE: Insufficient~~
512 ~~diagnostic information" is shall be understood to~~ means that the
513 information available to the reviewer is suggestive of two or
514 more equally likely working diagnoses, only one of which
515 qualifies as SED or SMI, and an additional piece of existing
516 historical information or a face-to-face psychiatric evaluation is
517 likely to support one diagnosis more than the other(s).

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519 2. ~~The determining entity shall:~~
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521 a. ~~Document the reasons for the delay in the member's~~
522 ~~eligibility determination record when there is an~~
523 ~~administrative or other emergency that will delay the~~
524 ~~determination of an SMI status, and~~
- 525 b. ~~Not use the delay as a waiting period before determining~~
526 ~~an SMI status or as a reason for determining that the~~
527 ~~member does not meet the criteria for SMI eligibility~~
528 ~~(because the determination was not made within the time~~
529 ~~standards).~~
- 530 3. ~~In situations in which the extension is due to insufficient~~
531 ~~information:~~
- 532 a. ~~The determining entity shall request and obtain the additional~~
533 ~~documentation needed (e.g., current and/or past medical~~
534 ~~records) and/or perform or obtain any necessary psychiatric or~~
535 ~~psychological evaluations,~~
- 536 b. ~~The designated reviewing psychiatrist, psychologist or~~
537 ~~nurse practitioner must communicate with the member's~~

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539 ~~current treating clinician, if any, prior to the determination~~
540 ~~of an SMI, if there is insufficient information to determine~~
541 ~~the member's level of functioning, and¶~~

542 ~~c. SMI eligibility must be determined within three days of~~
543 ~~obtaining sufficient information, but no later than the end~~
544 ~~date of the extension.¶~~

545 ~~4. If the evaluation or information cannot be obtained within the~~
546 ~~required time period because of the need for a period of~~
547 ~~observation or abstinence from substance use in order to~~
548 ~~establish a qualifying mental health diagnosis, the member shall~~
549 ~~be notified by the determining entity that the determination may,~~
550 ~~with the agreement of the member, be extended for up to 60~~
551 ~~calendar days for an extended evaluation period. This is a~~
552 ~~60-day period of abstinence, or reduced use from drug and/or~~
553 ~~alcohol use in order to help the reviewing psychologist make an~~
554 ~~informed decision regarding SMI eligibility.¶~~

555 ~~This extension may be considered a technical re-application to~~
556 ~~ensure compliance with the intent of A.A.C. R9-21-303; however,~~
557 ~~the member does not need to reapply. Alternatively, the~~

558
559 ~~determination process may be suspended, and a new application~~
560 ~~initiated upon receipt of necessary information.~~

561 ~~5. If the member refuses to grant an extension, SMI eligibility must~~
562 ~~be determined based on the available information. If SMI~~
563 ~~eligibility is denied, the member will be notified of his/her appeal~~
564 ~~rights and the option to reapply in accordance with this policy.~~

565 **~~NOTIFICATION OF SED OR SMI ELIGIBILITY DETERMINATION~~**

566
567 ~~1. If the member is designated to have an SMI, the SMI status~~
568 ~~must be reported to the member or their Health Care Decision~~
569 ~~Maker, by the determining entity, in writing, including notice of~~
570 ~~the member's right to appeal the decision.~~

571 ~~2. If the eligibility determination results in a denial of SMI status,~~
572 ~~the determining entity must provide written notice of the~~
573 ~~decision and include:~~

574 ~~a. The reason for denial of SMI eligibility (refer to AMPM~~
575 ~~320-P Attachment A),~~

576 ~~b. The right to appeal, and~~

577
578 c. ~~The statement that members who are ALTCS eligible will~~
579 ~~continue to receive needed ALTCS covered services. In~~
580 ~~such cases, the member's behavioral health category~~
581 ~~assignment must be assigned based on criteria in the~~
582 ~~AHCCCS Technical Interface Guidelines.~~

583 **H. RE-ENROLLMENT OR TRANSFER**

- 584
585 1. The AdSS shall adhere to the following:
- 586
587 a. If ~~at~~ the Member's status is SED or SMI at disenrollment,
588 while incarcerated, or transition to ~~another~~ or transition to
589 another health plan ~~AdSS or acute contractor~~, the Member's
590 status shall continue as SED or SMI.
- 591
592 b. A Member shall retain their ~~his/her~~ SED or SMI status
593 unless the Member's enrollment is active and a
594 determination is made by a Determining Entity that the
595 Member no longer meets the criteria.

