

RCPA on Behavioral Specialist Licensing



About the Rehabilitation and Community Providers Association (RCPA):

With more than 300 members serving well over 1 million Pennsylvanians annually, Rehabilitation and Community Providers Association (RCPA) is among the largest and most diverse state health and human services trade associations in the nation. RCPA members offer mental health, drug and alcohol, intellectual and developmental disabilities, medical rehabilitation, and brain injury services for children and adults, vocational and residential settings. A statewide organization, RCPA advocates for those in need, works to advance effective state and federal public policies, and provides professional support to members. Learn more by visiting www.paproviders.org.

ISSUE

The Pennsylvania Department of Human Services (DHS) has interpreted Act 62 of 2008 (Act 62) to require that the personal professional licensing mandate would be applied to Medicaid mental health services. Based on its language, the act's intent to amend the commercial insurance law, and the Department of State's submission to the Independent Regulatory Review Commission; RCPA believes that the Act 62 mandate should not be applied to Medicaid mental health services. As a result of DHS's decision to apply this mandate to the Medicaid behavioral health service system, RCPA member organizations have committed thousands of dollars to train individuals, comply with the documentation, and undergo the license application process for eligible staff seeking the behavior specialist license.

In 2013, DHS reported that there were approximately 4,000 Behavior Specialist Consultant (BSC) staff employed and supervised to provide autism services within DHS licensed community agencies. As of March 2015, the State Board of Medicine had received 3,343 applications with 2,678 licenses issued. It is not clear how many licensed behavior specialists are working in the Medicaid system vs private practice, school systems, pediatric settings, and academic settings. To date, however, **about one in five applicants have either been unable to meet the current requirements or have abandoned the effort** to obtain a behavior specialist license in Pennsylvania.

The licensure requirement calling for additional approved training, and substantial hours of direct services prior to services being reimbursable, substantially reduces the current and future professional labor force in Pennsylvania, and the ability of service providers to recruit and retain BSC staff to work with children in the MA service system. Providers of autism services regularly report that they have reduced their service capacity because of staff attrition and failed efforts to recruit fully qualified staff that meet the BSC-ASD requirements.

RECOMMENDATIONS

In order to sustain and grow the current and future professional labor force in Pennsylvania, and the ability of service providers to recruit and retain BSC staff to work with children in the MA service system, RCPA recommends the following:

- Grandfather MA payment authorization to all *license eligible* BSCs working in MA licensed organizations, credentialed by the BH-MCO and recommended by their supervising (licensed) psychiatrist or psychologist.

- Create a level of credentialing and MA payment for BSC services provided by grandfathered or licensed eligible professionals providing BSC-ASD services under the supervision and direction of a licensed behavior specialist, psychologist, or psychiatrist, consistent with the state's "mental health clinic model" and supervised system of care.
- Develop differential standards, supervision, and related payment rates for grandfathered and license eligible BSC staff in the state's MA clinical oversight model.
- Convene regional meetings with universities to educate key departments about the BS license, applicable curriculum, and standards for certifying student completion of applicable course work.

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