595 **~~I. REVIEW OF SMI ELIGIBILITY~~**

- 596
597 1. ~~The AdSS shall indicate in policies and procedures made~~
598 ~~available to their providers the process for reviewing an SMI~~

- 599
600 eligibility determination. The AdSS may seek a review of a
601 member's SMI eligibility from the Determining Entity:¶
- 602 a. As part of an instituted, periodic review of all members
603 designated to have an SMI,¶
 - 604 b. When there has been a clinical assessment that supports
605 that the member no longer meets the functional and/or
606 diagnostic criteria, or¶
 - 607 c. As requested by a member, who has been determined to
608 meet SMI eligibility criteria, or their legally authorized
609 representative.¶
- 610 2. A review of the determination will not be requested by the AdSS
611 or their contracted behavioral health providers within six months
612 from the date a member has been designated as SMI eligible.¶
- 613 **I. REMOVAL OF SED OR SMI DESIGNATIONS SMI DECERTIFICATION**
614
615 There are two established methods for removing an SMI designation,
616 one clinical and the other an administrative option, as follows:

- 617
618 1. The AdSS shall indicate in policies and procedures made
619 available to providers, the ~~the AdSS~~ process for reviewing an
620 SED or SMI designation, including:
- 621 a. ~~A shall not allow a request for a~~ review of the eligibility
622 determination may not be requested within the first six
623 months from the date a Member ~~an individual~~ has been
624 designated as SED or SMI eligible.
- 625 b. ~~The AdSS shall allow a request to for~~ review of the
626 Member's SED or SMI designation from the Determining
627 Entity may be requested: ~~is allowed when:~~
- 628 i. As part of an instituted, periodic review of all
629 Members designated to have an SED or SMI
630 ~~designations;~~
- 631 ii. When there has been a clinical assessment that
632 supports the Member no longer meets the functional
633 and or diagnostic criteria; or
- 634 iii. As requested by ~~the Member Responsible Person, or~~
635 ~~Designated Representative. for~~ who has been an
636 ~~Member~~ determined to meet SED or SMI eligibility

637
638 criteria, or their Responsible Person or Designated
639 Representative.

640 c. Based on review of the request and clinical data provided,
641 removal of the SED or SMI behavioral health category will
642 occur if:

643 i. The individual is an enrolled member and has not
644 received any behavioral health service within the
645 past six months; or

646 ii. The Member is determined to no longer meet the
647 diagnostic and or functional requirements for SED or
648 SMI designation.

649 ~~Upon removal of an SED or SMI designation, the Determining~~
650 ~~Entity is responsible for the following:¶~~

651 ~~a. Inform the Member of changes that may occur as a result~~
652 ~~of the designation removal.¶~~

653 ~~b. Provide written notice of the determination and the~~
654 ~~Member's right to appeal within 30 calendar days from the~~
655 ~~date of the written notice of determination is issued.¶~~

- 656
657 ~~SMI Clinical Decertification: A member who has an SMI designation or an~~
658 ~~individual from the member's clinical team may request an SMI clinical~~
659 ~~decertification from the AHCCCS designee that conducts SMI determinations.~~
660 ~~An SMI clinical decertification is a determination that a member who has an~~
661 ~~SMI designation no longer meets SMI criteria. If, as a result of a review, the~~
662 ~~member is determined to no longer meet the diagnostic and/or functional~~
663 ~~requirements for SMI status:¶~~
- 664 a. ~~The determining entity must ensure that written notice of~~
665 ~~the determination and the right to appeal is provided to~~
666 ~~the affected member with an effective date of 30 calendar~~
667 ~~days after the date the written notice is issued, and~~
- 668 2. The AdSS shall ~~must ensure that~~ services are continued in the
669 ~~event if an~~ of a timely filed appeal, ~~is timely filed,~~ and that
670 services are appropriately transitioned ~~as part of the discharge~~
671 ~~planning process.~~
- 672 3. ~~SMI Administrative Decertification: A member who has an SMI~~
673 ~~designation may request an SMI administrative decertification~~
674 ~~from AHCCCS, DHCM, and Clinical Resolution Unit if the member~~

- 675 ~~has not received behavioral health services for a period of two or~~
676 ~~more years.¶~~
- 677
- 678 ~~a. Upon receipt of a request for administrative decertification,~~
679 ~~the AdSS shall direct the member to contact AHCCCS,~~
680 ~~DHGM, Customer Service, and¶~~
- 681 ~~b. AHCCCS will evaluate the member's request and review~~
682 ~~data sources to determine the last date the member~~
683 ~~received a behavioral health service. AHCCCS will inform~~
684 ~~the member of changes that may result with the removal~~
685 ~~of the member's SMI designation. Based upon review, the~~
686 ~~following will occur:¶~~
- 687 ~~i. If the member has not received a behavioral health~~
688 ~~service within the previous two years, the member~~
689 ~~will be provided with AMPM 320-P Attachment C.~~
690 ~~This form must be completed by the member and~~
691 ~~returned to AHCCCS, or¶~~
- 692 ~~ii. If the review finds that the member has received~~
693 ~~behavioral health services within the prior two year~~
694 ~~period, the member will be notified that they may~~

695
696 ~~seek decertification of their SMI status through the~~
697 ~~clinical decertification process.~~

698 ~~Signature of Chief Medical Officer:~~

699
700 **SUPPLEMENTAL INFORMATION**

701 The information contained in Sections J through M of this policy are
702 AHCCCS requirements for the Determining Entity authorized by
703 AHCCCS to make the final SED and SMI designation determinations.
704

705 **J. DETERMINING ENTITY RESPONSIBILITY FOR COMPLETION OF**
706 **COMPLETION OF FINAL ELIGIBILITY DETERMINATION**

707 1. A licensed psychiatrist, psychologist or nurse practitioner
708 designated by the Determining Entity will make a final
709 determination as to whether the Member meets the eligibility
710 requirements for SED or SMI status based on:

- 711 a. A face-to-face assessment or reviewing a face-to-face
712 assessment by a qualified clinician; and
- 713 b. A review of current and historical information, if any,
714 obtained orally or in writing by the assessor from collateral
715 sources, and/or present or previous treating clinicians.

- 716
717 2. The following shall occur if the designated reviewing psychiatrist,
718 psychologist or nurse practitioner has not conducted a
719 face-to-face assessment and has a disagreement with the
720 current evaluating or treating qualified behavioral health
721 professional or behavioral health technician that cannot be
722 resolved by oral or written communication:
- 723 a. Disagreement regarding diagnosis: Determination that the
724 Member does not meet eligibility requirements for SMI
725 status must be based on a face-to-face diagnostic
726 evaluation conducted by a designated psychiatrist,
727 psychologist, or nurse practitioner. The resolution of
728 (specific reasons for) the disagreement must be
729 documented in the Member's comprehensive clinical
730 record.
- 731 b. Disagreement regarding functional impairment:
732 Determination that the Member does not meet eligibility
733 requirements must be documented by the psychiatrist,
734 psychologist or nurse practitioner in the Member's
735 comprehensive clinical record to include the specific

736
737 reasons for the disagreement and will include a clinical
738 review with the qualified clinician.

739 3. If there is sufficient information to determine SED or SMI
740 eligibility, the Member shall be provided written notice of the
741 eligibility determination within three business days of the initial
742 meeting with the qualified clinician.

743 **K. DETERMINING ENTITY RESPONSIBILITY DUE TO ISSUES**
744 **PREVENTING TIMELY COMPLETION OF ELIGIBILITY**
745 **DETERMINATION AND EXTENSION OF TIME**

- 746 1. The Determining Entity shall:
- 747 a. Document the reasons for the delay in the Member's
748 eligibility determination record when there is an
749 administrative or other emergency that will delay the
750 determination of an SED or SMI status, and
 - 751 b. Not use the delay as a waiting period before determining
752 an SED or SMI status or as a reason for determining that
753 the Member does not meet the criteria for SED or SMI
754 eligibility (because the determination was not made within
755 the time standards).

- 756
757 2. In situations in which the extension is due to insufficient
758 information:
- 759 a. The Determining Entity shall request and obtain the
760 additional documentation needed (e.g., current and/or past
761 medical records) and/or perform or obtain any necessary
762 psychiatric or psychological evaluations,
- 763 b. The designated reviewing psychiatrist, psychologist or
764 nurse practitioner must communicate with the Member's
765 current treating clinician, if any, prior to the determination
766 of an SED or SMI, if there is insufficient information to
767 determine the Member's level of functioning, and
- 768 c. Eligibility shall ~~SMI eligibility must~~ be determined within
769 three days of obtaining sufficient information, but no later
770 than the end date of the extension.
- 771 3. If the evaluation or information cannot be obtained within the
772 required time period because of the need for a period of
773 observation or abstinence/reduction from substance use in order
774 to establish a qualifying mental health diagnosis, the Member
775 shall be notified by the Determining Entity that the

- 776
777 determination may, with the agreement of the Member, be
778 extended for up to 60 calendar days for an extended evaluation
779 period. This is a 60-day period of abstinence, or reduced use
780 from drug and/or alcohol use in order to help the reviewing
781 psychologist make an informed decision regarding SED or SMI
782 eligibility.
- 783 4. This extension may be considered a technical re-application to
784 ensure compliance with the intent of A.A.C. R9-21-303; however,
785 the Member does not need to reapply. Alternatively, the
786 determination process may be suspended, and a new application
787 initiated upon receipt of necessary information.
- 788 5. If the Member refuses to grant an extension, SED or SMI
789 eligibility shall ~~must~~ be determined based on the available
790 information.
- 791 6. If SED or SMI eligibility is denied, the Member will be notified of
792 their ~~his/her~~ appeal rights and the option to reapply in
793 accordance with this policy.

794 **L. DETERMINING ENTITY RESPONSIBILITY FOR NOTIFICATION**
795 **OF SED OR SMI ELIGIBILITY DETERMINATION**

- 796
797 1. If the Member is determined to qualify for an SED or SMI
798 designation, ~~this status, the status must~~ shall be reported to the
799 Member or Responsible Person, by the Determining Entity, in
800 writing, including notice of the Member's right to appeal the
801 decision on the form approved by AHCCCS.
- 802 2. If the eligibility determination results in a determination that the
803 Member does not qualify for ~~denial of the~~ an SED or SMI
804 designation ~~status~~, the Determining Entity shall ~~must~~ provide
805 written notice of the decision and include:
- 806 a. The reason for denial of SED or SMI eligibility,
 - 807 b. The right to appeal, and
 - 808 c. The statement that Title XIX/XXI eligible
809 individuals ~~Members who are ALTCS eligible~~ will continue to
810 receive needed Title XIX/XXI covered services. ~~ALTCS-~~
811 ~~covered services~~. In such cases, the Member's behavioral
812 health category assignment shall ~~must~~ be assigned based
813 on criteria in the AHCCCS Technical Interface Guidelines
814

815 **M. DETERMINING ENTITY RESPONSIBILITY FOR REMOVAL OF SED**
816 **OR SMI DESIGNATION**

- 817
818 1. Upon removal of an SED or SMI designation, the Determining
819 Entity is responsible for the following:
- 820 a. Inform the Member of changes that may occur as a result
821 of the designation removal.
- 822 b. Provide written notice of the determination and the
823 Member's right to appeal within 30 calendar days from the
824 date of the written notice of determination is issued.

825
826
827
828
829
830
831

Signature of Chief Medical Officer: