Qualified Home and Community-Based Services
Adult Mental Health

Provider Manual

Health and Human Services
November 2019
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Contact Information

HCBS-AMH Program E-mail Address: HCBS-AMH@hhsc.state.tx.us

HCBS-AMH Program Encounter Data & Invoicing E-mail Address: HCBS-AMH.Services@hhsc.state.tx.us

HCBS-AMH Webpage: http://www.dshs.state.tx.us/mhsa/hcbs-amh/

Mailing Address:
Health and Human Services Commission
Attn: HCBS-AMH Program
Box 149347, Mail Code 2012
Austin, Texas 78714-9347

Physical Address for Hand Delivery and Overnight Mail:
HCBS-AMH Program
Health and Human Services Commission, Mail Code 2012
8317 Cross Park Drive, Suite 350
Austin, TX 78754
## Definitions

The following words and terms, when used in this document, shall have the following meanings, unless the context clearly indicates otherwise.

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<td>Activities of Daily Living (ADLs)</td>
<td>Routine daily activities. These activities include performing personal hygiene activities, dressing, meal planning and preparation, managing finances, shopping for food, clothing, and other essential items, performing essential household chores, communicating by phone or other media, navigating public transportation, participating in the community, and other activities as defined by HHSC.</td>
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<td>Administrator</td>
<td>The individual in charge of an HCBS-AMH Provider Agency or HCBS-AMH Recovery Management Entity.</td>
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<tr>
<td>Advanced Directives</td>
<td>Advance directives are legal documents that allow a person to convey their decisions about end-of-life care ahead of time. They provide a way for a person to communicate their wishes to family, friends, and health care professionals.</td>
</tr>
<tr>
<td>Assessor</td>
<td>The person who conducts the uniform assessment to evaluate the person's need for HCBS-AMH. Assessors must, at minimum, be a qualified mental health professional-community services as defined in Title 26, Texas Administrative Code (TAC), Chapter 301, Subchapter G (relating to Mental Health Community Services Standards).</td>
</tr>
<tr>
<td>Capacity</td>
<td>The total number of persons to whom the HCBS-AMH provider is capable of providing HCBS-AMH services.</td>
</tr>
<tr>
<td>Claims Administrator</td>
<td>Contracted entity responsible for conducting certain Medicaid administrative activities on behalf of the single state Medicaid agency.</td>
</tr>
<tr>
<td>Clinical Management for Behavioral Health Services (CMBHS)</td>
<td>An electronic health record created and maintained by HHSC for the use of contracted Mental Health and Substance Abuse Services. Contracted HCBS-AMH Provider Agency Agencies and Recovery Management Entities shall utilize CMBHS as directed by HHSC.</td>
</tr>
<tr>
<td>Cognitive Behavioral Therapy for Psychosis (CBTp)</td>
<td>An evidence-based treatment primarily designed to target psychotic symptoms such as delusions and hallucinations that persist despite appropriate treatment with anti-psychotics.</td>
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<td>Community Mental Health Center (CMHC)</td>
<td>An entity established in accordance with the Texas Health and Safety Code, §534.001, as a community mental health center or a community mental health and mental retardation center.</td>
</tr>
<tr>
<td>Court-Appointed Guardian</td>
<td>A Guardian is given the legal authority by court order to care for the personal and property interests of another person, who is referred to as a ward of the state. A guardian who has been given responsibility by the court for both the personal well-being and financial interests of a person is known as a general guardian. A person can have two separate court-appointed guardians. For example, the court can choose to appoint one individual as guardian of the person and a different individual as the guardian of the person’s estate. Guardians differ from Legally Authorized Representatives, because the guardian is considered legally responsible for the person.</td>
</tr>
<tr>
<td>Credentialing</td>
<td>A process to review and approve a staff member's educational status, experience, licensure, and certification status (as applicable) to ensure that the staff member meets HHSC requirements for service provision. The process includes primary source verification of credentials, establishing and applying specific criteria, and prerequisites to determine the staff member's initial and ongoing competency and assessing and validating the staff member's qualification to deliver care. Recredentialing is the periodic process of reevaluating the staff's competency and qualifications.</td>
</tr>
<tr>
<td>Critical Incident</td>
<td>An incident that results in substantial disruption of program operation involving or potentially affecting persons enrolled in HCBS-AMH participation in the program.</td>
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<tr>
<td>Crisis Plan</td>
<td>A plan that is developed by the person, RM and others involved in the PCRP planning process that focuses on planning for, predicting, and preventing a crisis situation from occurring. A Crisis Plan establishes clear roles when a person enrolled in HCBS-AMH is in a crisis situation. Crisis Plans must include steps to take for persons to access crisis services, if needed.</td>
</tr>
<tr>
<td>Direct Service Staff</td>
<td>An employee or a subcontractor of an HCBS-AMH Provider Agency or HCBS-AMH Recovery Management Entity who provides an HCBS-AMH service(s) directly to a person.</td>
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<tr>
<td>Duplication of Services</td>
<td>A situation in which an HCBS-AMH participant receives similar services from two different entitlements at the same time.</td>
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<td>Enrollment Dates</td>
<td>Delineation of time in relation to the person’s enrollment into the program.</td>
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<td>Encounter Data</td>
<td>Details related to the HCBS-AMH services rendered by provider to the person enrolled in HCBS-AMH.</td>
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<tr>
<td>Episode of Care</td>
<td>The length of time from the date of enrollment of the person in HCBS-AMH until the date of discharge from HCBS-AMH.</td>
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<td>Fair Hearing</td>
<td>An informal proceeding requested by a person held before an impartial Health and Human Services Commission hearings officer in which a person appeals an agency action.</td>
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<tr>
<td>Formal Supports</td>
<td>Professional services provided by a formal structure, agency, network, etc. Examples of formal supports include counselors, RMs, medical care, etc.</td>
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<tr>
<td>Harm-Reduction</td>
<td>Policies, programs, and practices that aim to reduce the harm associated with the use of psychoactive drugs, illicit or illegal drugs, or alcohol on persons unable or unwilling to stop. The defining features are the focus on the prevention of harm, rather than on the prevention of drug use itself, and the focus on the persons who continue to use drugs.</td>
</tr>
<tr>
<td>HCBS-AMH Provider Agency</td>
<td>An agency, organization, or person that meets credentialing standards defined by HHSC and enters into a Provider Agreement for HCBS-AMH. The HCBS-AMH Provider Agency must ensure provision of all HCBS-AMH services directly and/or indirectly by establishing and managing a network of Subcontractors. The HCBS-AMH Provider Agency has the ultimate responsibility to comply with the Provider Agreement, Provider Manual, and Billing Guidelines regardless of service provision arrangement (directly or through subcontractors).</td>
</tr>
<tr>
<td>HCBS-AMH Services</td>
<td>Services provided under the HCBS-AMH Program.</td>
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<tr>
<td>Person</td>
<td>A person who is currently enrolled in the HCBS-AMH Program and receiving services or is involved in the enrollment process for HCBS-AMH.</td>
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<td>Individual Recovery Plan (IRP)</td>
<td>A written, individualized plan developed in consultation with the person and LAR, if applicable; the person's treatment team and providers; and other persons according to the needs and desire of the person, which identifies the necessary HCBS-AMH services to be provided to the person. The IRP must be approved by HHSC before a provider may deliver HCBS-AMH services. The IRP also serves as the treatment plan or recovery plan and is developed in accordance with 26 TAC Chapter 306, Subchapter D (relating to Mental Health Services--Admission, Continuity, and Discharge) and 26 TAC Chapter 301, Subchapter G, §301.353 (relating to Provider Responsibilities for Treatment Planning and Service Authorization.) The IRP must be approved by HHSC before a provider may deliver HCBS-AMH.</td>
</tr>
<tr>
<td>Invoice</td>
<td>The file that an HCBS-AMH Provider submits to HHSC as evidence of HCBS-AMH services provided. This file is generated by encounter data.</td>
</tr>
<tr>
<td>Legally Authorized Representative (LAR)</td>
<td>An LAR is an individual or judicial or other body authorized by law to act on behalf of a person with regard to a particular matter. The term may include a parent, guardian, or managing conservator of a minor.</td>
</tr>
<tr>
<td>Licensed Practitioner of the Healing Arts (LPHA)</td>
<td>A person who is a physician, a licensed professional counselor, a licensed clinical social worker, a licensed psychologist, an advanced practice nurse, or a licensed marriage and family therapist.</td>
</tr>
<tr>
<td>Local Mental Health Authority (LMHA)</td>
<td>LMHAs are responsible to provide mental health services to a specific geographic area of Texas to plan, develop policy, coordinate, allocate, and develop resources for mental health and IDD services for that geographic area.</td>
</tr>
<tr>
<td>Local Behavioral Health Authority (LBHA)</td>
<td>LBHAs are responsible to provide behavioral health services to a specific geographic area of Texas to plan, develop policy, coordinate, allocate, and develop resources for behavioral health services for that geographic area.</td>
</tr>
<tr>
<td>Medication Administration Record (MAR)</td>
<td>A report that serves as a legal record of the drugs administered to a patient by a health care professional or authorized designee. The MAR is a part of a patient's permanent record on their medical chart. The health care professional or authorized designee signs off on the record at the time that the drug or device is administered. MARs are commonly referred to as drug charts.</td>
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<td>Motivational Interviewing</td>
<td>A counseling style that is goal-directed and seeks to gently help a person discover why he is ambivalent to change. Motivational Interviewing assists in facilitating and engaging intrinsic motivation within the person in order to change behavior.</td>
</tr>
<tr>
<td>Natural Supports</td>
<td>Relationships and abilities that already exist or can be developed that enhance the quality and security of life for persons. Natural supports can be people (family, neighbors, etc.); places (church, community center, school, etc.); or things (artistic ability, family pet, positive attitude, etc.)</td>
</tr>
<tr>
<td>Non-HCBS-AMH Services</td>
<td>Services provided by any funding source other than HCBS-AMH. Examples include but are not limited to other State Plan Services, Temporary Assistance for Needy Families (TANF), and Personal Care Services (PCS).</td>
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<tr>
<td>Perpetual Medication Record</td>
<td>A form completed by a healthcare professional or authorized designee that documents the person’s current medication, dosage, and quantity at the time of service initiation.</td>
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<tr>
<td>Person-Centered Recovery Planning (PCRP)</td>
<td>The collaborative process used by the RM and directed by the person to develop the IRP. The process occurs in partnership with the others involved in the PCRP planning process (providers and non-providers); supports preferences of the person; and has a recovery orientation.</td>
</tr>
<tr>
<td>PCRP participant</td>
<td>Persons participating in the IRP development through PCRP. Participant contribute to the insight into the participants’ own recovery goals, objectives, and interventions (including HCBS-AMH services). Both RM Entities and Provider Agencies are required to be active PCRP participants.</td>
</tr>
<tr>
<td>Physical Examination for Enrolled Persons</td>
<td>A physical examination must be conducted, at a maximum every 365 day.</td>
</tr>
<tr>
<td>Preauthorization</td>
<td>The authorization an RM obtains for billing purposes prior to assisting a person in disenrollment from another HCBS program and enroll in HCBS-AMH.</td>
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<tr>
<td>Term</td>
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<tr>
<td>Pre-Engagement Services</td>
<td>Services provided by the LMHA/LBHA to perform the referral and enrollment process for persons seeking enrollment as an HCBS-AMH participant (Participant) who reside in the community of the LMHA/LBHA service area. Pre-engagement services include completing the HCBS-AMH Uniform Assessment, obtaining and completing referral documentation required to determine program eligibility and working to obtain necessary documents for determining Medicaid eligibility.</td>
</tr>
<tr>
<td>Provider</td>
<td>Any person or legal entity that has an agreement with HHSC to provide HCBS-AMH.</td>
</tr>
<tr>
<td>Provider Agreement</td>
<td>Executed contract between HHSC and the HCBS-AMH Provider Agency or HCBS-AMH Recovery Management Entity.</td>
</tr>
<tr>
<td>Qualified Credentialed Counselors (QCCs)</td>
<td>A licensed chemical dependency counselor or one of the practitioners listed below who is licensed and in good standing in the State of Texas and has at least 1,000 hours of documented experience treating substance-related disorders: (A) licensed professional counselor (LPC); (B) licensed master social worker (LMSW); (C) licensed marriage and family therapist (LMFT); (D) licensed psychologist; (E) licensed physician; (F) licensed physician's assistant; (G) certified addictions registered nurse (CARN); or (H) advanced practice nurse practitioner recognized by the Board of Nurse Examiners as a clinical nurse specialist or nurse practitioner with a specialty in psych-mental health (APN-P/MH)</td>
</tr>
<tr>
<td>Quality Management</td>
<td>A program developed and implemented by the provider by which organizational performance and services are assessed and evaluated to ensure the existence of those structures and processes necessary for the achievement of person outcomes and continuous quality improvement.</td>
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<tr>
<td>Qualified Mental Health Professional – Community Services (QMHP-CS)</td>
<td>A staff member who is credentialed as a QMHP-CS who has demonstrated and documented competency in the work to be performed and: (a) Has a bachelor's degree from an accredited college or university with a minimum number of hours that is equivalent to a major (as determined by the LMHA or Managed Care Organization (MCO) in accordance with 26 TAC, §301.331 (relating to Competency and Credentialing)) in psychology, social work, medicine, nursing, rehabilitation, counseling, sociology, human growth and development, physician assistant, gerontology, special education, educational psychology, early childhood education, or early childhood intervention; – A person authorized by law to act on behalf of a child or adolescent with regard to a matter described in this subchapter, including, but not limited to, a parent, guardian, or managing conservator. (b) Is a registered nurse; or (c) Completes an alternative credentialing process identified by the HHSC.</td>
</tr>
<tr>
<td>Recovery</td>
<td>A process of change through which persons improve their health and wellness, live a self-directed life, and strive to reach their full potential.</td>
</tr>
<tr>
<td>Recovery Manager (RM)</td>
<td>Direct service staff of the Recovery Management Entity that provides recovery management services to the person.</td>
</tr>
<tr>
<td>Recovery Manager Conversion Services</td>
<td>Preauthorized work, not billable to Medicaid, conducted by the RM when a person is enrolled in another HCBS program and decides to discontinue services in that HCBS program when a person is anticipating discharge from a nursing facility.</td>
</tr>
<tr>
<td>Recovery Management Entity</td>
<td>An agency, organization, or person that meets credentialing standards defined by HHSC and enters into a Provider Agreement for HCBS-AMH. An entity that employs or contracts with person recovery management providers.</td>
</tr>
<tr>
<td>Recovery Management at an Intensive Level</td>
<td>Intensive services provided by the RM which includes a minimum of three visits per week to the person, with one of these visits being in the person’s home. These services occur during the first three months of service provision in the community, crisis situations, discharge, and transfer planning.</td>
</tr>
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<tr>
<td>Recovery Management Facility Discharge Services</td>
<td>Work conducted by the RM while a participant is still residing within a state hospital that helps the person prepare for community living and develop community-based supports. Recovery Management Facility Discharge services includes coordinating the provision of allowable HCBS-AMH services and IRP development inside the state hospital for up to 180 days prior to discharge from the hospital.</td>
</tr>
<tr>
<td>Referring Entity</td>
<td>The entity that initiates the referral process of the person to HCBS-AMH.</td>
</tr>
<tr>
<td>Restrictive Interventions</td>
<td>The use of personal or mechanical restraint or seclusion.</td>
</tr>
<tr>
<td>Safety Plan</td>
<td>A plan that focuses on the prevention of a person’s behaviors that put the person at risk and the interventions needed if such behaviors occur. Safety plans are required for persons with identified risks.</td>
</tr>
<tr>
<td>Serious Mental Illness (SMI)</td>
<td>An illness, disease, or condition (other than a sole diagnosis of epilepsy, dementia, substance use disorder, intellectual or developmental disability) that: (a) substantially impairs thought, perception of reality, emotional process, development or judgment; or (b) grossly impairs a person's behavior as demonstrated by recent disturbed behavior.</td>
</tr>
<tr>
<td>Service Area</td>
<td>A geographical area where the provider is contracted to provide HCBS-AMH services.</td>
</tr>
<tr>
<td>State Plan Services</td>
<td>Services that are offered under the Medicaid State Plan service array, which may be provided by any credentialed Medicaid State Plan service provider.</td>
</tr>
<tr>
<td>Social Security Administration Pre-Release Agreement</td>
<td>A pre-release agreement between Social Security Administration and institutions which assists eligible persons in expediting their reinstatement of benefits upon their discharge.</td>
</tr>
<tr>
<td>Status Definitions</td>
<td>The language that describes the status of the person in relation to the enrollment process.</td>
</tr>
<tr>
<td>Subcontractor</td>
<td>A single person, organization, or agency that enters an agreement with an HCBS-AMH Provider Agency to provide one or more HCBS-AMH services. A subcontractor must meet minimum qualifications defined by HHSC.</td>
</tr>
<tr>
<td>Supplemental Security Income Training</td>
<td>A training that provides information on overview of SSI including the application process and maintaining benefits.</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
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</tr>
<tr>
<td>Texas Resilience and Recovery (TRR)</td>
<td>Term used to describe the service delivery system in Texas for community mental health services</td>
</tr>
<tr>
<td>Uniform Assessment</td>
<td>A standardized assessment identified by HHSC to determine HCBS-AMH program eligibility and clinical needs of the person. To be determined eligible to participate in this program, each person must receive a uniform assessment as defined by HHSC, based on the needs and strengths of the person. The uniform assessment is the basis for the IRP. The assessor must consult with the person; the person’s LAR, treatment team, providers; and other persons according to the needs and desire of the person to conduct the uniform assessment. The uniform assessment must be conducted face-to-face; take into account the ability of the person to perform two or more activities of daily living; and assess the person’s need for HCBS-AMH.</td>
</tr>
<tr>
<td>Utilization Management</td>
<td>The planning, organizing, directing, and controlling of the healthcare product/service that balances cost-effectiveness, efficiency, and quality to meet the overall goals of the LMHA. Use of systematic data-driven processes to influence the person’s care and decision making to ensure an optimal level of service is provided consistent with the person’s diagnosis and level of functioning within the financial constraints of funding. Includes but is not limited to service authorization, prospective, concurrent and retrospective reviews, discharge planning, and Utilization Care Management.</td>
</tr>
</tbody>
</table>
Acronyms

Abuse, Neglect or Exploitation (ANE)
Adult Needs and Strengths Assessment (ANSA) Behavioral Health Organization (BHO)
Community Mental Health Center (CMHC)
Clinical Management for Behavioral Health Services (CMBHS) Department of State Health Services (DSHS)
Emergency Department (ED)
HCBS-AMH Uniform Assessment (UA)
Health and Human Services Commission (HHSC)
Health Insurance Portability and Accountability Act (HIPAA) Home and Community Based Services (HCBS)
Home and Community Based Services—Adult Mental Health Program (HCBS-AMH) Hospital Liaison (HL)
Individual Recovery Plan (IRP) Initial Criteria Report (ICR) Interdisciplinary Team (IDT)
Legally Authorized Representative (LAR) Licensed Practitioner of the Healing Arts (LPHA) Local Mental Health Authority (LMHA) Managed Care Organization (MCO)
Medication Administration Record (MAR)
Medicaid Management Information System (MMIS)
Mental Retardation and Behavioral Health Outpatient Data Warehouse (MBOW) Outpatient Competency Restoration (OCR)
Person-Centered Recovery Planning Process (PCRP) Protected Health Information (PHI)
Qualified Credentialed Counselors (QCCs) Qualified Income Trust (QIT)
Qualified Mental Health Professional (QMHP) Recovery Manager (RM)
Serious Mental Illness (SMI)
Specialty Provider Network (SPN) State Hospital (SH)
State Hospital Social Worker (SHSW)
Texas Administrative Code (TAC)
Texas Medicaid and Health Partnership (TMHP) Texas Resiliency and Recovery (TRR)

The Health and Human Services Commission (HHSC) is pleased to release the sixth edition of the Home and Community Based Services—Adult Mental Health (HCBS-AMH) Provider Manual. Texas received federal approval of the HCBS-AMH SPA from Centers for Medicaid and Medicare Services (CMS) on October 13, 2015. The approved HCBS-AMH program is designed for persons with SMI and a history of extended inpatient psychiatric stays. The 84th Legislature required HHSC to expand HCBS to divert populations with SMI from jails and emergency departments (EDs) into community treatment programs. HHSC plans to expand HCBS for the diversion populations by amending the current HCBS-AMH 1915(i) SPA to include the jail diversion and ED diversion populations. HCBS-AMH expansion populations are currently being negotiated with CMS. This manual is subject to change based upon the final terms and conditions approved by CMS for the expansion populations.
1000 Program Overview

1100 Introduction

Many persons with a diagnosis of serious mental illness (SMI) have complex unmet needs, which have led to repeated psychiatric hospitalizations, arrests or emergency department (ED) visits. Some persons have resided in mental health facilities for extended periods of time—in some cases, for years. Other persons experience psychiatric crises and frequently cycle out of correctional facilities or emergency departments (ED).

Home and Community-Based Services--Adult Mental Health Program (HCBS-AMH) provides specialized supports through the provision home and community-based services (HCBS) to adults with a diagnosis of SMI and extended tenure in psychiatric hospitals, as well as those persons with frequent arrests or ED visits.

The flexible array of services is designed to meet the person’s individualized needs that are not currently addressed by other means and to assist in his/her recovery. The goal of HCBS-AMH is to enable persons to live and experience successful tenure in his or her community and improve quality of life and functioning.

1200 Background

As of September 2016, the Health and Human Services Commission has full authority over HCBS-AMH and no longer delegates any program authority to Department of State Health Services (DSHS).

Prior to creation of HCBS-AMH, DSHS formed the Continuity of Care Task Force, which included Local Mental Health Authority (LMHA) leadership, advocates, behavioral health service recipients, law enforcement, judges, inpatient providers and agency staff. The Task Force was charged with developing recommendations for resolving barriers to discharging persons with complex needs from state psychiatric facilities. The Task Force conducted public meetings, key informant interviews, meetings with key professional groups, four public forums in various locations of the state, advised the state to consider implementing an HCBS-AMH program, and recommended a range of reforms.

Among the recommendations was the development of HCBS for adults with SMI. These recommendations led to legislative direction in the 83rd session of the Texas Legislature and appropriation of funds to establish an HCBS program for adults with SMI and a history of extended inpatient stays through a 1915(i) state plan amendment.
During the 84th Texas Legislature, HHSC received legislative directive to expand HCBS to divert populations with SMI from correctional facilities and emergency departments into community treatment programs.

Extensive external stakeholder input was sought from current community providers, the criminal justice system, advocacy agencies, potential beneficiaries, emergency department staff, and Managed Care Organizations (MCO) to inform the eligibility criteria and services needed for the jail and ED diversion populations.

1300 Administrative Structure

HHSC, the single state Medicaid agency, administers the HCBS-AMH program.

HHSC is responsible for initial and on-going independent assessments and evaluation of program candidates, quality assurance, reporting, HCBS-AMH provider recruitment and enrollment, claims payment, and program oversight. HHSC is not and will not become a provider of HCBS-AMH services. HHSC approved contractors perform the independent assessments and HHSC completes the evaluation process by authorizing all services. Development of Individual Recovery Plans (IRP) are completed with persons enrolled in HCBS-AMH by contracted Recovery Management (RM) Entities who provide services restricted only to HCBS-AMH Recovery Management.

1400 Target Population

Persons enrolled in the HCBS-AMH program must be 18 years of age or older and require the intensity of services provided by HCBS-AMH in order to improve functioning and establish or maintain stability in their preferred community. This is evidenced by the following:

- Needs based criteria:
  1. Long Term Hospitalization: three or more cumulative or consecutive years in an inpatient psychiatric hospital during the five years prior to enrollment; or
  2. Jail Diversion: two or more psychiatric crises (i.e., inpatient psychiatric hospitalizations and/or outpatient psychiatric crisis that meets inpatient psychiatric criteria) and four or more discharges from correctional facilities during the three years prior to enrollment; or
  3. ED Diversion: two or more psychiatric crises (i.e., inpatient psychiatric hospitalizations and/or outpatient psychiatric crisis that meets inpatient psychiatric criteria) and fifteen or more total ED visits during the three years prior to enrollment;
• Diagnosis of serious mental illness (SMI);
• Clinical eligibility based on the HCBS-AMH Uniform Assessment (UA);
• Financial eligibility as indicated by the UA;
• Services provided in the program can reasonably be expected to improve the condition of the person or prevent further regression; and
• The person is not accessing these services by any other means, including enrollment in Community Living Assistance and Support Services (CLASS), Deaf Blind with Multiple Disabilities (DBMD), Home and Community-based Services Waiver (HCS), Texas Home Living Waiver (TxHmL), Youth Empowerment Services (YES), or STAR+PLUS HCBS Waiver.

1500 Community-Based Service Provision

HCBS-AMH services are provided in “home and community-based settings,” including individual homes, apartments, host home/companion care residence, assisted living facilities, and small community-based residences. Home and community-based settings must meet certain qualifications (See 11000 Settings Requirements).

1600 HCBS-AMH Services

The following services are available in HCBS-AMH. (See 9100 HCBS-AMH Service Definitions and 9300 HCBS-AMH Provider Qualifications).

• Host Home/Companion Care;
• Supervised Living Services;
• Assisted Living;
• Supported Home Living;
• HCBS-AMH Psychosocial Rehabilitation services;
• Employment Services
  ‣ Supported employment;
  ‣ Employment assistance;
• Minor home modifications;
• Home-delivered meals;
• Transition assistance services;
• Adaptive aids;
• Transportation services (non-duplicative of state plan medical transportation);
• Community Psychiatric Supports and Treatment
• Peer support;
• Respite care (short term);
• Substance use disorder services;
• Nursing;
• Recovery Management; and
• Flexible Funds
Other state plan services may be provided, as medically necessary to persons eligible for Medicaid, through the State’s Medicaid managed care system and should be closely coordinated with HCBS-AMH services (See 9421 Coordination with Managed Care Organizations and 20000 Non-Duplication of Services).
2000 Roles and Responsibilities of the Recovery Management Entity and Recovery Manager

2100 Overview of Roles and Responsibilities of the Recovery Manager and Recovery Management Entity

The Recovery Management Entity administratively oversees Recovery Management services and the Recovery Manager coordinates, monitors, links, advocated and assists the person in gaining access to needed Medicaid services; as well as medical, social, educational, and other resources—regardless of funding source.

2110 The Recovery Manager is responsible to:

2111 Meet the minimum training and credentialing requirements for the provision of recovery management

RMs have at least 2 years of experience working with people with serious mental illness (SMI); have a master’s degree in human services or a related field; demonstrate knowledge of issues affecting people with SMI and community-based interventions/resources for this population; and complete HHSC-required trainings for the provision of HCBS-AMH recovery management. (See Appendix A: Training Requirements)

2112 Be available to the Person

Caseload sizes for the individual RM shall preferably be 10 persons or less and shall be no more than 15 persons. Should the chosen and assigned RM not be available, the HCBS-AMH Recovery Management Entity is responsible to assign an alternate RM to cover for the assigned RM.

It is recommended that the RM provides recovery management at an intensive level, three face to face contacts per week, with one contact occurring at the person’s residence for the first three months of the person’s participation in HCBS-AMH services while in the community.

Services provided to the person should be predominately face to face. No more than 10% phone contact per month per person. will be accepted while the person is enrolled in HCBS-AMH services. Phone Utilization may be utilized for the following:

1. Linking, Advocating, and Coordination of services with other providers
2. Monitoring of current status and progress with other providers

During the IRP review, clinical indications will warrant if an intensive level of services should be continued for the next 90 days. (See 9440 Frequency of Recovery Management Service Provision).

The RM, the person, Provider Agency, and the other participants (including the LMHA/LBHA, Probation/Parole Officer) review the person’s IRP, utilizing the PCRP approach. The frequency of IRP reviews are not to exceed 90 days from the date of the last IRP, or as clinically indicated. Updates to the IRP, utilizing the most recent ANSA scores, ensure that the IRP is reflective of the person’s current needs and desired goals. Documentation generated by the RM and service encounters shall provide evidence of compliance with the requirements.

The RM’s availability shall be identified as part of the person’s crisis plan. If the RM is not available to the person 24/7 than alternative contacts must be identified on the Crisis Plan. (See 7226 Crisis Plan).

2113 Meet with the person face-to-face within fourteen days of notification of Recovery Management Selection to facilitate the IRP development; educate and inform the person about HCBS-AMH services, the Person-Centered Recovery Planning Process (PCRP), recovery resources, client rights, and responsibilities

The RM shall do the following:

- Facilitate the coordination of all needed parties for the IRP development (See Section 2110.8, Coordination of IRP Development)
- Educate and inform the person about the HCBS-AMH program utilizing the PCRP format (See 8000, Person-Centered Recovery Planning).
- Explain the person’s rights as a person enrolled in HCBS-AMH;
- Explain the services available in HCBS-AMH as they relate to the person’s recovery goals;
- Assist the person with fair hearing requests when needed and upon request;
- Assist the person with completing necessary consent forms and other program documentations; and
- Assist the person with retaining HCBS-AMH and Medicaid eligibility.

2114 Continuity of Care with the State Hospital to complete the necessary functions to facilitate successful transition to the community for persons enrolled in HCBS-AMH

If the person is in a state hospital at time of enrollment in HCBS-AMH, the RM is responsible for Recovery Management Facility Discharge Facility Discharge Services—coordinating the provision of allowable HCBS-AMH services inside the state hospital.
for up to 180 days prior to discharge from the hospital. Planning for the Recovery Management Facility Discharge Services is a collaborative effort between the RM and the interdisciplinary team (IDT) at the state hospital. (See 9440 Frequency of Recovery Management Service Provision). The RM is required to give regular updates to the LMHA for impending state hospital discharges. This will be done at each contact made by the RM with the participant or state hospital social worker. The RM will attend the Continuity of Care appointment with the participant and the LMHA when discharged from the State Hospital.

The RM shall complete fingerprinting and credentialing needed prior to working in a state hospital (See 13620 Credentialing for Service Provision within the State Hospitals).

The RM shall assist the State Hospital Social Worker (SHSW) with the Social Security Administration Pre-Release Application Process, while the person is still in the hospital as applicable (See 14110 Social Security Administration Prerelease Program).

If the individual referred to the HCBS-AMH program is residing in or discharged from a state hospital on a Forensic Commitment, the RM will review the requests of the state hospital, the LMHA, and court officials for service provision.

2115 Coordinate with the referring entity (i.e. LMHA/LBHA) to complete the necessary functions to facilitate successful tenure in the community for persons enrolled in HCBS-AMH

If the person is referred from the community by an LMHA or LBHA, the RM will make contact with the referral source to coordinate completion of enrollment activities, development of the IRP and initiate services. The RM will have regular and ongoing contact with the LMHA/LBHA caseworker as long as the person is receiving services at the LMHA/LBHA and include the LMHA/LBHA in the PCRP process. This includes but is not limited to attending LMHA IDT meetings.

If the individual referred to the HCBS-AMH program is residing in the community on a Forensic Commitment, the RM will review the requests of the LMHA and court officials for service provision.

2116 When applicable, coordinate with courts, probation or parole officers, hospital staff, and crisis service providers

The RM coordinates with applicable parties involved in the person’s care (e.g. criminal justice system, EDs or crisis service providers) to ensure the person gains access to any needed services.
2117 Provide Recovery Management Conversion Services to Coordinate with other HCBS Programs in the disenrollment of the person

If the person is currently enrolled in another HCBS program that precludes the person from participating in HCBS-AMH (Community Living Assistance and Support Services (CLASS), Deaf Blind with Multiple Disabilities (DBMD), Home and Community-based Services Waiver (HCS), Texas Home Living Waiver (TxHmL), Youth Empowerment Services (YES), or STAR+PLUS HCBS Waiver), but is interested in receiving services in the HCBS-AMH program. The RM coordinates with HCBS program for the disenrollment/enrollment process. This coordination includes the following:

- Obtaining preauthorization through HHSC for Recovery Management Conversion Services;
- Contacting person’s HCBS program and obtaining necessary documentation about the person; and
- Identifying needs of the person and new providers and resources

2118 Provide Recovery Management Conversion Service for Persons that Reside in a Nursing Facility

Conversion services are offered to a persons’ disenrollment from another HCBS program, or those persons residing in nursing facilities.

In order to provide recovery management conversion services, the RM must obtain preauthorization from HHSC. (See 9420 Service Coordination and Recovery Management Conversion Services).

2119 Coordinate the development of the IRP using Person-Centered Recovery Planning and submit the IRP to HHSC for approval

The RM identifies services that may help the person achieve his/her recovery goals and meet the needs of the person as identified on the UA through development of the IRP. The initial IRP must be completed face to face with the person within 14 days of the Recovery Management Entity being notified of selection, in accordance with 26 TAC §301.353 (relating to Provider Responsibilities for Treatment Planning and Service Authorization).


21110 Facilitate the provision of services to support the person’s recovery goals

The RM ensures the provision of services occurs through the following methods:
Facilitation of the person-centered recovery planning process to help the person identify and obtain needed services (See 8000 Person-Centered Recovery Planning and 8100 Qualities of Person-Centered Recovery Planning Process);

- Monitoring the IRP and coordinate services with providers;
- Meet with the person as indicated to monitor provision of services;
- Development and pursuit of resources including:
  - Non-HCBS-AMH Medicaid services;
  - Services provided under Medicare, and/or private insurance or other community resources; and
  - Identifying and developing natural supports (family, friends, and other community members) and resources to promote the person’s recovery;
- Integration and coordination with managed care organizations, private insurances, private providers, and Local Mental Health Authorities providing services essential to physical and/or behavioral services for the person to ensure that other services are integrated and support the person’s recovery goals, health, and welfare; and
- Advocating on behalf of the person to resolve issues that impede access to needed services.

**21111 Monitor the health, welfare, and safety of the person through regular contacts (visits with the person, paid and unpaid supports, and natural supports)**

The RM will monitor the person, HCBS-AMH Provider Agency and subcontractors, and all other support system individuals as clinically indicted to ensure that service provision is performed according to the IRP.

**21112 Respond to and assesses emergency situations and incidents and ensures that appropriate actions are taken to protect the health, welfare, and safety of persons**

The RM will respond to and assess all crisis and emergency situations. The RM will coordinate services with HCBS-AMH Provider Agencies and non-HCBS-AMH Provider Agencies to ensure the safety of the person. The RM will assist in the coordination with the LMHA any hospitalizations at a state facility. A Critical Incident form will be completed by the RM after each crisis or emergency. (See 13530 Critical Incident Reporting).
21113 Monitor and update the IRP as clinically indicated using PCRP to meet the needs and recovery goals of the person

The Recovery Manager will monitor the IRP to ensure that the services authorized are being provided and are clinically indicated. The RM will update the IRP as needed to ensure clinical efficacy. (See 9430 Monitoring the IRP).

21114 Aid in the accuracy of the HCBS-AMH Uniform Assessment

The RM is instrumental in the accuracy of the UA. After the initial UA is completed, the RM will assist with gathering of information for subsequent reassessments. If the person is not enrolled in Texas Resiliency and Recovery (TRR) at the LMHA/LBHA an independent contractor, approved by HHSC may perform the UA reassessment with information gathering assistance from the RM. (See 4000 HCBS-AMH Uniform Assessment (UA).

The RM shall:

- Provide supporting documentation to be considered by persons completing the reassessment of the HCBS-AMH Uniform Assessment as requested;
- Verify that services on the IRP are identified on the UA (See and 7200 IRP Requirements);
- Notify the LMHA if an Update UA is clinically indicated; and
- If necessary, complete additional assessment of the person. These assessments may identify needs of the person that may not be present on the UA but are essential to the person’s success in their preferred community. (See 7260 Secondary Assessments Co-Ocurring Diagnoses Needs Assessment).

2120 The Recovery Management Entity is responsible to:

2121 Adhere to applicable laws and regulations;

The Recovery Management Entity shall comply with all applicable MHSA rules found at 25 TAC, Part 1, Chapters 401, 404, 405, 411, 412, 414, 415, 417, 419, and 421; 26 TAC, Part 1, Chapters 301-303, 306, 307, and 321 as they currently exist and as they may be amended during the Recovery Management Entities’ contract with HHSC; the Code of Federal Regulations (CFR) 42 CFR Parts 440, 441, 455, and 456; and applicable subchapters of 1 TAC Chapter 355; 45 CFR Parts 46, 80, 84, 90 and 91; and the laws, rules and regulations cited in the various sections of the Manual.

2122 Meet all HHSC credentialing criteria;

HCBS-AMH Recovery Management Entities are enrolled through an Open Enrollment (OE) and must maintain the requirements agreed to in the Provider Agreement. The
HHSC Recovery Management Entity credentialing process may include a desk review, on-site review, quality management review and training components.

2123 Operate under an HCBS-AMH Provider Agreement with HHSC;

The Recovery Management Entity shall operate under a provider agreement with HHSC for the provision of HCBS-AMH services. This includes adherence to the HCBS-AMH Provider Manual, HCBS-AMH Billing Guidelines, and all other relevant HCBS-AMH Policies and Procedures.

2124 Maintain privacy and confidentiality

All parties involved with HCBS-AMH must maintain and protect the confidential information to the extent required by law. The exchange or sharing of confidential information, particularly Protected Health Information (PHI) or other sensitive personal information must be done via a Health Insurance Portability and Accountability Act (HIPAA) compliant secure process (https://www.hhs.gov/ocr/privacy/).

All transmission of sensitive information must be sent via a HIPAA compliant secure method.

Data collected and published for the stakeholders’ meetings is available to others under the Freedom of Information Act. This information is presented in summary form only with no identification of persons receiving services.

2125 Maintain personnel records of direct service staff;

(See 13600 Personnel Records).

2126 Implement a No Reject Policy

(See 6300 Recovery Management Entity Enrollment Responsibilities)

2127 Provide Recovery Management services and support the role of the Recovery Manager;

The HCBS-AMH Recovery Management Entity shall assure that Recovery Management services are accessible to all persons enrolled in the service area. Coordination and provision of services includes routine and emergency appointment availability. Recovery Management services must be provided directly by the HCBS-AMH Recovery Management Entity.

Recovery Management an intensive service. Therefore, caseload sizes for the individual RM shall preferably be 10 or less and shall be no more than 15 persons. This caseload limit should account for persons in other waiver or state plan programs
and other funding sources, unless the requirement is waived by HHSC. This maximum caseload requirement remains in effect unless this requirement is waived by HHSC.

The HCBS-AMH Recovery Management Entity has the ultimate responsibility to comply with the Provider Agreement and HCBS-AMH Provider Manual regardless of service provision arrangement.

The HCBS-AMH Recovery Management Entity must ensure that an alternate RM acts as the person’s assigned RM if a person’s assigned RM is not available. The name and contact information for an alternate RM must be identified and recorded on the IRP.

Services must be delivered in a manner that supports the person’s communication needs, including age-appropriate communication and translation services for beneficiaries that are of limited-English proficiency or who have other communication needs requiring translation assistance.

2128 Ensure ongoing staff development;

The HCBS-AMH Recovery Management Entity shall participate in required trainings and ensure that direct service staff meets minimum training standards for the provision of services (See Appendix A: Training Requirements);

2129 Retain and maintain progress notes and person records regarding HCBS-AMH service provision;

(See 13200 Recovery Management Entity Maintenance of Records).

21210 Execute a provider agreement with Texas Medicaid and Health Partnership (TMHP) in order to obtain reimbursement through the Medicaid Management Information System (MMIS) system;

Once modifications are complete, the State will use an electronic data system to collect clinical information and authorize service requests. The HHSC Clinical Management for Behavioral Health Services (CMBHS) system provides a platform for providers to electronically submit these data to the state. The CMBHS system interfaces with the MMIS system to allow service authorizations and claims payment through MMIS. Until the MMIS system is modified, HHSC authorizes IRPs and pays claims manually. All claims are subject to final review and approval by HHSC.

21211 Submit correct billing/invoices to HHSC;

The HCBS-AMH Recovery Management Entity shall develop a process for the correct and accurate submission of invoices to HHSC. This process shall include adherence to the HCBS-AMH Billing Guidelines a process by which the provider verifies the person’s Medicaid for a billing period.
21212 Ensure the timely payment of employees and subcontractors;

21213 Submit accurate and timely encounter data to HHSC;

The HCBS-AMH Recovery Management Entity shall submit to HHSC, a cumulative monthly encounter data report that includes all RM HCBS-AMH encounters, using the Encounter and Invoicing Template in accordance with the HCBS-AMH Billing Guidelines.

21214 Coordinate with the HCBS-AMH Provider Agency;

The Recovery Management Entity will coordinate all services with the HCBS-AMH Provider agency. This includes, but is not limited to:

- Contacting Provider Agency to schedule IRP development within 72 hours of notification of selection and all subsequent IRP’s
- Appointments and programmatic schedules
- Completion of HCBS Settings Checklist for provider owned and operated housing and all other HCBS-AMH services
- RM monitoring of services

21215 Coordinate with Managed Care Organizations (MCO);

The HCBS-AMH Recovery Management Entity is responsible for ensuring coordination with Managed Care Organization also serving the participant. This includes but is not limited to the following areas:

- Communications with assigned MCO service coordinator and point of contact;
- Teleconferences with MCO service coordinator, based on the person’s needs;
- Obtaining pertinent documents regarding the person’s services;
- Planning and delivery of care;
- Evaluation and adjustment of the IRP;
- Available benefits;
- Referrals to specialists;
- Referrals to state plan services;
- Arrangements for special and insured services with any available community services;
- Coordination during discharge from STAR + PLUS HCBS waiver;
- Discharge, suspension and transfer of services; and
- Non-duplication of Medicaid services (See 20000 Non-Duplication of Services and 20100 RM’s Role in Non-Duplication of Medicaid Services).
When applicable, coordinate with housing providers;

The HCBS-AMH Recovery Management Entity coordinates with housing providers including but not limited to the following areas:

- Evaluation of 42 CFR §441.710 Rule Home and Community-Based Settings requirements. This evaluation of the housing settings must occur prior to the provision of HCBS services. This verification of this evaluation is also documented on the Individual Recovery Plan (IRP);
- Planning and delivery of services;
- Arrangement of services with other providers;
- Arrangement for transition assistance services, home modifications, and one of the following services: supported home living, assisted living, supervised living services, or host-home/companion care;
- Eviction proceedings; and
- Discharge and transfer from housing.

When applicable, coordinate with the LMHA/LBHA;

The HCBS-AMH Recovery Management Entity coordinates with LMHA including but not limited to the following areas:

- Discharge and Admissions to State Hospitals;
- Referrals;
- Crisis Services;
- Planning and delivery of services on the IRP;
- Monitoring of tenure of persons in the community;
- Discharge, transfer, and suspension of HCBS-AMH services; and
- Assessments.

Create and adhere to a Quality Management Plan;

The HCBS-AMH Recovery Management Entity shall implement a Quality Management plan to include participation in quality management oversight activities as requested by HHSC. (See 15000 Quality Management (QM)).

Create and adhere to a Utilization Management (UM) Plan;

Recovery Management Entity shall create improvement measures regarding clinical practice improvement initiatives, service/billing integrity verification, and compliance risk monitoring. The UM Plan should identify roles and responsibilities for service and authorization functions and how those activities are implemented, monitored, and managed.
21220 Develop Housing and Placement policies and procedures;

This includes but is not limited to the following housing and placement policies and procedures:

- Monitoring and tracking housing placement and evictions
- Knowledge of the 42 CFR §441.710 Home and Community-Based Setting requirements for provider owned and operated and non-provider owned and operated settings;
- Expansion of Community Housing Relationship Plan, and other procedures; and
- Resources regarding housing rights and eviction proceedings.

21221 Develop and maintain policies and procedures that support the person and his/her recovery;

These policies and procedures shall include the following:

- Supervision and coaching on Person-Centered Recovery Planning
- Notification of participant’s rights and Medicaid Fair Hearing Process
- Outreach and conflict resolution
- Discharge procedures that address choice of the person, continuity of care, and adhere to HCBS-AMH (see 7500 Discharge IRP and
  - 10000 Discharge, Suspension, and Transfer); and
- Transfer of persons to another HCBS-AMH provider or RM that promote choice of the person, continuity of care and adhere to HCBS-AMH (see 10000 Discharge, Suspension, and Transfer).

21222 Make every effort to protect the safety, dignity, and respect of the persons enrolled in HCBS-AMH.

The HCBS-AMH Recovery Management Entity shall include the following in these efforts:

- Maintain a recovery focus;
- Utilize Person-Centered Recovery Planning process (PCRP) (See 8000 Person-Centered Recovery Planning);
  - Adhere to the requirements of federal standards, rules, and guidance for Medicaid services under 1915(i) (See http://www.ecfr.gov/cgi-bin/text-idx?SID=f375991e7967285a4ecef8f9e5e97b86&node=pt42.4.441&rgn=div5%20-%20se42.4.441_1530#sp42.4.441.m);
  - Obtain necessary completed consent forms;
  - Notify persons of his/her rights and the procedure by which the person files grievances and those grievances are processed;
  - Notify persons of his/her right to a Medicaid Fair Hearing (See 17100 Medicaid Fair Hearing Process);
- Report all critical incidents to HHSC (See 13530 Critical Incidents Reporting);
- Notify persons of how to report abuse, neglect, or exploitation;
- Report abuse, neglect, and exploitation in accordance applicable laws (See 13540 Abuse, Neglect, and Exploitation (ANE));
- Minimize the use of behavior management; restrictive interventions (See 16000 Health and Safety); and
- Implement crisis and safety planning (See 7220 Essential Components of the IRP and 7220 Essential Components of the IRP Safety Plan).

2200 Roles of the HCBS-AMH Provider Agency

2210 The HCBS-AMH Provider Agency is responsible to:

2211 Adhere to applicable laws and regulations;

The HCBS-AMH Provider Agency shall comply with all applicable MHSA rules found at 25 TAC, Part 1, Chapters 401, 404, 405, 411, 412, 414, 415, 417, 419, and 421, 26 TAC, Part 1, Chapters 301-303, 306,307, and 321 and 26 TAC Chapter 303 (relating to Preadmission Screening and Resident Review) as they currently exist and as they may be amended during the Provider Agency’s contract with HHSC; 42 CFR Parts 440, 441, 455 and 456; and applicable subchapters of 1 TAC Chapter 355; 45 CFR Parts 46, 80, 84, 90 and 91; and the laws, rules and regulations cited in the various sections of the Manual.

2212 Meet all HHSC credentialing criteria;

HCBS-AMH Provider Agency Agencies are enrolled through an Open Enrollment (OE) and must maintain the requirements agreed to in the Provider Agreement. The HHSC Provider Agency credentialing process may include a desk review, on-site review, quality management review and training components.

2213 Operate under an HCBS-AMH Provider Agreement with HHSC;

The HCBS-AMH Provider Agency shall operate under a provider agreement with HHSC for the provision of HCBS-AMH services. This includes adherence to the HCBS-AMH Provider Manual, HCBS-AMH Billing Guidelines, and all other relevant HCBS-AMH Policies and Procedures.

2214 Maintain privacy and confidentiality

All parties involved with the HCBS-AMH must maintain and protect the confidential information to the extent required by law. The exchange or sharing of confidential information, particularly Protected Health Information (PHI) or other sensitive
personal information, must be done via a Health Insurance Portability and Accountability Act (HIPAA) compliant secure process https://www.hhs.gov/ocr/privacy/).

All transmission of sensitive information must be sent via a HIPAA compliant secure method.

2215 Maintain personnel records of direct service staff;
(See 13600 Personnel Records).

2216 Implement a No Reject Policy
The HCBS-AMH Provider Agency shall comply with the HCBS-AMH No Reject Policy (See 6510 HCBS-AMH Provider Agency No Reject Policy).

2217 Provide or arrange for provision of all HCBS-AMH services;
The HCBS-AMH Provider Agency shall assure that all HCBS-AMH services are accessible to all persons enrolled in the HCBS-AMH Provider Agency’s service area. Coordination and provision of services includes routine and emergency appointment availability. Services may be provided directly and/or indirectly by establishing and managing a network of subcontractors. The HCBS-AMH Provider Agency shall notify HHSC if an HCBS-AMH service is unavailable for any period of time and submit a plan to remedy the situation within 3 business days.

Services must be delivered in a manner that supports the person’s communication needs, including age-appropriate communication and translation services for beneficiaries that are of limited-English proficiency or who have other communication needs requiring translation assistance.

The HCBS-AMH Provider Agency has the ultimate responsibility to comply with the Provider Agreement, HCBS-AMH Provider Manual, and HCBS-AMH Billing Guidelines regardless of service provision arrangement (directly or through subcontractors).

2218 Ensure ongoing staff development;
HCBS-AMH Provider Agency shall participate in required trainings and ensure that direct service staff (employees and subcontractors) meets minimum training standards for the provision of services (See Appendix A: Training Requirements).
2219 Retain and maintain progress notes and clinical records of persons participating in HCBS-AMH, regarding HCBS-AMH service provision;

The progress notes and clinical records shall be used to provide supporting documentation to be considered by persons completing the HCBS-AMH Uniform Assessment and RMs monitoring the IRP.

The person shall have access to the clinical record in accordance with Texas Health and Safety Code, §611.0045.

22110 Execute a provider agreement with TMHP in order to obtain reimbursement through the Medicaid Management Information System (MMIS) system;

Once modifications are complete, the State will use an electronic data system to collect clinical information and authorize service requests. The HHSC Clinical Management for Behavioral Health Services (CMBHS) system provides a platform for providers to electronically submit data to the state. The CMBHS system will interface with the MMIS system to allow service authorizations and claims payment through MMIS. Until the MMIS system is modified, HHSC authorizes IRPs and pays claims manually. All claims are subject to final review and approval by HHSC.

22111 Submit correct billing/invoices to HHSC;

HCBS-AMH Provider Agency shall develop a process for the correct and accurate submission of invoices to HHSC. This process shall include adherence to the HCBS-AMH Billing Guidelines a process by which the provider verifies the person’s Medicaid for a billing period. Refer to the HCBS-AMH Billing Guidelines for policy details.

22112 Ensure the timely payment of employees and subcontractors;

The HCBS-AMH Provider Agency shall ensure that all employees and subcontractors of HCBS-AMH services receive payment for services in a timely manner.

22113 Submit accurate and timely encounter data to HHSC;

HCBS-AMH Provider Agency shall submit to HHSC, a cumulative monthly encounter data report that includes all HCBS-AMH service encounters, using the Encounter and Invoicing Template in accordance with the HCBS-AMH Billing Guidelines.

22114 Coordinate with the Recovery Management Entity, State Hospital, and LMHA’s;

HCBS-AMH Provider Agency shall ensure that all employees and subcontractors of HCBS-AMH services:
● Participate in recovery plan meetings;
● Participate in teleconferences with the RM, MCO, and any other service provider or service coordinator;
● Participate in the IRP planning process and act as a PCRP participant. Participation should be face-to-face for persons in the community and may be telephonically or electronically for persons not in the community.
● Be available to participate in the IRP development within the established timeframes, including coordination with the RM entity within the first 72 hours of receiving the selection notification to schedule the initial IRP:
● Utilize the RM as the first point of contact regarding questions and concerns about services;
● Provide documentation about the person requested by the RM; and
● Collaborate with the RM in the discharge, transfer, or suspension of the person from services.
● If the individual referred to the HCBS-AMH program is residing in or discharged from a state hospital on a Forensic Commitment, the PA will review the requests of the state hospital, LMHA and court officials for service provision.

22115 Coordinate with The Managed Care Organization providing services to the person;

The HCBS-AMH Provider Agency is responsible for coordination with the Managed Care Organization also serving the person. This includes but not limited to the following areas:

● Planning and delivery of care;
● Evaluation and adjustment of the IRP;
● Available benefits;
● Discharge, suspension, and transfer of services; and
● Non-duplication of Medicaid services (See 20000 Non-Duplication of Services).

22116 When applicable, coordinate with other entities involved in the person’s care (i.e. Local Mental Health Authority (LMHA), criminal justice system, ED, etc.);

22117 Create and adhere to a Quality Management Plan;

HCBS-AMH Provider Agencies shall implement a Quality Management plan to include participation in quality management oversight activities as requested by HHSC;

22118 Create and adhere to a Utilization Management Plan;

The primary Utilization Management (UM) activities are related to monitoring of service utilization for each person. The HCBS-AMH Provider Agency implements a
Utilization Management (UM) plan to complement quality improvement activities to include clinical practice improvement initiatives, service/billing integrity verification, and compliance risk monitoring.

22119 Develop Housing and Placement policies and procedures;

This includes the monitoring and tracking placement, adherence to 1915(i) settings requirements for provider owned and operated and non-provider owned and operated settings, Expansion of Community Housing Relationship Plan, and other procedures.

22120 Develop and maintain policies and procedures that support the person and his/her recovery;

These policies and procedures shall include the following:

- Discharge procedures that address choice of the person, continuity of care, and adhere to HCBS-AMH (See 10120 Discharge Procedure); and
- Transfer of persons to another HCBS-AMH provider that promote choice of the person, continuity of care, and adhere to HCBS-AMH (See 10320 Transfer Procedure).

22121 Make every effort to protect the safety, dignity and respect of the persons enrolled in HCBS- AMH.

The HCBS-AMH Provider Agency shall include the following in these efforts:

- Maintain a recovery focus;
- Adhere to the requirements of federal standards, rules, and guidance for Medicaid services under 1915(i) (See http://www.ecfr.gov/cgi-bin/text-idx?SID=f375991e7967285a4ecef8f9e5e97b86&node=pt42.4.441&rgn=div5%20-%20se42.4.441_1530#sp42.4.441.m);
- Obtain necessary completed consent forms;
- Notify persons of his/her rights and the procedure by which the person files grievances and those grievances are processed;
- Notify persons or his/he right to a Medicaid Fair Hearing (See 17100 Medicaid Fair Hearing);
- Maintain policies and procedures for medication safety (See 16300 Medication Safety and Management);
- Report all critical incidents to HHSC (See 13530 Critical Incidents Reporting);
- Report abuse, neglect and exploitation in accordance applicable laws (See 13540 Abuse, Neglect, and Exploitation (ANE)); and
- Minimize the use of behavior management; restrictive interventions (See 16000 Health and Safety).
2300 Roles of State Hospital

2310 Adhere to applicable state and Federal laws, policies and procedures;

2320 Refer persons to HCBS-AMH: (See 5000 Referral and Pre-Enrollment Process).

2330 Provide supporting documentation to be considered by persons completing the HCBS-AMH Uniform Assessment;

2340 Perform the HCBS-AMH Uniform Assessment (UA) for persons in the State Hospital, as indicated by HHSC;

2350 Maintain privacy and confidentiality

All parties involved with the HCBS-AMH must maintain and protect the confidential information to the extent required by law. The exchange or sharing of confidential information, particularly protected health information (PHI) or other sensitive personal information must be done via a Health Insurance Portability and Accountability Act (HIPAA) compliant secure process (https://www.hhs.gov/ocr/privacy/).

All transmission of sensitive information must be sent via a HIPAA compliant secure method.

2360 Social Security Pre-Release Application;

(See 14110 Social Security Administration Prerelease Program)

2370 Discharge Planning;

State Hospital IDT members work with the person and RM to assist in discharge planning.
2380 Participation in PCRP;

2390 Coordination with direct service staff of Recovery Management Entity and HCBS-AMH Provider Agency;

23100 Adhere to policy and procedure regarding privileges of HCBS-AMH Provider Agency and Recovery Management Entity direct service staff to provide certain services to persons in the state hospital.

(See 13620 Credentialing for Service Provision within the State Hospitals);

2400 Roles of Local Mental Health Authority (LMHA) or Local Behavioral Health Authority (LBHA)

2410 Adhere to applicable laws and HHSC policies and procedures;

2420 Operate a phone line to receive and respond to inquiries about HCBS-AMH;

2430 Designate a Point of Contact (POC) to coordinate HCBS-AMH referral process for persons residing in the community.

POC is responsible to:

- Ensure appropriate information is being disseminated to inquiries and routed to the appropriate personnel;
- Attend monthly HCBS-AMH Eligibility Verification conference calls; and
- Act as the main contact with HHSC HCBS-AMH staff;
2440 Review the Mental Retardation and Behavioral Health Outpatient Warehouse (MBOW) 1915i reports located in the CA Continuity of Care folder for evidence or supporting documentation of meeting initial eligibility criteria;

2450 Coordinate with state hospital staff, as necessary, for persons referred to the program who are currently in the state hospital;

2460 Coordinate with criminal justice staff or emergency department staff, as necessary, for persons referred to the program;

2470 Complete the HCBS-AMH referral process for persons residing in the community;

(See 5000 Referral and Pre-Enrollment Process)

- Assist the person and/or LAR in completing the HCBS-AMH Consent for Eligibility Determination Form;
- Complete the HCBS-AMH Uniform Assessment or assist in coordinating the date and location of the assessment;
- Attach supporting documentation, if applicable or requested by HHSC, for persons on the MBOW 1915i reports or who otherwise meet referral criteria who are currently in the community;
- Verify CARE ID of the referred person, if available; and
- Submit the completed forms.

2480 If providing TRR services to the HCBS-AMH person, participate in the person’s HCBS-AMH IRP meetings, including coordination with the person’s HCBS-AMH recovery manager;

Once the LMHA/LBHA receives notification from HHSC that the person is enrolled in HCBS-AMH, the LMHA/LBHA should notify the LMHA/LBHA case manager, or other applicable service providers, as they will likely be called upon to and participate as a PCRP participant during IRP development.

2490 Maintain privacy and confidentiality

All parties involved with the HCBS-AMH must maintain and protect the confidential information to the extent required by law. The exchange or sharing of confidential information, particularly protected health information (PHI) or other sensitive personal information must be done via a Health Insurance Portability and
Accountability Act (HIPAA) compliant secure process [https://www.hhs.gov/ocr/privacy/](https://www.hhs.gov/ocr/privacy/).

All transmission of sensitive information must be sent via a HIPAA compliant secure method.

24100 Coordination service delivery with HCBS-AMH Recovery Management Entity and HCBS-AMH Provider Agency direct service staff;

Once the LMHA/LBHA receives notification from HHSC that the person is enrolled in HCBS-AMH, the LMHA/LBHA should notify the LMHA/LBHA case manager, if applicable as they will likely be called upon to coordinate services and activities.

24110 Complete update HCBS-AMH Uniform Assessment for persons enrolled in a Level of Care within the Texas Resiliency and Recovery (TRR) system at the LMHA/LBHA, or as indicated by HHSC;

24120 Coordinate state hospital discharge planning with HCBS-AMH Recovery Manager and state hospital staff;

The LMHA/LBHA authority is not impacted by HCBS-AMH enrollment, including Continuity of Care responsibilities. The HCBS-AMH Recovery Manager (RM) may work with a person residing in a state hospital for up to six months prior to his/her discharge. In this instance, the HCBS-AMH RM shall be included in discharge planning with the enrolled person, LMHA/LBHA staff and state hospital staff.

Specific HCBS-AMH RM roles in discharge coordination include identifying needed HCBS-AMH services, community supports, and if applicable the LMHA/LBHA case manager contact.

In the instance that an individual in the HCBS-AMH program is on a Forensic Commitment, the LMHA will take the lead role in reviewing the services mandated by the court system and the choice of services available under the HCBS-AMH program. The LMHA will be the single point of contact with the judicial system, unless otherwise delegated by the LMHA.
2500 Roles of HHSC

2510 Promulgate rules, policies, procedures, and information development governing HCBS-AMH;

2520 Implement a referral process for HCBS-AMH;

HHSC shall develop process by which persons are referred. This information shall be disseminated by HHSC and made available online at http://www.dshs.state.tx.us/mhsa/hcbs-AMH/.

2530 Determine eligibility for HCBS-AMH;

HHSC shall use the Mental Retardation and Behavioral Health Outpatient Data Warehouse (MBOW) reports, Initial Criteria Report (ICR), and Uniform Assessment (UA), including financial criteria, and all other available evidence of eligibility to determine eligibility for the HCBS-AMH program.

2540 Implement HCBS-AMH enrollment process for persons;

Eligibility determinations are made by HHSC. Once a person is referred, an independent evaluation is conducted that verifies the person meets initial criteria, and meets clinical, functional, and financial eligibility. Enrollment is tracked by HHSC.

2550 Recruit and enroll HCBS-AMH Provider Agencies and Recovery Management Entities;

HHSC participates in marketing and outreach for potential HCBS-AMH persons by disseminating HCBS-AMH programmatic information through regular interaction with the community and stakeholders; having an online presence; responding to inquiries or requests for information, or other outreach efforts identified by the state to reach the appropriate target population.

HCBS-AMH Provider Agencies and Recovery Management Entities shall be enrolled through an Open Enrollment process.

2560 Perform and maintain records of assessments and evaluations of persons;

HHSC designates state hospital staff or HHSC contractors to perform initial HCBS-AMH UA. HHSC also designates independent assessors for on-going reassessments of the HCBS-AMH UA. (See 4000 HCBS-AMH Uniform Assessment (UA).)
Records of assessments and evaluations are maintained by HHSC (See 4300 Maintenance of UA Records).

Note: There must be a clear separation between provider functions and any person or entity providing the UA. Contractors delegated the responsibility to perform assessments who are an HCBS-AMH provider of last resort have a higher level of scrutiny. If HHSC delegates an entity other that state hospital staff to perform the UA, the distinct person conducting the UA must be independent of providers of HCBS-AMH services and any utilization review units and functions.

2570 Develop billing guidelines;

The HCBS-AMH Billing Guidelines are available at http://dshs.texas.gov/mhsa/hcbs-amh/billing/

2580 Review and approve Individual Recovery Plans;

2590 Develop and implement policy and procedure regarding privileges of HCBS-AMH direct service staff to provider certain services to persons in the state hospital;

(See 13620 Credentialing for Service Provision within the State Hospitals).

25100 Conduct Utilization Management;

25110 Conduct quality assurance and quality improvement activities that are pursuant to, HHSC and the State’s Quality Improvement Strategy policies and procedures.

HHSC performs QM oversight of the HCBS-AMH Recovery Management Entities through encounter data reporting and regular desk and on-site reviews.
2600 Roles of the Person

2610 Choose to participate in the HCBS-AMH;

2620 Choose an HCBS-AMH Provider Agency and Recovery Management Entity in the service area of his/her choice;

2630 Participate in the development of the Individual Recovery Plan (IRP);

2640 Participate in HCBS-AMH services as identified in the IRP;

2650 Notify the HCBS-AMH Recovery Management Entity and HCBS-AMH Provider Agency upon notice from CMS, HHSC, or SSI that their Medicaid coverage will be renewed, or is denied or expired;

2660 Notify the HCBS-AMH Recovery Management Entity if their place of residence changes. This includes a residence change outside of the HCBS-AMH Service area or a change in living arrangement (community setting to institutional setting); and

2670 Notify HCBS-AMH Provider upon enrollment into another HCBS program that precludes the person from participating in HCBS-AMH (Community Living Assistance and Support Services (CLASS), Deaf Blind with Multiple Disabilities (DBMD), Home and Community-based Services Waiver (HCS), Texas Home Living Waiver (TxHmL), Youth Empowerment Services (YES), or STAR+PLUS HCBS Waiver).

Additional information regarding the person and LAR’s agreements and responsibilities are identified in the HCBS-AMH Enrollment Consent Form.
HCBS-AMH eligibility is determined using demographic, clinical, and financial criteria. Additionally, persons cannot be dually enrolled or receive HCBS services by any other means; including enrollment in Community Living Assistance and Support Services (CLASS), Deaf Blind with Multiple Disabilities (DBMD), Home and Community-based Services Waiver (HCS), Texas Home Living Waiver (TxHmL), Youth Empowerment Services (YES) or STAR+PLUS HCBS Waiver.

3100 Initial Criteria

Persons must meet the following initial criteria in order to be eligible for HCBS-AMH:

- Diagnosis of serious mental illness (SMI);
- One of the following needs-based criteria:
  1. Long Term Hospitalization (three or more cumulative years) in an inpatient psychiatric hospital during the five years prior to enrollment;
     or
  2. Jail Diversion: have an active Medicaid benefit and have two or more psychiatric crises (i.e., inpatient psychiatric hospitalizations and/or outpatient psychiatric crisis that meets inpatient psychiatric criteria) and four or more discharges from correctional facilities during the three years prior to enrollment;
     or
  3. ED Diversion: have an active Medicaid benefit and have two or more psychiatric crises (i.e., inpatient psychiatric hospitalizations and/or outpatient psychiatric crisis that meets inpatient psychiatric criteria) and fifteen or more total ED visits.
- The person is not accessing these services by any other means, including enrollment in Community Living Assistance and Support Services (CLASS), Deaf Blind with Multiple Disabilities (DBMD), Home and Community-based Services Waiver (HCS), or Texas Home Living Waiver (TxHmL), Youth Empowerment Services (YES), or STAR+PLUS HCBS Waiver.

3200 Clinical Necessity

Clinical necessity shall be determined as part of an independent evaluation of the person. HHSC has identified the Adult Needs and Strengths Assessment (ANSA) as
the standardized assessment tool to determine clinical eligibility as part of the HCBS-AMH UA.

3300 Financial Eligibility

Persons enrolled in HCBS-AMH meet Medicaid eligibility requirements in accordance with an income level less than or equal to 150% of the Federal Poverty Level (FPL).

Persons that do not meet financial eligibility requirements may be placed on a waitlist under the following circumstances.

- Long Term Hospitalization needs-based criteria is met but the person does not meet an income level less than or equal to 150%; or
- Long Term Hospitalization needs-based criteria and below 150% FPL is met but the person has not been able to attain SSI eligibility. (See 14000 Benefits, Entitlements and Financial Resources and 5400 Waitlist and Pending Enrollment).

3400 Evaluation and Eligibility Determination

HHSC determines eligibility through completion of the evaluation of all factors affecting the eligibility of a person. (6000 Enrollment into HCBS-AMH).
# 4100 HCBS-AMH Uniform Assessment Definitions

<table>
<thead>
<tr>
<th>Uniform Assessment Types</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial:</td>
<td>The first UA that is saved in closed complete status in a person’s episode of care.</td>
</tr>
<tr>
<td>Update:</td>
<td>UA saved in closed complete status following an Initial UA that does not meet definition of a Discharge UA.</td>
</tr>
<tr>
<td>Discharge:</td>
<td>UA completed with a person who is anticipated to be discharged from the HCBS-AMH program. This includes voluntary and administrative discharges.</td>
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<thead>
<tr>
<th>Uniform Assessment Status</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Draft:</td>
<td>UA that has been saved, is open for edits, and are not saved in Closed Complete status. UAs saved in draft status are open for edits for 10 days. This does not create an Active UA</td>
</tr>
<tr>
<td>Closed Complete:</td>
<td>UA that is completed and signed by the assessor to attest to the accuracy of the assessment on the date it was performed and saved in Closed Complete status. UAs saved in Closed Complete status cannot be edited on or after the Enrollment Date.</td>
</tr>
<tr>
<td>Active:</td>
<td>The most recent UA that has been saved in Closed Complete status.</td>
</tr>
<tr>
<td>Expired:</td>
<td>A UA that is no longer active due to exceeding the Expiration Date.</td>
</tr>
<tr>
<td>Pending:</td>
<td>A UA that has been evaluated by HHSC but has not been saved in closed complete status.</td>
</tr>
<tr>
<td>Uniform Assessment Dates</td>
<td>Definition</td>
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</tr>
<tr>
<td>Performed On:</td>
<td>Date the UA is administered with the person.</td>
</tr>
<tr>
<td>Active Date:</td>
<td>Date the UA is approved by HHSC and saved in Closed Complete Status.</td>
</tr>
<tr>
<td>Expiration Date:</td>
<td>The following circumstances would be the Expiration Date of an Active UA: One year from the Active Date of the Active UA; The date a person is discharged from HCBS-AMH; or 60 days from the Performed On date of a UA in Pending Status if the person is not enrolled in HCBS-AMH.</td>
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</tbody>
</table>

### 4200 General HCBS-AMH Uniform Assessment Information

The referring entity assists persons who have met initial criteria to complete the Consent for Eligibility Determination and Enrollment. Once the Consent for Eligibility Determination and Enrollment form is signed, the HCBS-AMH Uniform Assessment (UA) is completed with the person in accordance with 26 TAC, Part 1, Chapter 307, Subchapter B (relating to Home and Community-Based Services—Adult Mental Health Program). The assessment is a person-centered process and guided by best practice and research on effective strategies that result in improved health and quality of life outcomes.

The initial HCBS-AMH Uniform Assessment (UA) is performed face-to-face by the referring entity approved by HHSC and by persons who are not direct service providers of HCBS-AMH services to the person. Information from an ANSA completed within 6 months of the initial UA can be used to complete the UA if there are no changes in the person’s clinical information. Persons performing the UA may not be under the purview of an HCBS-AMH Provider Agency or Recovery Management Entity unless they are the only willing and qualified entity in a geographic area as part of the evaluation process.

Upon completion of the UA the referring entity assists the person with the following documents in the HCBS-AMH Enrollment Packet:

- HCBS-AMH Provider Selection Form- Person selects an HCBS-AMH Provider Agency (PA) and Recovery Manager (RM) using the HCBS-AMH Provider Selection Form.;
- HCBS-AMH Participation of Rights Form;
- Provide the person the HCBS-AMH Participant Brochure;
● Provide the person the HHSC/HHSC Consumer Rights Handbook.

The referring entity sends the completed Consent for Eligibility Determination and Enrollment form, UA, and Enrollment Packet via email to HHSC at HCBS-AMH@dshs.state.tx.us with the subject line titled “Referral.”

An evaluation using the HCBS-AMH UA is conducted at least every 12 months and/or when the person’s circumstances or needs change significantly. HHSC evaluates the UA annually and determines ongoing eligibility. Circumstances that indicate a re-evaluation include:

● Change in housing status
● Change in financial status
● Change in medical status
● Change in employment status
● Change in functioning status
● Change in clinical needs

The HCBS-AMH UA is based on the following:

● Consultation with the person and the person’s legally authorized representative (LAR), if applicable; and includes the opportunity for the person to identify other persons to be consulted, such as the person’s spouse, family, guardian, and treating and consulting health and support professionals responsible for the person’s care;

● An examination of the person’s relevant history, medical records, objective evaluation of functional ability, and any other records or information needed to develop the IRP; and

● An examination of the person’s physical, cognitive, and behavioral health care and support needs, strengths and preferences, available service and housing options, and when unpaid caregivers are relied upon to implement the IRP, and a caregiver assessment.

HHSC may contact the referring entity with requests for additional information when necessary at any time during the Eligibility and Enrollment process. HCBS-AMH Provider Agencies and Recovery Management Entities are not directly involved in determining HCBS-AMH eligibility. The HCBS-AMH Provider Agency and Recovery Management entity may be consulted to provide information to aid in the completion of annual re-revaluation.

A re-evaluation using the UA occurs, no more than one year from the most recent UA. UAs expire 365 days from the date the assessment was performed. Authorization for services cannot occur without an Active UA.
4210 HCBS-AMH UA Reassessment

The reassessment is performed by an independent contractor or the LMHA/LBHA if the person is receiving TRR services from the LMHA/LBHA. The annual reassessment is to be sent to HHSC at HCBS-AMH@hhsc.state.tx.us within 3 business days with the subject line titled “UA Reassessment.” HHSC evaluates the UA and determines ongoing eligibility.

Once the HCBS-AMH UA is completed, the reassessment of the HCBS-AMH UA is to be sent to HHSC at HCBS-AMH@dshs.state.tx.us within 3 business days with the subject line titled “UA Reassessment”.

Authorization for HCBS-AMH services cannot occur without an active HCBS-AMH UA.

4300 Maintenance of UA Records

HHSC shall maintain records of assessments and reassessments. The assessments shall be made available to the RM for creation of the IRP and the HCBS-AMH Provider Agencies and Recovery Management Entities shall maintain records of the assessment in the person’s clinical record.

4400 Adult Needs and Strengths Assessment (ANSA)

The Adult Needs and Strengths Assessment (ANSA) is designed to support recovery planning, facilitate quality improvement, and to allow for monitoring clinical outcomes.

The ANSA was developed from a communication perspective and can facilitate a relationship between the assessment process and the development of individualized recovery plans—including the application of evidence-based practices. As such, providers should be familiar with how the ANSA functions and communicates the needs and strengths of the person. The ANSA Manual developed for HCBS-AMH Purposes is located at the following: http://www.dshs.state.tx.us/mhsa/hcbs-amh/.

Broadly speaking, each item on the ANSA can communicate a focus for recovery planning for the person. There are four levels of each item on the ANSA with anchored definitions. The assessor uses these definitions to determine a score which can then be translated into the following action levels (separate for needs and strengths):

**For needs:**

0 = No evidence
1 = Watchful waiting/prevention
2 = Action
3= Immediate/Intensive Action

**For strengths:**

0= Centerpiece strength  
1= Strength that you can use in planning  
2= Strength has been identified—must be built  
3= No strength identified

If there is a clinical disagreement between the independent assessor and the Recovery Manager and/or the Provider Agency concerning the scores generated by the ANSA during the performance of the HCBS-AMH UA, all parties will submit the clinical justification for the disagreement to HHSC within 3 business days. HHSC will render an administrative decision based upon all submitted documentation within 3 business days of receiving the information.

### 4500 Financial Screening

A financial screening is completed as part of the UA to determine financial eligibility for HCBS-AMH. The person’s income must be 150% of the Federal Poverty Level or below to be enrolled in HCBS-AMH.

Persons that meet Jail Diversion or Emergency Department Diversion criteria must have an active Medicaid benefit to be enrolled in HCBS-AMH.

The following factors shall be taken into consideration during the enrollment process for persons that meet the Long-Term Hospitalization needs-based criteria only:

<table>
<thead>
<tr>
<th>Factors Affecting Financial Eligibility</th>
<th>Effect on Enrollment Process</th>
</tr>
</thead>
<tbody>
<tr>
<td>A person who otherwise meets financial eligibility and is currently eligible or has been eligible for Medicaid in the past as an adult</td>
<td>Expected to currently be Medicaid eligible and not indigent. This factor does not prevent enrollment into the program.</td>
</tr>
<tr>
<td>A person who otherwise meets financial eligibility and has not previously applied for SSI and/or Medicaid. The person or LAR agrees to apply for Medicaid, and eligibility is anticipated (awaiting official determination).</td>
<td>Expected to be Medicaid eligible and not indigent. The person may be enrolled in the program regardless of Medicaid eligibility determination.</td>
</tr>
<tr>
<td>A person who otherwise meets financial eligibility and has been determined ineligible for SSI and/or Medicaid in the past.</td>
<td>Expected to be currently ineligible for Medicaid and indigent. The person may be placed on a waitlist for enrollment until HCBS-AMH program capacity allows for enrollment.</td>
</tr>
<tr>
<td>Factors Affecting Financial Eligibility</td>
<td>Effect on Enrollment Process</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>Person who otherwise meets financial eligibility has not applied for SSI and/or Medicaid in the past because they cannot prove his/her identity or do not meet SSI or Medicaid eligibility criteria.</td>
<td>Expected to be currently ineligible for Medicaid and indigent. The person may be placed on a waitlist for enrollment until HCBS-AMH program capacity allows for enrollment.</td>
</tr>
<tr>
<td>A person who otherwise meets financial eligibility refuses to apply for SSI or Medicaid benefits.</td>
<td>Expected to be currently ineligible for Medicaid and indigent. The person may be placed on a waitlist for enrollment until HCBS-AMH program capacity allows for enrollment.</td>
</tr>
</tbody>
</table>

Persons in a state hospital may qualify for the Social Security Administration Pre-Release Application Process. (See 14110 Social Security Administration Prerelease Program).
5000 Referral and Pre-Enrollment Process

A person can be referred to HCBS-AMH from the state hospital or the community LMHA/LBHA. This section describes the referral and enrollment process for each referring entity.

Eligibility determinations are made by HHSC. Once a person is referred, an independent evaluation is conducted that verifies the person meets initial criteria, and meets clinical, functional, and financial eligibility. Persons with an active Medicaid who are determined eligible shall be enrolled in the program. Persons who do not currently meet all eligibility requirements may be placed on a waitlist or pending status for enrollment.

5100 Enrollment Process Definitions

<table>
<thead>
<tr>
<th>Enrollment Status</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interested:</td>
<td>A person is designated as “Interested” until they are determined fully eligible for HCBS-AMH, including Clinical and Financial eligibility.</td>
</tr>
<tr>
<td>Eligible:</td>
<td>A person is designated as “Eligible” once approved for clinical and financial eligibility.</td>
</tr>
<tr>
<td>Waitlisted:</td>
<td>A person who meets Long Term Hospitalization needs-based criteria and does not have an active Medicaid benefit or does not meet financial eligibility but is otherwise eligible and is designated as “Waitlisted.”</td>
</tr>
<tr>
<td>Enrolled:</td>
<td>A person is designated as “Enrolled” once an eligible person has completed an Enrollment Packet.</td>
</tr>
<tr>
<td>Receiving Services:</td>
<td>A person is designated as “Receiving Services” upon receipt of an HCBS-AMH service. This does not include the development of the Individual Recovery Plan (IRP).</td>
</tr>
<tr>
<td>Pending:</td>
<td>A person is designated “Pending” who otherwise meets eligibility criteria but is not yet enrolled in HCBS-AMH because the person: is on a forensic commitment and not presently in a community-based setting; or is in the custody of the criminal justice system; or has not completed an enrollment packet. A person may have a pending status for no more than 60 days. After 60 days a new UA and eligibility determination is required to determine eligibility.</td>
</tr>
</tbody>
</table>
### Enrollment Status

<table>
<thead>
<tr>
<th>Enrollment Status</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suspended:</td>
<td>A person who is not discharged from the program whose services are suspended. (See <a href="#">10210 Reasons for Suspension</a> and <a href="#">10220 Suspension Procedure</a>).</td>
</tr>
<tr>
<td>Discharged:</td>
<td>A person is designated “Discharged” when they are no longer enrolled in the HCBS-AMH program and receiving HCBS-AMH services. (See <a href="#">10110 Reasons for Discharge</a>).</td>
</tr>
</tbody>
</table>

### Enrollment Date

<table>
<thead>
<tr>
<th>Enrollment Date</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enrollment Date:</td>
<td>The person has been determined eligible for the program by HHSC and completes the enrollment packet for program.</td>
</tr>
<tr>
<td>Enrollment Expiration:</td>
<td>365 days after the Enrollment Date. <strong>Although the person may continue to be enrolled in the program with an Expired UA for up to ten days, the person must have an Active UA and Active IRP to receive HCBS-AMH services.</strong> (See <a href="#">4100 HCBS-AMH Uniform Assessment Definitions</a>).</td>
</tr>
<tr>
<td>Episode of Care:</td>
<td>The time between the active enrollment date of the person to the current date in an active authorization without any discharges from HCBS-AMH.</td>
</tr>
</tbody>
</table>

### 5200 Referral Process from State Hospital

#### 5210 Initial Criteria Report (ICR)

HHSC creates an Initial Criteria Report (ICR) of persons who have been admitted to a psychiatric hospital for three of the past five years (cumulatively or consecutively). State Hospitals (SH) have access to the ICR.

#### 5220 State Hospital IDT

State Hospital Social Worker (SHSW) convenes the hospital Interdisciplinary Team (IDT) and reviews the ICR to identify eligible persons currently residing in the SH.

The SHSW along with the SH IDT shall complete and electronically submit the following by secure email to [HCBS-AMH@dshs.state.tx.us](mailto:HCBS-AMH@dshs.state.tx.us), with the subject line titled “Referral”:

- Consent for Eligibility Determination and Enrollment Form
- HCBS-AMH UA
- HCBS-AMH Provider Selection Form
• Notification of Participation Rights Form

SHSW assists the person and LAR in the selection of an HCBS-AMH Recovery Management Entity and HCBS-AMH Provider Agency. The person’s choice is documented by completing the HCBS-AMH Provider Selection Form. The referring entity shall gather the following information from the HCBS-AMH website:

• Provide a list of all approved HCBS-AMH Recovery Management Entities and HCBS-AMH Provider Agencies serving the person’s county of residence to the person and the LAR;
• Provide the person and LAR with HCBS-AMH Recovery Management Entity and HCBS-AMH Provider Agency’s location, contact information, and phone number.

(See https://www.dshs.texas.gov/mhsa/hcbs-amh/State-Hospital-Referral-Enrollment-Process.aspx to access this process)

The date the referral and enrollment forms are received electronically at HCBS-AMH@hhsc.state.tx.us is the date HHSC shall use to verify that a person meets initial eligibility criteria once reviewed and approved.

SHSW provides general information about HCBS-AMH to the person and/or LAR. The information that may be provided at any time during the Eligibility and Enrollment Process includes, but is not limited to:

• Demographic eligibility criteria;
• Clinical eligibility criteria;
• Financial eligibility criteria; and
• Service array description.

5300 Referral Process from Community

5310 Initial Criteria Report (ICR)

HHSC creates a report of persons who meet the needs-based criteria for Long Term Hospitalization, Jail Diversion, and Emergency Department Diversion based on available data sources. The Local Mental Health Authority (LMHA) and Local Behavioral Health Authority (LBHA) have access to the reports in Mental Retardation and Behavioral Health Outpatient Warehouse (MBOW): 1915i reports in the CA Continuity of Care folder.

5320 LMHA/LBHA Community Referral

The LMHA/LBHA accepts an inquiry about the HCBS-AMH from the person interested and reviews the ICR to identify eligible persons currently residing in the LMHA/LBHA service area. LMHA/LBHA completes the HCBS-AMH Community referral process (See
The LMHA/LBHA may provide HCBS-AMH Pre- Engagement Services during this process (See 5321 Pre-Engagement Services).

The LMHA/LBHA shall complete and electronically submit the following by secure email to HCBS-AMH@hhsc.state.tx.us with the subject line titled “Referral”:

- Consent for Eligibility Determination and Enrollment Form
- HCBS-AMH UA, including the ANSA
- Notification of Participation Rights Form
- HCBS-AMH Provider Selection Form

The date the referral and enrollment forms are received electronically at HCBS-AMH@hhsc.state.tx.us is the date HHSC shall use to verify that a person meets initial eligibility criteria once reviewed and approved.

LMHA/LBHA provides general information about HCBS-AMH to the person and/or LAR. The information that may be provided at any time during the Eligibility and Enrollment Process includes, but is not limited to:

- Demographic eligibility criteria;
- Clinical eligibility criteria;
- Financial eligibility criteria; and
- Service array description.

**5321 Pre-Engagement Services**

HCBS-AMH Pre-Engagement Services are provided by the LMHA/LBHA to assist persons seeking enrollment as an HCBS-AMH participant (Participant) who reside in the state of Texas. (See 9218 Pre- Engagement)

Once the LMHA/LBHA completes the referral and receives notification from HHSC that the person is enrolled, the LMHA/LBHA HCBS-AMH point of contact should notify the LMHA/LBHA case manager or other mental health service provider, if applicable, as they will likely be called upon to coordinate services and activities and participate as a PCRP participant for IRP development.

**5400 Waitlist and Pending Enrollment**

**5410 Waitlist for Persons Meeting Long Term Hospitalization Needs Based Criteria**

If HCBS-AMH does not have capacity to serve a person who meets the Long-Term Hospitalization needs-based criteria and has been determined eligible based on the UA apart from financial eligibility, the person is placed on the Waitlist until capacity
for enrollment exists. If the Active UA expires, the person needs a new Initial UA prior to enrollment into HCBS-AMH. (See 4100 HCBS-AMH Uniform Assessment Definitions).

5420 Pending Enrollment

Persons that meet HCBS-AMH clinical eligibility, but currently reside in a SH with a forensic commitment, in an Outpatient Competency Restoration (OCR) program, or are deemed an inmate of the criminal justice system are determined eligible but are pending enrollment until judge or district attorney allows the persons to reside in the community in a setting that meets 42 CFR §441.710 standards. The person’s enrollment may remain pending for up to 60 days at which time the Active UA expires. If the person is not allowed to reside in the community within 60 days, the person requires a new Initial UA prior to enrollment.
6000 Enrollment into HCBS-AMH

6100 Notification and Consent of the Person

6110 Notification of Eligibility

Once a person is determined eligible for the HCBS-AMH program and they are not waitlisted, HHSC notifies the person and/or their LAR.

HHSC completes the following:

- Notify the referring entity via e-mail of the person’s eligibility;
- Provide the person and LAR with notification of eligibility and enrollment determination in writing;
- Notify the Provider Agency and Recovery Management Entity selected by the person and identified on the HCBS-AMH Provider Selection Form of the enrollment.

The referring entity completes the following:

- Provide the person and/or LAR with a Participant Handbook, which contains a written explanation of the HCBS-AMH program and services supports;
- Provide a copy of HHSC Handbook of Consumer Rights, Mental Health Services in either English or Spanish as appropriate to the person and LAR, if applicable; and
- Inform the person and the LAR of the process for reporting allegations of abuse, neglect or exploitation (ANE) and given the toll-free number for the Texas Department of Family and Protective Services (DFPS). Oral and written communication of this information is documented on the Notification of Participant Rights Form bearing the date and signatures of the person and/or LAR and the staff person who provided this information.

6120 Notification of Ineligibility

If a person is determined to be ineligible for HCBS-AMH, HHSC:

- Notifies the person and/or LAR through a Determination Letter;
  - the person is denied enrollment in HCBS-AMH;
  - the person is denied continued enrollment in HCBS-AMH; or
  - HCBS-AMH program services for the Medicaid eligible person are reduced, suspended, transferred, or terminated.
- If the person has Medicaid, this notification includes notification of the right to a fair hearing;
● Notifies the referring entity; and
● Refers the person to other services available or other known community resources.

### 6200 Selection and Notification of HCBS-AMH Recovery Management Entity and HCBS-AMH Provider Agency

#### 6210 Selection of Recovery Management Entity and HCBS-AMH Provider Agency

Once the referring entity receives email notification from HCBS-AMH staff that a person is eligible for enrollment, the referring entity assists the person and LAR (if applicable) in the initial selection of an HCBS-AMH Recovery Management Entity and the HCBS-AMH Provider Agency. The referring entity documents the person’s choice of Recovery Management Entity and HCBS-AMH Provider Agency by completing the HCBS-AMH Provider Selection Form and submits the form to HHSC with the referral and enrollment forms (See 5300 Referral Process from Community).

Persons may choose among available HCBS-AMH Recovery Management Entities and the HCBS-AMH Provider Agencies at any time (See 10300 Transfer).

#### 6220 Notification of Recovery Management Entity and HCBS-AMH Provider Agency

Upon selection by the person, the HCBS-AMH Recovery Management Entity and HCBS-AMH Provider Agency shall be notified by HHSC. HHSC coordinates the referral to the HCBS-AMH Recovery Management Entity and HCBS-AMH Provider Agency by submitting the HCBS-AMH Provider Selection Form to the selected HCBS-AMH Recovery Management Entity and HCBS-AMH Provider Agency.

The selected HCBS-AMH Recovery Management Entity and HCBS-AMH Provider Agency shall both maintain a copy of the HCBS-AMH Provider Selection Form in the person’s clinical record.

HHSC shall provide selected service providers with instructions to complete fingerprinting and credentialing needed prior to working in a state hospital, if applicable (See 13620 Credentialing for Service Provision within the State Hospitals).

#### 6230 Transfer of Records

HHSC transfers copies of the following documents to HCBS-AMH Providers: Consent for Eligibility Determination and Enrollment Form, UA, Determination Letter,
Notification of Participant’s Rights Form, and HCBS-AMH Provider Selection Form. HCBS-AMH providers shall maintain transferred records in the HCBS-AMH person’s clinical record.

## 6300 Recovery Management Entity Enrollment Responsibilities

### 6310 Recovery Management Entity Capacity

HCBS-AMH Recovery Management Entities set the limit of their capacity to serve persons enrolled upon entering into a Provider Agreement with HHSC. Prior to accepting persons enrolled in HCBS-AMH, HCBS-AMH Recovery Management Entities inform HHSC of their capacity. HCBS-AMH Recovery Management Entities may determine their capacity to serve persons by evaluating direct service staff resources, administrative staff resources and other characteristics.

Although HCBS-AMH staff may enroll persons at any time, verification of the selection of the Recovery Management Entity by the person is dependent upon the capacity of Recovery Management Entity.

### 6311 Good Faith Effort Exception

An HCBS-AMH Recovery Management Entity may identify they are unable to serve a person because of the inability to locate housing for the person which meets the needs identified on the Uniform Assessment and ensures the person’s safety in the community. In this instance, the RM Entity must conduct the following:

- Complete Good Faith Effort Exception form located at [http://www.dshs.state.tx.us/mhsa/hcbs-amh/Forms.aspx](http://www.dshs.state.tx.us/mhsa/hcbs-amh/Forms.aspx)
- Submit Good Faith Effort Exception form to HCBS-AMH@hhsc.state.tx.us with the subject line “Good Faith Effort Exception”

Through completion of this form, the HCBS-AMH Recovery Management Entity must articulate that reasonable efforts taken to identify housing for the person. The Recovery Management Entity must document that this housing is critical to maintaining the success of the person in the community.

HHSC responds to the submission of the Good Faith Effort Exception form within five business days with a request for additional information or approval of the exception to the HCBS-AMH Recovery Management contractual requirement.
6320 No Reject Policy Special Considerations, Exceptions, and Appeals

HCBS-AMH Program operates with a No Reject Policy. If an HCBS-AMH Recovery Management Entity is selected by a person, an RM from the Recovery Management Entity shall fulfill the role of RM as outlined in the Recovery Management Entity Provider Agreement and HCBS-AMH Provider Manual.

6321 Discharge from State Hospital Appeal

When a person is in a State Hospital (SH), the RM shall work with the SH and the person’s identified HCBS-AMH Providers to determine a person’s readiness for participation in the HCBS-AMH program in the community. If an HCBS-AMH Recovery Management Entity determines they cannot support a person in the community, the HCBS-AMH Recovery Management Entity follows the appeals process of the No Reject Policy (See 6422.1 No Reject Appeals Process. An appeal must be submitted to HCBS-AMH staff 30 days prior to the anticipated discharge of the person and in accordance with 6422.1 No Reject Appeals Process.

No Reject Appeals Process

If the HCBS-AMH Recovery Management Entity determines they are unable to support a person transitioning from the SH into the community, they must follow the HCBS-AMH appeals process as follows:

- Complete No Reject Appeal form located at [http://www.dshs.state.tx.us/mhsa/hcbs-amh/Forms.aspx](http://www.dshs.state.tx.us/mhsa/hcbs-amh/Forms.aspx)
- Submit the No Reject Appeal form to HCBS-AMH@hhsc.state.tx.us with the subject line “No Reject Appeal”; and
- Participates in a conference call with the SH and HCBS-AMH

HCBS-AMH assessment for No Reject Appeals includes:

- No Reject Appeal form;
- Medical Necessity for in-patient level of care;
- Initial Criteria Report (ICR);
- HCBS-AMH Uniform Assessment;
- Completion of updated Uniform Assessment, if necessary;
- Availability of HCBS-AMH services in the service area that meet the person’s needs identified on their Uniform Assessment; and
- Review of final determination from LMHA/LBHA Medical Director and SH Clinical Director

Upon completion of the Appeals review process, HHSC notifies the HCBS-AMH Provider of the determination of the No Reject Appeal.
If an appeal is denied, HHSC notifies the HCBS-AMH Provider of the reason for the denial and the HCBS-AMH Provider is responsible for providing HCBS-AMH services to the person.

If an appeal is granted, HHSC notifies the person, the person’s Recovery Manager, SH, and the person’s HCBS-AMH providers.

**6330 Recovery Manager Meets with the Person**

Upon receipt of the HCBS-AMH Provider Selection Form, the HCBS-AMH Recovery Management Entity shall assign an RM to the person, giving choice of the direct staff assigned to the person whenever possible. The assigned RM is not to share a caseload with another RM at the HCBS-AMH Recovery Management Entity. The assigned RM is responsible to meet face to face with the person within fourteen days of notification of selection by HHSC via HCBS-AMH Provider Selection Form.

The RM shall contact the referring entity (state hospital or LMHA/LBHA) to coordinate/facilitate a meeting with the enrolled person for the development of the Initial IRP. In some cases, the RM may need more than one meeting with the person and others involved in the PCRP planning process to complete the initial IRP.

The Initial IRP must be completed and submitted to HHSC for approval within fourteen days of person’s enrollment in HCBS-AMH services. A maximum of 8 billing units may be billed for the development of the initial IRP (See 7300 Initial IRP).

**6331 Initial Contact in the State Hospital**

When the Recovery Management Entity is selected by a person currently resides in the State Hospital, the Recovery Management Entity:

- Receives email from HHSC with the following documents:
  - Notification of selection as Recovery Management Entity;
  - The persons and referral entity’s contact information;
- Completes credentialing process (See RM Handbook located at [http://www.dshs.state.tx.us/mhsa/hcbs-amh/recoverymanager/](http://www.dshs.state.tx.us/mhsa/hcbs-amh/recoverymanager/));
- Receives approval date from HHSC for Recovery Management Facility Discharge Services to begin;
- Coordinates with state hospital point of contact;
- Obtain the HCBS-AMH Provider Agency’s contact information from the HCBS-AMH Provider Selection Form;
- Notifies the selected HCBS-AMH Provider Agency, and assists providers in completing the credentialing process (See RM Handbook located at [https://www.dshs.state.tx.us/mhsa/hcbs-amh/recoverymanager/](https://www.dshs.state.tx.us/mhsa/hcbs-amh/recoverymanager/));
- Meets with the person, completes, and submits the Initial IRP (See 7300 Initial IRP) within fourteen days of notification of Recovery Management Entity selection;
- Obtains approval of Initial IRP from HHSC; and
- After completion of the Initial IRP (See 7300 Initial IRP), contact selected HCBS-AMH Provider Agency and coordinate services to ensure services begin within seven business days of approval of initial IRP.

6332 Initial Contact in the Community

When Recovery Management Entity is selected as a provider and the person currently resides in the community, the Recovery Management Entity:

- Receives email from HCBS-AMH staff with the following documents:
  - Notification of selection as Recovery Management Entity;
  - The person and referral entity’s contact information;
- RM meets face to face with the person within fourteen days of notification;
- Obtain the HCBS-AMH Provider Agency’s contact information from the HCBS-AMH Provider Selection Form;
- Convenes an IRP meeting with HCBS-AMH Provider Agency, LMHA Caseworker, and all relevant persons. The completed Initial IRP is submitted to HHSC within 14 days of selection notification; and
- After completion of the Initial IRP (See 7300 Initial IRP), coordinates with selected HCBS-AMH Provider Agency to ensure services begin within seven business days of approval of initial IRP.

6400 HCBS-AMH Provider Agency Enrollment Responsibilities

6410 HCBS-AMH Provider Agency No Reject Policy

HCBS-AMH program operates with a No Reject Policy. If an HCBS-AMH Provider Agency is selected by a person, the HCBS-AMH Provider Agency shall fulfill the role as outlined in the Provider Agreement and HCBS-AMH Provider Manual.

HCBS-AMH Providers Agencies do not have the ability to deny provision of service to any person, unless the HCBS-AMH Provider does not have the capacity, as agreed to in the Provider Agreement, or as otherwise indicated by policy.

6411 HCBS-AMH Provider Agency Capacity

HCBS-AMH Providers may determine their capacity to serve persons enrolled in HCBS-AMH by evaluating direct service staff resources, subcontractor staff resources, administrative staff resources and other characteristics. Providers set the limit of their
capacity to serve persons enrolled in the HCBS-AMH program after entering into a Provider Agreement with HHSC.

6420 No Reject Policy Special Considerations, Exceptions, and Appeals

6421 Good Faith Effort Exception

HCBS-AMH Provider Agencies may identify they are unable to serve a person either directly or through subcontract due to the inability to provide a critical HCBS-AMH service for that person. In this instance, the HCBS-AMH Provider Agency must conduct the following:

- Complete Good Faith Effort Exception form located at http://www.dshs.state.tx.us/mhsa/hcbs-amh/; and
- Submit Good Faith Effort Exception form to HCBS-AMH@hhsc.state.tx.us with the subject line “Good Faith Effort Exception”

Through completion of this form, HCBS-AMH Provider Agency must articulate that they have taken reasonable efforts to provide the critical service(s) directly or through subcontract. HCBS-AMH Provider Agency must document that the service(s) they are unable to provide are critical to maintaining the success of the person in the community.

HHSC responds to the submission of the Good Faith Effort Exception form within five business days with a request for additional information or approval of the exception to the HCBS-AMH Provider Agency contractual requirement.

6422 Discharge from State Hospital Appeal

When a person is in a State Hospital (SH), providers shall work with the SH and the person’s RM to determine a person’s readiness for participation in the HCBS-AMH program in the community. If an HCBS-AMH Provider Agency determines they cannot support a person in the community, the HCBS-AMH Provider Agency follows the appeals process of the No Reject policy. An appeal must be submitted to HCBS-AMH staff 30 days prior to the anticipated discharge of the person and in accordance with 6522.1 No Reject Appeals Process.

No Reject Appeals Process

If an HCBS-AMH Provider Agency determines they are unable to support a person transitioning from the SH into the community, they must follow the HCBS-AMH appeals process as follows:
• Complete No Reject Appeal form located at http://www.dshs.state.tx.us/mhsa/hcbs-amh/.
• Submit the No Reject Appeal form to HCBS-AMH@hhsc.state.tx.us with the subject line “No Reject Appeal”; and
• Participates in a conference call with the SH and HCBS-AMH staff.

HCBS-AMH assessment for No Reject Appeals includes:
• No Reject Appeal form;
• Medical Necessity for in-patient level of care;
• Initial Criteria Report (ICR);
• HCBS-AMH Uniform Assessment (UA);
• Completion of Update UA, if necessary;
• Availability of other HCBS-AMH service providers in that service area; and
• Review of final determination from LMHA/LBHA Medical Director and SH Clinical Director

Upon completion of the Appeals review process, HHSC notifies HCBS-AMH Provider of the determination of the No Reject Appeal.

• If an appeal is denied, HHSC notifies the provider of the reason for the denial and the HCBS-AMH Provider Agency is responsible for providing HCBS-AMH services to the person.
• If an appeal is granted, HHSC notifies the person, the person’s RM and SH.

**6430 Change of Selected HCBS-AMH Provider Agency**

At any time, a person may select a new HCBS-AMH Provider Agency, if an alternative is available within their county of residence. (See 10300 Transfer and 10320 Transfer Procedure).

**6500 HCBS-AMH Provider Agency and Recovery Manager Coordination and Provision of Services**

**6510 Consents**

The RM maintains open communication and coordination with each HCBS-AMH Provider Agency by obtaining appropriate written consent from each person for the disclosure of protected health information or other sensitive personal information. Likewise, the HCBS-AMH Provider Agency shall also obtain appropriate written consent from each person for the disclosure of protected health information or other sensitive personal information.
6520 Role of HCBS-AMH Provider Agency

When an HCBS-AMH Provider Agency is selected by a person, the Provider shall coordinate with the RM and fulfill the role of HCBS-AMH Provider Agency as outlined in the Provider Agreement.

The selected HCBS-AMH Provider Agency provides all services in the HCBS-AMH service array other than Recovery Management. The HCBS-AMH Provider Agency shall agree to be active participants in the process led by the RM to develop the IRP.

6530 Role of HCBS-AMH Recovery Management Entity

The selected HCBS-AMH Recovery Management Entity provides Recovery Management services and coordinates all services in HCBS-AMH with the selected HCBS-AMH Provider Agency.

6540 Development of IRP

The RM shall include the HCBS-AMH Provider Agency in the person’s Initial and all subsequent IRP developments and updates. The HCBS-AMH Provider Agency shall agree to be active participants in the process led by the RM to develop the IRP. This participation includes face to face IRP development for persons residing in the community and face to face or electronic participation for persons residing in a state hospital. A representative from the Provider Agency must sign the IRP for services on the IRP to be approved by HHSC, unless this signature causes a delay in the person’s access to needed services. If the HCBS-AMH Provider Agency lack of participation negatively impacts access to services, the person may be advised to select a new provider.

For more information on the development of the IRP (See 7000 Individual Recovery Plan (IRP), 7200 IRP Requirements, and 7300 Initial IRP).

6550 Ensuring HCBS-AMH Provider Agency Provision of Services

The HCBS-AMH Provider Agency shall ensure provision of services as identified on the IRP as approved by HHSC without delay. Additionally, the HCBS-AMH Provider Agency is responsible to assure that HCBS-AMH services are not provided without an approved and active IRP, which means the IRP cannot have an Authorization Date greater than 90 days.

Provider Agencies may not place persons who are Medicaid eligible on a waitlist for services.
The Individual Recovery Plan (IRP) is developed for each person receiving HCBS-AMH services. IRPs are developed face to face in a person-centered planning process (See 8000 Person-Centered Recovery Planning) in accordance with 42 CFR §441.725 Person-centered Service Plan; based on information from the HCBS-AMH UA; take into account the person’s social, treatment and service history; and centers on the short and long term goals and preferences as defined by the person. Only services discussed during the IRP are allowed on an authorized IRP. Discussions about additional services between the person, the RM, PA, and other providers outside of the IRP meeting will not be included on the IRP until an updated IRP can be performed. If a person, who resides in the community, requests additional services that are not on the IRP, an IRP will be scheduled within 48 hours.

The Person-Centered Recovery Planning (PCRP) approach requires the IRP be developed with the full participation of the person; LAR; person’s Interdisciplinary Team (IDT) or other service providers – including the referring entity (as applicable); and other people, including service providers, according to the needs and desire of the person (PCRP participants). If the person is open at an LMHA, the RM will coordinate all IDT meetings with the full involvement of the LMHA.

The Recovery Manager is responsible for contacting the selected HCBS-AMH Provider Agency and involving the HCBS-AMH Provider Agency in the development of the IRP within 72 hours of receipt of selection notification. If the RM Entity is unable to establish contact with the Provider Agency within 72 hours, HHSC shall be notified. The HCBS-AMH Provider Agency may also contact the RM Entity during this 72-hour phase to coordinate the IRP development. If no contact is made during the first 72 hours, the Provider agency is required to contact the RM Entity and HHSC to coordinate the IRP development within the next 24 hours.

The HCBS-AMH Provider Agency shall agree to be active participants in development of the IRP. The HCBS-AMH Provider Agency do the following:

- Participate in the IDT meetings, utilizing PCRP techniques, face to face if the person resides in the community or via teleconference or face to face if the person is at a state hospital at the time of referral;
- Notify the RM if unable to attend meetings;
- Submit an update on the person prior to the recovery plan meeting;
- Assist in the development of the IRP;
- Sign all necessary documents related to the IRP;
- Abide by conflict of interest standards, when applicable; and
- Abide by UM guidelines (See 12200 Utilization Management Guidelines).
Shall return the signed IRP to the RM within 48 hours of receipt with any clinical clarifications in the Goals, Objectives, and Interventions sections. Failure to return a signed IRP within 48 hours may result in the person choosing another Provider Agency.

If the HCBS-AMH Provider Agency is unable to participate in the IRP development, the HCBS-AMH Provider Agency remains obligated to provide services on an authorized IRP.

Using the PCRP approach the person and other participants in the IRP development identify the person’s strengths, needs preferences and desired outcomes to determine the nature, amount and scope of Medicaid and non-Medicaid services required.

The RM signs the IRP attesting that the person meets needs-based criteria for services reflected on the IRP.

The RM submits the IRP to HHSC and the Provider Agency and, depending upon where the person is residing, either the LMHA or State Hospital.

IRPs are submitted to HHSC who ensures that conflicts of interest do not occur (See 19000 Managing Conflicts of Interest). Review and authorization of IRPs are conducted by HHSC. (See 7700 IRP Approval Process).

**7100 IRP Definitions**

<table>
<thead>
<tr>
<th>IRP Types</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial:</td>
<td>The first IRP authorized by HHSC in a person’s Episode of Care.</td>
</tr>
<tr>
<td>Update:</td>
<td>IRPs authorized by HHSC subsequent to an Initial IRP that do not meet criteria of a Discharge IRP or Transfer IRP.</td>
</tr>
<tr>
<td>Transfer:</td>
<td>IRPs authorized by HHSC subsequent to a transfer of a person to another Recovery Management Entity and/or HCBS-AMH Provider Agency that do not meet criteria of a Discharge IRP.</td>
</tr>
<tr>
<td>Discharge:</td>
<td>The last IRP authorized by HHSC in a person’s Episode of Care where there is a planned discharge from HCBS-AMH. Discharge IRPs require a discharge UA.</td>
</tr>
<tr>
<td>Expired IRP:</td>
<td>An IRP that has exceeded the Expiration Date of the IRP. An IRP cannot be active without at active UA.</td>
</tr>
</tbody>
</table>
**IRP Status** | **Definition**
--- | ---
Draft: | An IRP that has been initiated by the RM. A Draft IRP cannot be initiated without an Active UA as IRPs must be developed to reflect the person’s current assessed needs. Once an IRP is saved in Draft Status no edits can be made to the Active UA.

Ready for Review: | An IRP that has been submitted to HHSC for review and approval by an RM attesting that the person meets needs-based criteria for services reflected on the IRP.

Closed Complete: | An IRP that has been approved by HHSC.

Active: | An active IRP is an initial or update IRP that has been approved by HHSC and given an Authorization Date. An IRP cannot be active without an Active UA. HCBS-AMH Services cannot be provided without an Active IRP.

Completion Date: | The date the IRP is signed by the RM attesting that the person meets needs-based criteria for services reflected on IRP, saved in Closed Complete status, and submitted to HHSC.

Authorization Date: | The authorization date shall be the date the IRP is authorized. HCBS-AMH Services cannot be provided without an authorized IRP. An IRP cannot be authorized without an active UA.

Expiration Date: | The expiration date of the IRP includes: the expiration date of the Active UA, although the person may be enrolled without an Active IRP, HCBS-AMH services cannot be provided.

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**7200 IRP Requirements**

The IRP shall reflect the most appropriate type and amount of HCBS-AMH program services to meet the person’s needs identified through the HCBS-AMH UA (See [12200 Utilization Management Guidelines](#)). When applicable, the HCBS-AMH Recovery Management Entity may utilize additional functional needs assessments to ascertain additional needs of the person (See [7260 Secondary Assessments Co-Occurring Diagnoses Needs Assessment](#)). The IRP should also include what is important to the person with regard to preferences for the delivery of such services and supports and to ensure his/her health and welfare in the community.

The IRP includes all HCBS-AMH services to be provided and additionally reflects coordination with managed care by the inclusion of Non-HCBS-AMH Services (i.e. other Non-HCBS-AMH Medicaid State Plan Services or Non-HCBS-AMH Services – Services provided by other Funding Sources). In order for a person to have continued
enrollment in HCBS-AMH, a person must require the provision of at least one HCBS-AMH service, as documented in the IRP.

If one or more of the HCBS-AMH services specified in the IRP does not meet standard UM guidelines (See 12200 Utilization Management Guidelines), HCBS-AMH:

- Notifies the person’s RM of services that require additional information; and
- Sends written notice to the person and/or LAR that the person’s HCBS-AMH services require additional information for approval The RM shall coordinate with HCBS-AMH Provider Agency to obtain justification for a service and report back to HCBS-AMH within five business days.

If a person requires assistance which may alter person-centered requirements, this modification must be listed on the person’s IRP. These modifications must include the specific modification directly proportionate to the person’s condition, the person’s assessed need, positive interventions and supports used prior to interventions, previous interventions that did not work, established time limit for intervention, informed consent from the person, and assurance that the modification does not cause harm to the person.

HHSC may request to review goals, objectives, strategies, and modifications (if applicable), to assist in the IRP approval process. The Recovery Management Entity obtains IRP approval from HHSC for each person’s IRP.

**7210 Requirements for Approval by HHSC**

The IRP must be developed by the RM using PCRP, approved by HHSC and authorized prior to the provision of HCBS-AMH services. To be approved by HHSC, the IRP must:

- Be developed in accordance with 26 TAC, Part 1, Chapter 307, Subchapter B (relating to Home and Community-Based Services—Adult Mental Health Program);
- Provide attestation to needs-based criteria, signed for by the RM;
- Include the type, amount and duration of services to be provided, effective dates of service and the person’s goals and objectives (this includes services to be coordinated through managed care organization (non-HCBS Medicaid services) and non-Medicaid HCBS-AMH services (i.e. Flexible Funds);
- Include a crisis plan;
- Include a safety plan (if applicable);
- Identify service providers and credentials of the service provider (when applicable);
- Include a narrative summary that interprets the data gathered in the UA and provides an understanding of underlying needs. This summary describes the clinical needs as well as the person’s experiences and activities which may
attempt to explain the underlying cause of those needs. Barriers to achieving goals are included in the narrative summary;

- Be the most appropriate type and amount of services to meet the person’s needs and identify which identified need each service is intended to address;
- Be based on the person’s preferences, needs, strengths, goals and desired outcomes;
- Be finalized and agreed to, with the informed consent of the person, in writing by the person and signed by all persons and providers responsible for its implementation; and
- Include the essential components of the IRP. (See 7220 Essential Components of the IRP).

7220 Essential Components of the IRP

7221 Goal Statements

The foundation of IRP goals are the person’s strengths, needs, abilities, and preferences. Discussion of goals should occur throughout the assessment process and result in the selection of one (or more) goals that guide the planning process. The goal selected by the person to guide services shall be captured in a goal statement on the IRP.

IRP goal statements should:

- Reflect the person’s primary reason for seeking help and receiving services;
- Acknowledge that a person’s goals are the motivating forces for engagement;
- Be developed from information gained during the UA and interpretive summary;
- Be broad, general statements that express the person’s desire for change and improvement in their lives;
- Be the result of a goal discovery process (facilitated by the RM or other provider) when the person is unclear on their vision for recovery and may include contributions from natural supports when the person has difficulty communicating;
- Be determined by the person and stated in their own words whenever possible; and
- If the person is unable to communicate his/her own goals, then a family member, LAR, or the clinician that the person has chosen to represent them may help clarify or provide initial treatment goals until the person is able to actively participate in the development of his/her treatment plan.
**7222 Strengths**

The person’s strengths and abilities refer to characteristics of the person that are elements in the person’s life, used in the past or present, to help them cope with stressful situations. The person’s strengths are used to help promote a person’s success in reaching their goals.

A person’s strengths include anything that may aid them in the pursuit of their identified goal(s), including factors that are both internal and external to the person. These factors can include personal characteristics or attributes, access to concrete resources, abilities of the person or natural support system, personal interests, skills, past achievements, and cultural factors. Strengths should be identified and captured in a way that enables their use toward achieving goals and objectives. Providers should assist persons (and natural supports/LARs) to identify a diverse range of strengths, which may be actively used in the plan for recovery. If the person is unable to communicate his/her strengths, then a family member, LAR, or other representative may help clarify or identify the person’s strengths to help shape the recovery process.

Examples of strengths include the following:

- Principles;
- Religious beliefs;
- Supportive friends;
- Supportive family;
- Being able to work; and
- Hope.

Examples of abilities include the following:

- Attend to activities of daily living (ADLs);
- Skills in reading and writing;
- Saves money;
- Follows instructions;
- Recognizes side effects of medication; and
- Asks for help.

**7223 Barriers/Needs**

The Barriers/Needs on an IRP identify what is keeping the person from their goals. Barriers should communicate the true nature of the obstacle to be overcome. Barriers should be specific enough to suggest next steps for how a person’s progress may be measured and what services may benefit them. Barriers/needs may fall under one of the following categories:

- Need for development of skills;
● Intrusive or burdensome symptoms;
● Lack of resources;
● Need for assistance/supports;
● Challenges in activities of daily living; and
● Threats to basic health and safety.

7224 Objectives

Objectives on an IRP are the short-term changes needed for the person to progress toward their goals. Objectives communicate what evidence show a barrier has been overcome. Objectives should:

● Describe how progress is measured;
● Be linked to an immediate barrier that is the focus of treatment;
● Be simple, specific, and straightforward;
● Describe a desired change in behavior (strength-based);
● Be reasonable and achievable based on the person’s current needs/preferences;
● Communicate the expected time for completion, including specific target dates;
● Be written in behaviorally specific language;
● Appropriate to the person’s age, development, and culture;
● Understandable to the person;
● Appropriate for the person’s setting;
● Be consistent with the person’s readiness, preferences, and expectations; and
● Go beyond service participation to define the intended result of actions/services.

7225 Interventions

Interventions on an IRP are actions taken by a person’s providers, peers, family, friends, natural supports and other participants for the purpose of attaining desired changes. Interventions should:

● Be specific to an objective;
● Respect a person’s choice and preference;
● Be specific to the stage of change/recovery;
● Incorporate a person’s identified strengths/abilities;
● Take into consideration cultural factors;
● Specify provider and professional discipline;
● Specify modality;
● Specify frequency, and duration; and
● Specify purpose, intent, and impact.
7226 Crisis Plan

Crisis plans focus on planning for, predicting, and preventing a crisis situation (as identified by the person and/or others involved in the IRP planning process, as applicable) from occurring. Submitted with the IRP, persons enrolled in HCBS-AMH shall have a crisis plan that addresses any identified risk that could place the person or others in danger of deterioration of mental health, physical harm, or exploitation. Crisis plans shall be developed by the RM with the person, LAR, and other PCRP participants during the first meeting with the person and are expanded as needed. The Crisis Plan should be reviewed at each IRP and documented in the clinical note. A new Crisis Plan is to be submitted annually.

Identification of accessible crisis related services shall be included in the IRP in collaboration with the person, the LMHA/LBHA in the person’s chosen county of residence, the HCBS-AMH Provider Agency, and other identified members of the person’s team. This could include stabilization through Medicaid funded crisis or emergency services (outside of the HCBS-AMH Program) such as mobile crisis outreach services, emergency departments, or psychiatric hospitals and services at the LMHA/LBHA Crisis Services Program.

The RM’s availability shall be identified as part of the person’s crisis plan. If the RM is not available to the person 24/7 then alternative RM contacts must be identified on the Crisis Plan.

If the RM is part of an LMHA/LBHA, the RM may also utilize the LMHA/LBHA Crisis Services Program as an alternate contact for the person. The RM must coordinate with the LMHA/LBHA to ensure they are notified when a person accesses the Crisis Services Program.

A person’s crisis plan shall include but is not limited to the following:

- Identifying information;
- Emergency Contact;
- Service Providers;
- Cultural/Spiritual beliefs;
- What supports are most helpful to the person in crisis including cultural and spiritual beliefs;
- Who the person wants contacted or consulted; and
- Alternate contact information of qualified person if the RM is not available.

7227 Safety Plan

Safety Plans focus on the prevention of risk behavior and interventions needed for such behaviors. When developing Safety Plans, RMs should ensure the plan meets the expectations of the person and PCRP participants.
If it is identified that the person needs a safety plan through review of UA and supporting documents, the person should be assessed for susceptibility to abuse by others and the person’s risk of abusing other vulnerable people in the following areas:

- Physical Abuse;
- Emotional Abuse;
- Sexual Abuse;
- Self-abuse; and
- Financial exploitation

If a person is deemed susceptible to abuse or exploitation as identified above, the RM, person and/or LAR and PCRP participants should do the following:

- Indicate reason the person is susceptible;
- Identify specific measures to be taken to minimize the risk within the scope of licensed services;
- Identify referrals needed when the person is susceptible outside the scope or control of the licensed services; and
- Identify entity and process where providers, RMs, friends, or family report threats or concerns.

7230 Administrative IRP Requirements

In addition to requirements for approval by HHSC, administrative requirements dictate the IRP must:

- Be reviewed and updated with the person at least every 90 days, when the person’s circumstances or needs change significantly, and at the request of the person;
- Have a copy maintained in the person’s clinical record;
- Reflect that the setting in which the person resides is chosen by the person;
- Reflect the person’s strengths and preferences;
- Reflect clinical and support needs as identified through UA, supporting documents, and any additional functional assessment tools used to provide additional guidance on the person’s needs and strengths;
- Reflect the services and supports (paid and unpaid) that assist the person to achieve identified goals, and the providers of those services and supports, including natural supports;
- Reflect risk factors and measures in place to minimize them, including safety plans (if applicable) and crisis plans and strategies when needed;
- Identify the person and/or entity responsible for monitoring the plan;
- Be signed by all persons involved in the development of the IRP and a copy distributed to the person and all other people involved in the plan; and
• Be signed by the RM attesting that the person meets needs-based criteria for services reflected on the IRP.

7240 Quality Management IRP Requirements

Additionally, the IRP must be developed using Person-Centered Recovery Planning Process. (See 15000 Quality Management (QM)). Elements of that process should be reflected by assuring the IRP:

• Prevents the provision of unnecessary or inappropriate care;
• Prepares for the person’s effective transition to the community;
• Promotes the person’s inclusion into the community;
• Protects the person’s health and welfare in the community;
• Supplements, rather than replaces, the person’s natural support systems and resources;
• Is designed to prevent or reduce the likelihood of the person’s admission into an inpatient psychiatric facility; and
• Is understandable to the person receiving services and supports, and the individuals important in supporting him or her, using the person’s own words to the greatest extent possible (for Medicaid purposes, some adaptation may be required).

7250 Deviations from Service Standards

The IRP documents any planned intervention which could potentially impinge on individual autonomy, especially for Community-based Residential Services and administration of medication (See 11000 Settings Requirements, 16200 Use of Restrictive Interventions, and 16300 Medication Safety and Management). These planned interventions are documented as modifications on the modification section of the IRP. The modification section of the IRP must include the following (See 7200 IRP Requirements):

• Informed consent of the person to the intervention;
• Specific need for the intervention in supporting the person to achieve his/her goals;
• Assurance that the intervention is the most inclusive and person-centered option;
• Time limits for the intervention;
• Periodic reviews of the intervention to determine if it is still needed;
• Assurance that the intervention will cause no harm to the person; and
• Confirmation that the person has received information on how to report incidences of abuse, neglect, or exploitation.
Persons must provide informed consent regarding the potential use of restrictive intervention. This potential must be included on the person’s safety plan on the IRP, this includes understanding of their rights, how to report abuse, neglect, and exploitation.

**7260 Secondary Assessments Co-Occurring Diagnoses Needs Assessment**

When applicable, the HCBS-AMH Recovery Management Entity may utilize additional functional needs assessments to ascertain additional needs of the person. Additional assessment and planning may need to occur for persons that have co-occurring diagnoses from the following neurodevelopmental and neurocognitive disorders:

- Intellectual and Developmental Disability (IDD) Diagnoses: Mild, Moderate, Severe, Profound, or Unspecified Severity;
- Autism Spectrum Disorder;
- Traumatic Brain Injury; or
- Dementia

**7300 Initial IRP**

**7310 Timeframe of Initial IRP**

The RM is responsible to meet face to face with the person complete and submit the Initial IRP to HHSC within 14-days of receipt of the HCBS-AMH Provider Selection Form, by HHSC. The RM shall contact the referring entity within the timeframe needed to coordinate/facilitate meeting with the enrolled person. The RM is allowed to bill for 8 units of Recovery Management services in the initial IRP process if the person resides in the community (see HCBS-AMH Billing Guidelines). If the IRP is unable to be completed within the 14-day timeframe, documentation in the clinical record is required. The submission of the initial IRP to HHSC shall also include to the Provider Agency and the referring agency.

**7320 Requirements Specific to the Initial IRP**

The Initial IRP shall meet requirements set forth in Section 7200 IRP, Requirements and specifically address the following:

- Narrative summary of the person which includes the following:
  - Demographic information;
  - Housing history;
  - History of hospitalization;
  - Psychiatric and Medical Diagnoses; and
  - Current medications;
● Medication compliance;
● Current housing needs/barriers; and
● Assistance in accessing financial resources.
● Goals, Objectives, and Interventions

7330 Needs-Based Criteria

During the development of the Initial IRP, the RM is responsible to attest to the needs-based criteria of HCBS-AMH services (See HCBS-AMH Billing Guidelines for more information about needs-based criteria for person HCBS-AMH services). This attestation must be signed by the RM.

7400 Update IRP

Throughout the person’s enrollment in HCBS-AMH updates to the IRP are required. IRPs are updated as follows:

● Not to exceed 90 days from the date of the last IRP or at the request of the person;
● When the person is ready to be discharged from the state hospital;
● When the person is placed in or removed from Suspended status (See 10220 Suspension Procedure); and
● When clinically indicated because the person’s IRP no longer meets the recovery goals and/or clinical needs of the person or a crisis event has occurred.
● In the event of a Critical Incident Form being utilized, the Update IRP will be submitted to HHSC within 72 hours of the incident.

7410 Requirements Specific to the Update IRP

The person’s Updated IRP shall indicate one of the following reasons for the update and be submitted to HHSC, Provider Agency, and, if residing in the community, the LMHA or LBHA, or if residing in the State Hospital, to the State Hospital Social Worker within 72 hours of update:

● Review/Administrative;
● Transition to Community (completed prior to discharge from hospital);
● Suspension (See 10210 Reasons for Suspension); and
● Clinically Indicated; or
● Reinstatement of Services.
7500 Discharge IRP

A person may be discharged from HCBS-AMH. (See 10110 Reasons for Discharge). If possible, the RM should create a Discharge IRP to reflect the transition of the person from the HCBS-AMH Program to utilizing other resources in the community, a crisis plan, and both natural and formal supports available to the person. Discharge IRPs are to be submitted to HHSC, Provider Agency, and, if residing in the community, the LMHA or LBHA, or if residing in the State Hospital, to the State Hospital Social Worker within three business days of final request to discharge.

7510 Requirements Specific to the Discharge IRP

The person’s discharge IRP should include but is not limited to the following:

- Reason for discharge;
- The persons’ current status (e.g., diagnosis, medications, level of functioning) and unmet needs;
- A summary of the mental health community services and treatment the person received as an HCBS-AMH participant;
- Current barriers and needs;
- Current strengths and resources;
- Current crisis plan and safety plan (if applicable)
- Current setting in which the person resides:
- Information from the person and the LAR regarding the person’s strengths, preferences for mental health community services, and responsiveness to past interventions; and
- The mental health and other community services the person will receive for the continuity of services without disruption.
- The person’s preference for community services; and
- Referral to alternate community services (if applicable).

7600 Role of the Recovery Manager in Development of the IRP

Development of the IRP is the responsibility of the person’s RM. Additionally, RMs:

- Ensure that the person directs the process to the maximum extent possible, and is enabled to make informed choices and decisions;
- Are responsible for monitoring and coordinating the provision of services included in the IRP to ensure that the person’s needs, preferences, health and welfare are promoted;
- Inform the person and/or LAR, and PCRP participants of qualified provider options. Documentation regarding provider choice is included in the person’s
record and updates to that record (See 13410 Documentation of Provider Choice).

- Ensure that the IRP is signed by the person, all parties participating in the IRP, all providers on the IRP, and the RM verifying the person meets needs-based criteria for services reflected on the IRP; and
- Ensure that all parties have a copy of the Active IRP; and
- Ensures the Active IRP is kept in the person’s clinical record.

**7700 IRP Approval Process**

**7710 Submission of the Initial IRP**

The Recovery Management Entity sends a secure electronic submission to HCBS-AMH@hhsc.state.tx.us

- The subject line must read: “INITIAL: IRP Approval Request (insert the person’s initials and the last four digits of CARE ID number)”
- The completion of the IRP includes selection of “initial” on the IRP type.
- Submitted to HHSC Provider Agency, and, if residing in the community, the LMHA or LBHA, or if residing in the State Hospital, to the State Hospital Social Worker within 14 days of notification of selection
- The contents of the email must include:
  1. Individual Recovery Plan Form
  2. Attestation of needs-based criteria for services reflected on IRP, signed by the RM. (Electronic signatures are accepted; however, the Recovery Management Entity and HCBS-AMH Provider Agency must maintain hardcopy signatures in the person’s clinical record.)
  3. Clinical documentation that reflects justification for services requested.

**7711 HHSC Review of the Initial IRP**

The IRP must reflect clinical needs identified on the Active UA. HHSC shall make this determination within five business days. This determination is made according to the following:

- Needs are identified on the active UA; or
- Additional information is required
- HHSC shall communicate the determination by replying to the email request within five business days to the RM, Provider Agency, and, if residing in the community, the LMHA or LBHA, or if residing in the State Hospital, to the State Hospital Social Worker.
- The subject line should read: “RE: INITIAL: IRP Approval Request (insert the person’s initials, and the last four digits of CARE ID number)”
● The contents of the email should state the status of the IRP (approved, denied, or if more information requested) by HHSC.
● HHSC provides justification of any denial of IRPs which the RM shall address. If HHSC requests more information, the RM responds with necessary information within five business days.

7720 Submission of Update IRP

The Recovery Management Entity is responsible to ensure there is an Active IRP and the IRP is reviewed, updated, and approved by HHSC not to exceed 90 days from the date of the last IRP. Additionally, the RM may determine the IRP approved by HHSC should be updated to meet the needs of the person. (See 7400 Update IRP). In both instances an Update IRP is required for the provision of HCBS-AMH Services. Completion of this update includes selecting “update” on the IRP type. The updated IRP must be submitted to HHSC within three business days of completion of the update.

The Recovery Management Entity submits the Update IRP through secure electronic submission to HCBS-AMH@hhsc.state.tx.us

● The subject line must read: “UPDATE: IRP Revision Request (insert the person’s initials and the last four digits of CARE ID number)”
● The completion of the IRP includes selection of “update” on the IRP type.
● Submitted to HHSC, Provider Agency, and, if residing in the community, the LMHA or LBHA, or if residing in the State Hospital, to the State Hospital Social Worker within 72 hours of update
● The contents of the email must include:
  1. Individual Recovery Plan Form;
  2. Attestation that the person meets needs-based criteria for services reflected on IRP, signed by the RM. (Electronic signatures are accepted; however, the Recovery Management Entity and HCBS-AMH Provider Agency must maintain hardcopy signatures in the person’s clinical record.)
  3. Clinical documentation that reflects justification for services requested.

7721 HHSC Review of the Update IRP

The Update IRPs should be used to demonstrate progress on current goals and objectives. If a person’s needs, goals, or objectives change significantly, HHSC may request an Update UA as part of the additional information required to approve an Update IRP. The Update IRP must reflect clinical needs identified on the Active UA. HHSC shall make this determination within five business days. This determination is made according to the following:

● Needs are identified on the active UA; or
● Additional information is required.
- HHSC shall communicate the determination by replying to the email request within five business days to the RM, Provider Agency, and, if residing in the community, the LMHA or LBHA, or if residing in the State Hospital, to the State Hospital Social Worker.
- The subject line should read: “RE: Update: IRP Approval Request (insert the person’s initials, and the last four digits of CARE ID number)”
- The contents of the email should state the status of the IRP (approved, denied, or if more information requested) by HHSC.

HHSC provides justification of any denial of IRPs which the RM shall address. If HHSC requests more information, the RM responds with necessary information within five business days.

**7730 Submission of Transfer IRP**

In the event the person is transferred to a new HCBS-AMH Provider Agency and/or Recovery Management Entity, the RM updates the IRP approved by HHSC to reflect the transfer of the IRP to the new HCBS-AMH provider. Completion of this update includes selecting “transfer” on the IRP type. (See 10300 Transfer).

- The Recovery Management Entity submits the Transfer IRP through secure electronic submission to HHSC, Provider Agency, and, if residing in the community, the LMHA or LBHA, or if residing in the State Hospital, to the State Hospital Social Worker via HCBS-AMH@hhsc.state.tx.us within three business days of completion.
- The subject line must read: “TRANSFER: IRP Revision Request (insert the person’s initials and the last four digits of CARE ID number)”
- The contents of the email must include:
  1. The Updated HCBS-AMH Provider Selection Form;
  2. Individual Recovery Plan Form;
  3. Attestation the person meets needs-based criteria for services reflected on IRP, signed by the RM. (Electronic signatures are accepted; however, the Recovery Management Entity and HCBS-AMH Provider Agency must maintain hardcopy signatures in the person’s clinical record.)
  4. Justification for transfer

**7731 HHSC Review of the Transfer IRP**

The Transfer IRP must reflect clinical needs identified on the active UA. HHSC shall make this determination within five business days. This determination is made according to the following:

- Needs are identified on the active UA; or
- Additional information is required.
● HHSC shall communicate the determination by replying to the email request within five business days to the RM, Provider Agency, and, if residing in the community, the LMHA or LBHA, or if residing in the State Hospital, to the State Hospital Social Worker.
● The subject line should read: “RE: TRANSFER: IRP Approval Request (insert the person’s initials, and the last four digits of CARE ID number)”
● The contents of the email should state the status of the IRP (approved, denied, or if more information requested) by HHSC.
● HHSC provides justification of any denial of IRPs which the RM shall address. If HHSC requests more information, the RM responds with necessary information within 5 business days.

7740 Submission of Discharge IRP

A person may be discharged from HCBS-AMH (See 10110 Reasons for Discharge). If possible, the RM should create a Discharge IRP to reflect the transition of the person from the HCBS-AMH Program to utilizing other resources in the community, a crisis plan, and both natural and formal supports available to the person. Completion of this IRP includes selecting “discharge” on the IRP type. Discharge IRP’s are to be submitted to HHSC within three business days of final request by the participant.

● The Recovery Management Entity submits the Discharge IRP through secure electronic submission to HHSC, Provider Agency, and, if residing in the community, the LMHA or LBHA, or if residing in the State Hospital, to the State Hospital Social Worker via HCBS-AMH@hhsc.state.tx.us
● The subject line must read: “DISCHARGE: IRP Revision Request (insert Reason for Discharge from Section 10110, Reasons for Discharge) and (insert the person’s initials and the last four digits of CARE ID number)”
● The contents of the email must include the Individual Recovery Plan Form
● Clinical Documentation that reflects justification for discharge request

7741 HHSC Review of the Discharge IRP

It is preferable that a Discharge UA is completed prior to discharge of the person. If it is a planned discharge, the RM should request an appointment for the Discharge UA to be completed with the person.

HHSC shall review the IRP and make this determination within five business days. This determination is made according to the following:

● Reflect the transition of the person from the HCBS-AMH Program to utilizing other resources in the community;
● Crisis plan; and both natural and formal supports are available to the person; or
● Additional information is required.
- HHSC shall communicate to the RM, Provider Agency, and, if residing in the community, the LMHA or LBHA, or if residing in the State Hospital, to the State Hospital Social Worker the determination by replying to the email request within five business days.
- The subject line should read: “RE: DISCHARGE: IRP Approval Request (insert the person’s initials, and the last four digits of CARE ID number)”
- The contents of the email should state the status of the IRP (approved, denied, or if more information requested) by HHSC.
- DSH provides justification of any denial of IRPs which the RM shall address. If HHSC requests more information, the RM responds with necessary information within five business days.

**7750 Authorization and expiration date for the IRP**

Services shall not be reimbursable prior to the IRP authorization date or after an expiration date. (See [7100 IRP Definitions](#) for authorization and expiration dates of the IRP).

**7800 Documentation Requirements of the IRP**

In addition to the requirements identified in this Section 7000, Individual Recovery Plan, there must be a documented link between the service, objectives, goals, and identified needs. (See [7220 Essential Components of the IRP](#) and [http://www.dshs.state.tx.us/mhsa/hcbs-amh/Forms.aspx](http://www.dshs.state.tx.us/mhsa/hcbs-amh/Forms.aspx) for access to the Individual Recovery Plan Template).
PCRP is the collaborative process, utilized by the RM and directed by the person, to create the IRP. PCRP uses a recovery orientation and team approach that includes the person, formal supports, and natural supports to best support the person’s recovery and goals. The process provides necessary information and support to ensure that the person directs the process to the maximum extent possible and is enabled to make informed choices and decisions.

The IRP is developed collaboratively with the person; the person’s LAR, if applicable; treatment providers (formal supports); and others chosen by the person (informal supports). The goal of this collaboration is to develop an IRP and implement a plan of action that assists the person in achieving their unique and person goals along their journey to recovery.

The IRP shall be developed in accordance with 42 CFR §441.725 Person-centered service plan: http://www.ecfr.gov/cgi-bin/text-idx?node=se42.4.441_1725&rgn=div8

8100 Qualities of Person-Centered Recovery Planning Process

8110 Identification of the Person’s PCRP Participants

The Recovery Management Entity is responsible for working with the person, LAR (if applicable), and referring entity in identifying, coordinating, and involving the person’s identified participants in the PCRP process.

The PCRP process assesses the strengths and needs of the person with input from the person requesting and/or receiving services and from those providing services. The PCRP participants work to develop and implement the person’s IRP. The PCRP participants include the person and may include the following based on the person’s needs and preferences:

- Psychologist/Psychiatrist;
- Social Worker;
- Doctor/Nurse;
- Nutritionist;
- OT/PT;
- Residential Representative;
- Day Program Representative C Vocational Rep/Job Coach;
- Mental health service providers, including LMHA/LBHA staff;
- MCO care coordinator;
• Friends;
• Family;
• Guardians;
• Peer specialists; and
• Others as identified by the person.

If the person is receiving services from an LMHA or LBHA, the RM will make contact with the LMHA/LBHA caseworker to coordinate development of the IRP and initiate services. The RM will have regular and ongoing contact with the LMHA/LBHA Caseworker as long as the person is receiving services at the LMHA/LBHA and include the LMHA/LBHA in the PCRP process.

**8120 Qualities of the Process**

To be considered PCRP the process to develop the IRP should:

- Provide necessary information and support to ensure that the person directs the process to the maximum extent possible, and is enabled to make informed choices and decisions;
- Be timely and occur at times and locations of convenience to the person;
- Reflect cultural considerations of the person;
- Include strategies for solving conflict or disagreement with the process, including clear conflict of interest guidelines for all planning participants;
- Ensure the person’s choices and preferences shall always be honored and considered, if not always granted;
- Offer choices to the person regarding the services and supports they receive and from whom;
- Include a method for the person to request updates to the plan, as needed; and
- Record the alternative home and community-based settings that were considered by the person.

**8130 Qualities of Person-Centeredness**

For a plan to be considered person-centered and not provider-driven, the IRP needs to:

- Be oriented toward promoting recovery rather than minimizing symptoms of illness;
- Be written in clear language that does not utilize professional jargon;
- Express the person's goals and aspirations in their own words as much as possible;
- Articulate the person's own role and the role of both paid (formal supports) and natural supports in assisting the person achieve their goals;
Focus and build on the person’s capacities, strengths, and interests;
Emphasize the use of natural community settings rather than segregated program settings;
Allow for uncertainty, setbacks, and disagreements as inevitable steps on the path to greater determination;
Include person-defined goals, realistic objectives that address relevant and immediate barriers and impediments, as well as effective services and interventions; and
Be outcome-oriented.

8200 Peer Support in PCRP

It is encouraged that the direct service provider of HCBS-AMH Peer Support be involved in all PCRP activities and the RM and other direct service providers work in collaboration with them. Certified Peer Support Specialists have the unique ability to foster healing relationships and create an environment conducive for recovery with the person through the sharing of their lived experience with mental health and/or substance abuse. Peer Support Specialists bring an authenticity and connectedness to both recovery-oriented transformation work and work with the persons that receive service in a way that traditional providers are not able, building trust and bringing credibility to this work to benefit everyone.

Certified Peer Support Specialists provide coaching in advance of, and/or during the PCRP process. This coaching can:

- Increase the person comfort level and participation;
- Provide practical and meaningful contribution to recovery as a whole;
- Get the planning conversation started in advance of the meeting, promoting both quality and efficiency.

Additionally, Certified Peer Support Specialists can be valuable assets in conflict resolution, assisting in building relationships with the RM and other direct service providers, and advocating for the person in all areas of their recovery.
9000 Provision of Services

HCBS-AMH services shall be provided in accordance with the Active IRP (See 7000 Individual Recovery Plan (IRP)) and in home and community-based settings (See 11000 Settings Requirements). An IRP cannot be authorized without an active UA (See 7200 IRP Requirements). The HCBS-AMH Provider Agency is responsible for the provision of all HCBS-AMH services and service quantities detailed on the IRP, including those provided through subcontract arrangements.

All HCBS-AMH services, Non-HCBS-AMH services, and State Plan services shall be identified during the PCRP process and on the IRP. State plan services other than HCBS-AMH services are provided as medically necessary and shall be coordinated with the HCBS-AMH services.

See HCBS-AMH Billing Guidelines for:

- Additional information regarding requirements and standards for HCBS-AMH services;
- Documentation requirements;
- Needs-based criteria;
- Rates; and
- Units

9100 HCBS-AMH Service Definitions

<table>
<thead>
<tr>
<th>Service</th>
<th>Definitions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adaptive Aids</td>
<td>Specialized equipment and supplies including devices, controls, and appliances that enable persons to increase their abilities to perform activities of daily living, or to perceive, control, or communicate with the environment in which they live.</td>
</tr>
<tr>
<td></td>
<td>This service also includes items necessary for life support, ancillary supplies, and equipment necessary to the proper functioning of such items, and durable and non-durable medical equipment not otherwise available under the Medicaid State Plan.</td>
</tr>
<tr>
<td>Service</td>
<td>Definitions</td>
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<tr>
<td><strong>Host-Home/Companion Care</strong></td>
<td>Fosters recovery and independence by providing personal assistance with activities of daily living (grooming, eating, bathing, dressing, and personal hygiene) and functional living tasks; assistance with planning and preparing meals; transportation or assistance in securing transportation; assistance with ambulation and mobility; reinforcement of cognitive training or specialized mental health therapies/activities; assistance with medications based upon the results of an RN assessment and the performance of tasks delegated by a RN in accordance with the Texas Board of Nursing rules as defined by 22 TAC, Part 11, Chapter 225; and supervision of the person’s safety and security.</td>
</tr>
<tr>
<td><strong>Assisted Living</strong></td>
<td>Fosters recovery and independence by providing personal care, homemaker, and chore services; medication oversight; and therapeutic, social, and recreational programming provided in a home-like environment in a licensed assisted living facility. This service includes 24-hour on-site response staff to meet scheduled or unpredictable needs in a way that promotes maximum dignity and independence, and to provide supervision, safety, and security.</td>
</tr>
<tr>
<td><strong>Supervised Living Services</strong></td>
<td>Fosters recovery and independence by providing persons with personal assistance with activities of daily living (grooming, eating, bathing, dressing, and personal hygiene) and functional living tasks; assistance with planning and preparing meals; transportation or assistance in securing transportation; assistance with ambulation and mobility; reinforcement of specialized rehabilitative, habilitative or psychosocial therapies; assistance with medications based upon the results of an RN assessment; the performance of tasks delegated by a RN in accordance with the Texas Board of Nursing rules as defined by 22 TAC, Part 11, Chapter 225; and supervision of the person’s safety and security.</td>
</tr>
<tr>
<td>Service</td>
<td>Definitions</td>
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<tr>
<td><strong>Supported Home Living</strong></td>
<td>Direct personal assistance with activities of daily living (grooming, eating, bathing, dressing, and personal hygiene) and functional living tasks; assistance with planning and preparing meals; transportation or assistance in securing transportation; assistance with ambulation and mobility; reinforcement of behavioral support or specialized therapies activities; assistance with medications and the performance of tasks delegated by a registered nurse in accordance with the Texas Board of Nursing rules as defined by 22 TAC, Part 11, Chapter 225; and supervision as needed to ensure the person’s health and safety; and supervision of the person’s safety and security.</td>
</tr>
<tr>
<td><strong>Community Psychiatric Supports and Treatment</strong></td>
<td>Goal directed supports and solution-focused interventions intended to achieve identified goals or objectives as set forth in the person’s IRP.</td>
</tr>
<tr>
<td><strong>Employment Services</strong></td>
<td>Employment services help people with SMI work at regular jobs of their choosing and to achieve goals meaningful to them, such as increasing their economic security.</td>
</tr>
<tr>
<td><strong>Employment Assistance</strong></td>
<td>Helps the person locate and maintain paid employment in the community and may include activities on behalf of the person to assist in obtaining employment.</td>
</tr>
<tr>
<td><strong>Supported Employment</strong></td>
<td>Provides individualized services to sustain persons in paid jobs in regular work settings, who, because of disability, require support to be self-employed, work from home, or perform in a work setting at which persons without disabilities are employed.</td>
</tr>
<tr>
<td>Service</td>
<td>Definitions</td>
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</tbody>
</table>
| Flexible Funds       | Monies utilized for supports that augment the existing HCBS-AMH services and are documented on the IRP to reduce symptomatology and maintain quality of life and community integration. Flexible Funds may be used in accordance with the following guidelines:  
  - Flexible funds are reserved for indigent persons.  
  - Utilized for Enhanced Observation needs;  
  - Temporary Psychiatric Hospitalization;  
  - Medication related expenses; and  
  - Room and Board  
All services provided with Flexible Funds must be identified on the IRP for review and prior-approval by HHSC. HHSC reviews the request for flexible funds before approving to ensure that the indicated service does not fall within the scope of the HCBS-AMH service array. |
<p>| Peer Support         | Services provided by people with lived experience who are in recovery from mental illness and/or substance use disorders to help persons reach their recovery goals. Services promote coping skills, facilitate use of natural resources/supports, and enhance recovery-oriented attributes such as hope and self-efficacy. |
| Pre-Engagement       | Services provided by the LMHA/LBHA to perform the referral and enrollment process for persons seeking enrollment as an HCBS-AMH participant (Participant) who reside in the community of the LMHA/LBHA service area. |
| Home Delivered Meals | Provides a nutritionally sound meal to persons that are delivered to the person’s home.                                                                 |
| Minor Home Modifications | Physical adaptations to a person’s home that are necessary to ensure the person's health, welfare, and safety, or that enable the person to function with greater independence in the home. |</p>
<table>
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<tr>
<th>Service</th>
<th>Definitions</th>
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<tbody>
<tr>
<td>Nursing</td>
<td>Services that are within the scope of the Texas Nurse Practice Act and are provided by a Registered Nurse (RN) (or licensed vocational nurse(LVN) under the supervision of an appropriate Clinical Supervisor RN), licensed to practice in the state. HCBS-AMH Nursing cover ongoing chronic conditions such as wound care, medication administration (including training, monitoring, and evaluation of side effects), and supervising delegated tasks. Nursing services provide treatment and monitoring of health care procedures prescribed by a physician/medical practitioner, or as required by standards of professional practice or state law to be performed by licensed nursing personnel.</td>
</tr>
<tr>
<td>Recovery Management</td>
<td>Services assisting persons in gaining access to needed Medicaid State Plan and HCBS-AMH services, as well as medical, social, educational, and other resources, regardless of funding source.</td>
</tr>
<tr>
<td>HCBS-AMH Psychosocial Rehabilitation Services</td>
<td>Evidence-based or evidence-informed interventions which support the person’s recovery by helping the person develop, refine and/or maintain the skills needed to function successfully in the community.</td>
</tr>
<tr>
<td>Respite Care</td>
<td>Respite is a service that provides temporary relief from care giving to the primary caregiver of a person during times when the person's primary caregiver would normally provide care.</td>
</tr>
<tr>
<td>Substance Use Disorder services (SUD)</td>
<td>Assessment and ambulatory group and person counseling for substance use disorders. Services are specialized to meet the needs of persons who have experienced extended institutional placement.</td>
</tr>
<tr>
<td>Transition Assistance Services (TAS)</td>
<td>Payment of set-up expenses for persons transitioning from institutions into community settings necessary to enable persons to establish basic households.</td>
</tr>
<tr>
<td>Transportation Services</td>
<td>Non-medical transportation that enables persons to gain access to services, activities, and resources, as specified in the IRP.</td>
</tr>
</tbody>
</table>

**9200 Description of Service Provision**

**9210 Adaptive Aids**

Adaptive aids are available only after benefits available through Medicare, other Medicaid benefits, or other third-party resources have been documented as exhausted. Adaptive aids are limited to vehicle modifications, service animals and supplies, environmental adaptations, and aids for daily living, such as reachers,
adapted utensils, certain types of lifts, pill keepers, reminder devices, signs, calendars, planners, and storage devices. Other items may be included if specifically required to realize a goal specified in the IRP and prior approved by HHSC.

Items costing over $500.00 must be recommended in writing by a service provider qualified to assess the person’s need for the specific adaptive aid and be approved by HHSC. (See HCBS-AMH Billing Guidelines for requirements of the written recommendation).

**9220 Supported Home Living**

Supported home living is provided to persons residing in their own or family residence. This service includes activities that facilitate the person’s inclusion in community activities, use of natural supports and typical community services available to all people, social interaction and participation in leisure activities, and development of socially valued behaviors and daily living and functional living skills.

Supported home living provided to persons residing with their family members is designed to support rather than supplant the family and natural supports.

Supported Home Living is inclusive of assisting persons in acquiring, retaining, and improving skills such as communication, self-help, domestic, self-care, socialization, fine and gross motor skills, mobility, personal adjustment, relationship development, use of community resources, and adaptive skills necessary to reside successfully in home and community-based settings. As needed, this service may also include assistance in promoting positive social interactions, as well as services to instruct persons in accessing and using community resources. These resources may include transportation, translation, and communication assistance related to the IRP goals and services to assist the person in shopping and other necessary activities of community and civic life, including self-advocacy. Assistance with activities of daily living (ADLs) and instrumental activities of daily living (IADLs) are included.

The following standards apply:

- A person has a right to privacy;
- Sleeping and person living units may be locked at the discretion of the person, with keys available only to appropriate staff or landlords;
- Each living unit is separate and distinct from each other;
- The person retains the right to assume risk, tempered only by the person’s ability to assume responsibility for that risk;
- Service provision shall foster the independence of each person;
- Routines of service delivery must be person-driven;
- Any variations from the standards must be documented in the IRP (See [7250 Deviations from Service Standards](#)).
Residential services are provided to persons in settings licensed or certified by the State of Texas. Residential services are necessary, as specified in the person’s IRP, to enable the person to remain integrated in the community and ensure the health, welfare, and safety of the person in accordance with 42 CFR §441.710.

**9230 Assisted Living**

Assisted living services are personal care, homemaker, and chore services; medication oversight; and therapeutic, social, and recreational programming provided in a home-like environment, in a licensed assisted living facility, in conjunction with residing in the community setting.

This service includes 24-hour on-site response staff to meet scheduled or unpredictable needs in a way that promotes maximum dignity and independence, and to provide supervision, safety, and security.

Other persons or agencies may also furnish care directly or under arrangement with the community setting, but the services provided by these other entities supplement that provided by the community setting and do not supplant it.

Persons have the freedom and support to control their own schedules and activities, have access to food and visitors of their choosing at any time, have access at any time to the common/shared areas (including kitchens, living rooms, activity centers), and have the freedom to furnish and decorate units. HCBS-AMH Assisted Living Services cannot be provided in a setting where the person would not have a reasonable expectation of privacy, access to a kitchen/kitchenette and/or living room, and access to food and visitors at any time of the person’s choosing.

Assisted living is furnished to persons who reside in their own living units, which may include dually-occupied units when both occupants consent to the arrangement, that contain bedrooms and toilet facilities, and may or may not include kitchenette and/or living rooms. The assisted living setting must have a central dining room, living room or parlor, and common activity center(s) (which may also serve as living rooms or dining rooms).

Persons in assisted living settings, where units do not have a private kitchen/kitchenette and/or living room or parlor, have full access to a shared kitchen with cooking facilities and comfortable seating in the shared areas for private visits with family and friends.

Assisted Living is inclusive of assisting persons in acquiring, retaining, and improving skills such as communication, self-help, domestic, self-care, socialization, fine and gross motor skills, mobility, personal adjustment, relationship development, use of community resources, and adaptive skills necessary to reside successfully in home and community-based settings. As needed, this service may also include assistance in promoting positive social interactions, as well as services to instruct persons in
accessing and using community resources. These resources may include transportation, translation, and communication assistance related to the IRP goals and services to assist the person in shopping and other necessary activities of community and civic life, including self-advocacy. Assistance with activities of daily living (ADLs) and instrumental activities of daily living (IADLs) are included.

The following standards apply:

- A person has a right to privacy;
- Sleeping and person living units may be locked at the discretion of the person, with keys available only to appropriate staff or landlords;
- Each living unit is separate and distinct from each other;
- The person retains the right to assume risk, tempered only by the person’s ability to assume responsibility for that risk;
- Service provision shall foster the independence of each person;
- Routines of service delivery must be person-driven;
- Any variations from the standards must be documented in the IRP (See 7250 Deviations from Service Standards).

Residential services are provided to persons in settings licensed or certified by the State of Texas. Residential services are necessary, as specified in the person’s IRP, to enable the person to remain integrated in the community and ensure the health, welfare, and safety of the person in accordance with 42 CFR §441.710.

9240 Supervised Living

Supervised living provides residential assistance as needed by persons who live in residences in which the HCBS-AMH provider holds a property interest and that meet program certification standards. This service may be provided to persons in one of two modalities:

1. By providers who are not awake during normal sleep hours but are present in the residence and able to respond to the needs of persons during normal sleeping hours; or
2. By providers assigned on a shift schedule that includes at least one complete change of staff each day. Transportation costs are included in the rate. Type and frequency of supervision is determined on an individual basis based on the level of need for each person.

Supervised Living is inclusive of assisting persons in acquiring, retaining, and improving skills such as communication, self-help, domestic, self-care, socialization, fine and gross motor skills, mobility, personal adjustment, relationship development, use of community resources, and adaptive skills necessary to reside successfully in home and community-based settings. As needed, this service may also include assistance in promoting positive social interactions, as well as services to instruct
persons in accessing and using community resources. These resources may include transportation, translation, and communication assistance related to the IRP goals and services to assist the person in shopping and other necessary activities of community and civic life, including self-advocacy. Assistance with activities of daily living (ADLs) and instrumental activities of daily living (IADLs) are included.

The following standards apply:

- A person has a right to privacy;
- Sleeping and individual living units may be locked at the discretion of the person, with keys available only to appropriate staff or landlords;
- Each living unit is separate and distinct from each other;
- The person retains the right to assume risk, tempered only by the person’s ability to assume responsibility for that risk;
- Service provision shall foster the independence of each person;
- Routines of service delivery must be person-driven;
- Any variations from the standards must be documented in the IRP (See 7250 Deviations from Service Standards).

9250 Host Home/Companion Care

Host home/companion care is provided in a private residence meeting HCBS requirements by a host home or companion care provider who lives in the residence. Type and frequency of supervision is determined on a person basis based on the level of need for each person.

In a host home arrangement, the host home provider owns or leases the residence.

In a companion care arrangement, the residence may be owned or leased by the companion care provider or may be owned or leased by the person. Host Home/Companion Care is inclusive of assisting persons in acquiring, retaining, and improving skills such as communication, self-help, domestic, self-care, socialization, fine and gross motor skills, mobility, personal adjustment, relationship development, use of community resources, and adaptive skills necessary to reside successfully in home and community-based settings. As needed, this service may also include assistance in promoting positive social interactions, as well as services to instruct persons in accessing and using community resources. These resources may include transportation, translation, and communication assistance related to the IRP goals and services to assist the person in shopping and other necessary activities of community and civic life, including self-advocacy. Assistance with activities of daily living (ADLs) and instrumental activities of daily living (IADLs) are included.

No more than three HCBS-AMH persons may live in the host home/companion care arrangement.
A family member, court-appointed guardian, or LAR is eligible to provide Host Home/Companion Care if they meet the necessary provider requirements. For the purposes of the HCBS-AMH program, a person’s spouse is not eligible to provide host/home companion care services.

A family member, court-appointed guardian, or LAR who provides Host/Home Companion Care, is not eligible to receive HCBS-AMH Respite Services (See 9214 Respite Care).

The following standards apply:

- A person has a right to privacy;
- Sleeping and person living units may be locked at the discretion of the person, with keys available only to appropriate staff or landlords;
- Each living unit is separate and distinct from each other;
- The person retains the right to assume risk, tempered only by the person’s ability to assume responsibility for that risk;
- Service provision shall foster the independence of each person;
- Routines of service delivery must be person-driven;
- Any variations from the standards must be documented in the IRP (See 7250 Deviations from Service Standards).

Residential services are provided to persons in settings licensed or certified by the State of Texas. Residential services are necessary, as specified in the person’s IRP, to enable the person to remain integrated in the community and ensure the health, welfare, and safety of the person in accordance with 42 CFR §441.710.

### 9260 Community Psychiatric Supports and Treatment (CPST)

CPST addresses specific person needs with evidence-based and evidence-informed psychotherapeutic practices designed specifically to meet those needs. Examples include, but are not limited to:

- Cognitive Behavioral Therapy (CBT);
- Cognitive Processing Therapy (CPT); and
- Dialectical Behavior Therapy (DBT).

CPST is provided face-to-face with the person present; however, family or other persons significant to the person may also be involved. (See HCBS-AMH Billing Guidelines for billable service components).

### 9270 Employment Services

Employment services must follow evidence-based or evidence-informed practices approved by HHSC. (See Appendix A: Training Requirements for allowable protocols and required trainings). Providers must document that the service is not available.
under a program funded under Section 110 of the Rehabilitation Act of 1973, relating to vocational rehabilitation services, or the Persons with Disabilities Education Act (20 U.S.C. 1401 et seq.), relating to special education.

Employment services:

- Focus on the person’s strengths and preferences;
- Promote recovery and wellness by enabling persons to engage in work which is meaningful to them and compensated at a level equal to or greater than persons without SMI or other disabilities (competitive employment);
- Include systematic job development based on persons’ interests, developing relationships with local employers by making systematic contacts;
- May not be for job placements paying below minimum wage;
- Must be delivered in a manner that supports and respects the person’s communication needs including translation services, assistance with, and use of communication devices and
- Do not supplant existing resources, such as state vocational rehabilitation programs available to the person.

Employment Services may be used for a person to gain work-related experience considered crucial for job placement (e.g., unpaid internship), only if such experience is vital to the person to achieve his or her vocational goal. Employment Services are individualized and extended as needed to assist the person attain and maintain meaningful work. Services are provided based on individual preference and choice without exclusions based on readiness, diagnoses, symptoms, substance use history, psychiatric hospitalizations, level of disability, or legal system involvement.

Services must be provided in regular integrated settings and do not include sheltered work or other types of vocational services in specialized facilities, or incentive payments, subsidies, or unrelated vocational training expenses such as the following:

- Payments that are passed through to the person;
- Payments for supervision, training, support and adaptations typically available to other workers without disabilities filling similar positions in the business;
- Incentive payments made to an employer to encourage hiring the person; or
- Payments used to defray the expenses associated with starting up or operating a business.

The services are coordinated within the context of the IRP which delineates how Employment Services are intended to achieve the identified goals.

The documentation of employment services must be available to HHSC and to the RM for monitoring at all times on an ongoing basis. The RM monitors these services at least on a quarterly basis to see if the objectives and outcomes are being met.
9271 Supported Employment

Supported Employment includes adaptations, assistance, and training essential for persons to sustain paid employment at or above the minimum wages and benefits provided to non-disabled workers performing similar jobs. (See HCBS-AMH Billing Guidelines for billable components).

9272 Employment Assistance

Employment Assistance helps the person locate and maintain paid employment in the community and may include activities on behalf of the person to assist in maintaining employment. (See HCBS-AMH Billing Guidelines for billable components).

9280 Home Delivered Meals

Home Delivered Meals services provide a nutritionally sound meal to persons. Each meal shall provide a minimum of one-third of the current recommended dietary allowance (RDA) for the person as adopted by the United States Department of Agriculture. The meal is delivered to the person’s home. Home delivered meals do not constitute a full nutritional regimen.

The services are coordinated within the context of the IRP. The person has met needs-based criteria for Home Delivered Meals if the person:

- Is unable to do meal preparation on a regular basis without assistance;
- Does not have access to alternate resources for the provision of the meal provided by this service; and
- Does not have natural supports available that are willing and able to provide meal preparation services.

The provider must be in compliance, during all stages of food service operation, with applicable federal, state and local regulations, codes, and licensor requirements relating to fire; health; sanitation; safety; building and other provisions relating to the public health, safety, and welfare of meal patrons.

Foods must be prepared, served, and transported:

- With the least possible manual contact;
- With suitable utensils; and
- On surfaces that have been cleaned, rinsed, and sanitized to prevent cross contamination prior to use.
- Disposable sealed containers

Meals may be hot, cold, frozen, dried, or canned with a satisfactory storage life.
Home Delivered Meals providers must be able to demonstrate that menu standards are developed to sustain and improve a participant’s health through the provision of safe and nutritious meals that are approved by a dietician.

All providers must have a safety plan to ensure persons receive meals during emergencies, weather-related conditions, and natural disasters. Plans could include, but are not limited to, shelf-stable emergency meal packages, four-wheel drive vehicles, and volunteer arrangements with other community resources.

The RM shall be notified if a meal is not delivered to a person for any reason. Notification shall be made prior to the scheduled meal and no longer than four hours after the meal was to be received by the person. An occurrence of a non-delivered meal shall be updated in progress notes.

Home delivered meals providers must be provided in-person delivery whereby a paid staff or volunteer delivers the meal to the person’s home. To the extent possible, the staff or volunteers must report any changes in the person’s condition or concerns to the person’s RM.

**9281 Nutrition Screening Survey**

A nutrition screening survey must be designed to indicate signs of poor nutritional health. In situations in which the screening shows that the person has poor nutritional health, the provider contacts the person’s RM. Nutrition screening surveys are completed by the HCBS-AMH Provider Agency at intake and annually after that.

**9290 Minor Home Modifications**

All minor home modifications are provided in accordance with applicable state or local building codes. The HCBS-AMH Provider Agency must comply with the requirements for delivery of minor home modifications, which include requirements as to type of allowed modifications, time frames for completion, specifications for the modification, inspections of modifications, and follow-up on the completion of the modification.

The minor home modifications must be necessary to address specific functional limitations documented in the IRP and must be approved by HHSC. Items costing over $1000.00 must be recommended in writing by a services provider qualified to assess the person’s need for the specific adaptive aid and be approved by HHSC. (See HCBS-AMH Billing Guidelines for requirements of the written recommendation).

**92100 Nursing**

Nursing services are provided only after benefits available through Medicare, Medicaid, or other third-party resources have been exhausted or are not applicable, including home health benefits. HCBS-AMH Nursing services cover ongoing chronic conditions such as wound care, medication administration (including training,
monitoring, and evaluation of side effects), and supervising delegated tasks. This broadens the scope of these services beyond other state plan nursing services. (See HCBS-AMH Billing Guidelines for billable components).

HCBS-AMH nursing providers shall comply with all nursing delegations in accordance to 22 TAC, Part 11, Chapter 225. This includes Delegation Criteria §225.9 and tasks that may be delegated §225.10. These criteria shall be met prior to the delegation of nursing tasks to unlicensed persons by a registered nurse and apply to all instances of delegation by the registered nurse.

Nursing services are coordinated within the context of the IRP which delineates how Nursing Services are intended to achieve the identified goals.

92110 Peer Support

Peer Support services are recovery-focused services provided by Certified Peer Specialists who are in recovery from mental illness and/or substance use disorders. Peer Support promotes development of skills for coping with symptoms of SMI and/or substance use disorders, which includes the identification and/or development of natural supports and strengths.

Peer support specialists use their own experiences with mental illness, substance use disorder (SUD), and/or another co-occurring disorders (such as a chronic health condition), to help the person reach his/her recovery goals.

Peer Support Services Include (See HCBS-AMH Billing Guidelines for billable components):

1. Helping persons make new friends and begin to build alternative social networks;
2. Promoting coping skills;
3. Facilitating use of natural resources/supports;
4. Enhancing recovery-oriented attributes such as hope and self-efficacy;
5. Assisting the person with tasks such as setting recovery goals, developing recovery action plans, and solving problems directly related to recovery, including finding housing; making new friends, finding new uses of spare time, and improving one's job skills;
6. Providing assistance with issues that arise in connection with collateral problems such as having a criminal justice record or coexisting physical or mental challenges;
7. Helping persons navigate the formal treatment system, advocating for their access and gaining admittance, as well as facilitating discharge planning, typically in collaboration with treatment staff;
8. Encouraging participation in mutual aid groups in the community;
9. Facilitating participation in educational opportunities; and
10. Developing linkages to resources that address specialized needs, such as agencies providing services related to HIV infection or AIDS, mental health disorders, chronic and acute health problems, parenting young children, and problems stemming from involvement with the criminal justice system.

Peer Support services are coordinated within the context of the IRP which delineates how Peer Support services are intended to achieve the identified goals. Peer Support Services are intended to assist persons in achieving and maintaining long-term recovery. Peer Support services are not intended to supplant or substitute for natural supports.

**92120 Recovery Management**

Recovery Management includes services assisting beneficiaries in gaining access to needed Medicaid State Plan and HCBS-AMH services, as well as medical, social, educational, and other resources, regardless of funding source. (See HCBS-AMH Billing Guidelines for billable components).

Caseload sizes for the individual RM shall preferably be 10 or less and shall be no more than 15 persons. This caseload limit should account for persons in other waiver or state plan programs and other funding sources, unless the requirement is waived by HHSC. This maximum caseload requirement remains in effect unless this requirement is waived by HHSC. (See [2100 Overview of Roles and Responsibilities of the Recovery Manager and Recovery Management Entity](#)).

**92121 Recovery Management Provider of Last Resort**

HCBS-AMH Provider Agencies and Recovery Management Entities are enrolled through separate Open Enrollments. If there is more than one RM Entity and Provider Agency in the service region, the person is free to choose either of the RM entities or Provider agencies as long as they are not part of the same organization. HHSC anticipates that some service areas may not have separate Provider Agencies and Recovery Management Entities that meet requirements of the program and provider agreement. In lieu of denying a person life in his/her community of choice due to lack of available HCBS-AMH Provider Agencies and Recovery Management Entities, an HCBS-AMH Provider Agency of last resort may also provide recovery management services with certain conflict of interest protections in place (See [19200 Administrative Firewall for Providers of Last Resort](#)).

**92122 Recovery Management Conversion Services**

Conversion services are for a person who is moving from one HCBS program to HCBS-AMH, or from a nursing facility to a community setting. Conversion Services are authorized for one month and begin on the first day of the month authorized and end on the last day of the authorized month.
Conversion Services from one HCBS program to HCBS-AMH:

Some persons determined eligible for the HCBS-AMH program, maybe enrolled in another HCBS program and choose to disenroll from his/her current HCBS program into the HCBS-AMH program. The person maybe enrolled in one of the following HCBS programs:

- Community Living Assistance and Support Services (CLASS);
- Deaf Blind with Multiple Disabilities (DBMD);
- Home and Community-based Services Waiver (HCS);
- Texas Home Living Waiver (TxHmL); or
- STAR+PLUS HCBS Waiver.

If a person decides to disenroll from his/her current HCBS program and enroll into HCBS-AMH, the RM will provide RM conversion services (See HCBS-AMH Billing Guidelines for billable components) to the person during the person’s enrollment/disenrollment process. The Recovery Manager will complete an initial IRP for up to 8 units of Recovery Manager Services prior to the beginning of Conversion Services. This IRP development will document the process for Conversion Service implementation at the beginning of the service month.

Conversion Services from a Nursing Facility:

Eligible HCBS-AMH participants may be residing in a nursing facility at the time of their enrollment into the HCBS-AMH program. Once the enrolled person selects their HCBS-AMH RM Entity and HCBS-AMH Provider Agency, it will be the RM’s responsibilities to work with all appropriate staff and service providers to help the person transition from the nursing facility and into the community.

**92130 HCBS-AMH Psychosocial Rehabilitation Services**

Provision of HCBS-AMH Psychosocial Rehabilitation Services must be intended to achieve the identified goals or objectives as set forth in the person’s IRP. (See HCBS-AMH Billing Guidelines for billable components).

Skills include, but are not limited to:

- Illness/recovery management;
- Self-care;
- Activities of daily living (ADL); and
- Instrumental activities of daily living (IADLs).

The modality(ies) used for the provision of HCBS Psychosocial Rehabilitation Services must be approved by HHSC. A variety of evidence-based practices may be used as appropriate to person needs, interests and goals. Approved protocols include:

- Cognitive Adaptive Training;
● Illness Management and Recovery; and
● Seeking Safety.

92140 Respite Care

Respite is provided for the planned or emergency short-term relief for natural, unpaid caregivers. Respite is provided intermittently when the natural caregiver is temporarily unavailable to provide supports. (See HCBS-AMH Billing Guidelines for service components).

Other services indicated on the IRP may be provided during the period of respite, if they are not duplicative of or integral to services which can be reimbursable as respite or otherwise excluded by the HCBS-AMH Billing Guidelines.

The HCBS-AMH provider must ensure that respite is provided in accordance with the IRP.

In-home respite is provided in the person’s home or place of residence, or in the home of a family member or friend.

Out-of-home respite can be provided in the following locations:

● Adult foster care home;
● 24-hour residential habilitation home;
● Licensed assisted living facilities; and
● Licensed Nursing Facilities.

The number of persons in a respite setting shall be in accordance with associated licensure (if applicable) or other standards and account for the individual needs of each person.

92150 Substance Use Disorder Services

HCBS-AMH Substance Use Disorder (SUD) services are specialized to meet the needs of persons who have experienced extended institutional placement. They assist the person in achieving specific recovery goals identified in the IRP and in preventing relapse; and are provided using a team approach with other HCBS-AMH services, such as peer support. Persons must exhaust other state plan SUD benefits before choosing the HCBS-AMH SUD benefit unless other state plan benefits are not appropriate to meet the individual’s needs, limitations, and recovery goals as determined by the independent evaluation (e.g. severe cognitive or social functioning limitations, or a mental disability).

HCBS-AMH SUD services may only be utilized when other state plan SUD services are exhausted or not appropriate. SUD services include:

● Assessment;
● Ambulatory group counseling; and
● Individual counseling.

SUD Services follow evidence-based or evidence-informed treatment modalities approved by HHSC which may include:

● Motivational interviewing;
● Individual, group, and family counseling;
● Psycho-education;
● Medication management;
● Harm reduction; and
● Relapse prevention.

Substance Use Disorder Services may be provided in a group setting if identified as clinically appropriate by the PCRP participants and in accordance with the approved IRP.

92151 Substance Use Disorder Assessment

An integrated assessment must be conducted to consider relevant past and current medical, psychiatric, and substance use information, including:

● Information from the person (and LAR on the person's behalf) regarding the person's strengths, needs, natural supports, responsiveness to previous treatment, as well as preferences for and objections to specific treatments;
● Needs and desire of the person for family member involvement in treatment and services if the person is an adult without an LAR; and
● Recommendations and conclusions regarding treatment needs and eligibility for services for persons.

92160 Transition Assistance Services

Transition Assistance Services (TAS) may include:

● Security deposits for leases on apartments or homes;
● Essential household furnishings and expenses required to occupy and use a community domicile, including furniture, window coverings, food preparation items, and bed and bath linens;
● Set-up fees or deposits for utility or service access, including telephone, electricity, gas, and water;
● Services necessary for a person's health and welfare, such as pest eradication and one-time cleaning prior to occupancy; and
● Activities to assess need, arrange for, and procure needed resources (limited to up to 180 consecutive days prior to discharge).
**92170 Transportation**

This service does not duplicate transportation provided as part of other services or under the State Plan medical transportation benefit. This service must be provided in support of the person’s recovery goals as identified on the IRP.

Transportation is provided to the person. HCBS-AMH Providers and direct service staff may not bill for service time spent transporting an HCBS-AMH participant when the transportation is related to or a part of another HCBS-AMH service such as Supported Home Living or Employment Services. HCBS-AMH transportation is provided in accordance with program policies and procedures and billing guidelines. (See HCBS-AMH Billing Guidelines for billable service components).

**92180 Pre-Engagement**

This service shall not be provided if Pre-Engagement service components are provided as part of other services or under the State Plan.

HCBS-AMH Pre-Engagement Services include:

- Responding to inquiries from person’s residing in the community about the HCBS-AMH program;
- Reviewing the MBOW 1915i report to identify potential HCBS-AMH participants;
- Scheduling and performing initial program eligibility screening via inquiry phone line (if the person is not identified via MBOW report) and schedule initial assessment appointment
- Assisting the person and/or LAR in completing HCBS-AMH Program Consent for Eligibility Determination and Enrollment Forms;
- Coordinating HCBS-AMH referral process for persons residing in the community via Provider Selection Form;
- Scheduling and conducting the HCBS-AMH Uniform Assessment (UA) required for determining HCBS-AMH Program eligibility;
- Gathering or assisting the person in gathering documentation required to determine program eligibility;
- Assisting in obtaining the documents necessary for determining Medicaid eligibility;
- Assisting in submission of all Medicaid eligibility paperwork to System Agency for processing;
- Completing enrollment activities in accordance with the Manual to include but not limited to coordination with state hospital staff, criminal justice staff and emergency department staff;
- Assisting in completing the selection of the HCBS-AMH Provider Agency and Recovery Management Entity.

(See HCBS-AMH Billing Guidelines for billable service components).
**92190 Flexible Funds**

Flexible funds are monies that are to be utilized for supports that augment the existing HCBS-AMH services and are documented on the IRP. Flexible funds are to reduce symptomatology and maintain quality of life and community integration. These funds are to be utilized on a temporary basis with prior authorization from HHSC. HHSC reserves the right to discontinue Flexible Funds with a 30-day notice.

Flexible Funds may be used in accordance with the following guidelines:

- Flexible Funds are reserved for indigent persons.
- Flexible Funds is on a first come, first serve basis as long as funding is available and is not guaranteed each month.
- All services provided with Flexible Funds must be identified on the IRP for review and prior-approval by HHSC.
- Room and Board on a temporary assistance basis

HHSC reviews the request for flexible funds before approving to ensure that the indicated service does not fall within the scope of the HCBS-AMH service array. (See HCBS-AMH Billing Guidelines for billable service components).

**9300 HCBS-AMH Provider Qualifications**

The HCBS-AMH Provider Agency shall ensure all direct service staff, including employees and Subcontractors, meet the necessary credentialing and licensure requirements, as listed in the following table.

(See Appendix A: Training Requirements for additional requirements of direct service providers).

<table>
<thead>
<tr>
<th>Service</th>
<th>Provider Qualifications</th>
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</thead>
<tbody>
<tr>
<td>Adaptive Aids</td>
<td>HCBS-AMH Provider Agency employs or contracts with adaptive aid providers. Adaptive aid providers and their employees must comply with all applicable laws and regulations for the provision of adaptive aids.</td>
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<tr>
<td>Service</td>
<td>Provider Qualifications</td>
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<tr>
<td>Supported Home Living</td>
<td>Must comply with the following requirements:</td>
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<td></td>
<td>• Residential settings must meet relevant state and local requirements;</td>
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<td>• Direct service providers must:</td>
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<td></td>
<td>o Be at least 18 years of age;</td>
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<td>o Have a high school diploma or Certificate of High School Equivalency (GED credentials) or documentation of a proficiency evaluation of experience and competence to perform job tasks including the ability to provide the required services as needed by the person to be served as demonstrated through a written competency-based assessment;</td>
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<td>o Have at least three personal references from persons not related within three degrees of consanguinity that evidence the ability to provide a safe and healthy environment for the person(s) to be served;</td>
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<td>o Complete initial and periodic training provided by HCBS-AMH Provider Agency; and</td>
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<td>o Pass a criminal background check</td>
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<td>• Transportation of persons must be provided in accordance with applicable state laws;</td>
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<td>• Direct service providers transporting persons must have a valid driver's license and proof of insurance; and</td>
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<td>• Assisting with tasks delegated by an RN must be in accordance with state law.</td>
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<td>Service</td>
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<tr>
<td>Assisted Living</td>
<td>Must comply with the following requirements:</td>
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<td>• Residential settings must meet relevant state and local requirements;</td>
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<td>o Have a high school diploma or Certificate of High School Equivalency (GED credentials) or documentation of a proficiency evaluation of experience and competence to perform job tasks including the ability to provide the required services as needed by the person to be served as demonstrated through a written competency-based assessment;</td>
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<td>o Have at least three personal references from persons not related within three degrees of consanguinity that evidence the ability to provide a safe and healthy environment for the person(s) to be served;</td>
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<td>• Assisting with tasks delegated by an RN must be in accordance with state law.</td>
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<td>Service</td>
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<tr>
<td>Supervised Living</td>
<td>Must comply with the following requirements:</td>
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<td>• Residential settings must meet relevant state and local requirements;</td>
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<td>• Direct service providers must:</td>
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<td>o Be at least 18 years of age;</td>
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<td>job tasks including the ability to provide the required services as needed by the</td>
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<td>person to be served as demonstrated through a written competency-based assessment;</td>
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<td>o Have at least three personal references from persons not related within three degrees</td>
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<td>of consanguinity that evidence the ability to provide a safe and healthy environment</td>
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<td>Service</td>
<td>Provider Qualifications</td>
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<tr>
<td>Host Home/Companion Care</td>
<td>Must comply with the following requirements:</td>
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<td>- Residential settings must meet relevant state and local requirements;</td>
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<td>- Direct service providers must:</td>
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<td></td>
<td>o Be at least 18 years of age;</td>
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<td>o Have a high school diploma or Certificate of High School Equivalency (GED credentials) or documentation of a proficiency evaluation of experience and competence to perform job tasks including the ability to provide the required services as needed by the person to be served as demonstrated through a written competency-based assessment;</td>
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<td>o Have at least three personal references from persons not related within three degrees of consanguinity that evidence the ability to provide a safe and healthy environment for the person(s) to be served;</td>
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<td>o Complete initial and periodic training provided by HCBS-AMH Provider Agency;</td>
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<td>o Pass a criminal background check</td>
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<td>- Transportation of persons must be provided in accordance with applicable state laws;</td>
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<td>- Direct service providers transporting persons must have a valid driver's license and proof of insurance; and</td>
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<td>- Assisting with tasks delegated by an RN must be in accordance with state law.</td>
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<tr>
<td>Community Psychiatric Supports and Treatment</td>
<td>A direct service provider must be trained, credentialed, and demonstrate competence in the specialized psychotherapy used. Providers of this service must be a Licensed Practitioner of the Healing Arts (LPHA). If direct service provider does not have competence in the specialized psychotherapy used prior to service provision, the provider may provide the psychotherapy in the event they are under the supervision of a fully licensed clinician that meets the criteria to be an (LPHA) and meets the supervisor requirements as outlined by the EBP.</td>
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<tr>
<td>Service</td>
<td>Provider Qualifications</td>
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<tr>
<td>Employment Services</td>
<td>A direct service provider must be at least 18 years of age and meet one of the following qualifications:</td>
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<td></td>
<td>• Have a bachelor's degree in rehabilitation, business, marketing, or a related human services field, and one year’s paid or unpaid experience providing employment services to people with disabilities;</td>
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<td></td>
<td>• Have an associate degree in rehabilitation, business, marketing, or a related human services field, and two years paid or unpaid experience providing employment services to people with disabilities; or</td>
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<tr>
<td></td>
<td>• Have a high school diploma or Certificate of High School Equivalency (GED credentials), and three years paid or unpaid experience providing employment services to people with disabilities.</td>
</tr>
<tr>
<td>Peer Support</td>
<td>Must be recognized under a HHSC-approved process for certification Peer Specialists. Individual providers must maintain a HHSC approved certification for mental health or substance use disorder peer specialists. At minimum, persons must also be 18 years of age or older and have lived experience as an individual with mental health and/or substance use needs.</td>
</tr>
<tr>
<td>Home Delivered Meals</td>
<td>Must follow procedures and maintain facilities that comply with all applicable state and local laws and regulations related to fire, health, sanitation, and safety; and food preparation, handling, and service activities</td>
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<tr>
<td></td>
<td>All staff and volunteers involved in food preparation have training in:</td>
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<td>• Portion control;</td>
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<td>• FDA Food Code practices for sanitary handling of food;</td>
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<td>• Texas food safety requirements; and</td>
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<td>• Agency safety policies and procedures.</td>
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<td>All staff and volunteers having direct contact with a person have training in:</td>
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<td></td>
<td>• Protecting confidentiality;</td>
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<td></td>
<td>• How to report concerns, which may include: change of condition; self- neglect, and abuse, to appropriate staff for follow-up; and</td>
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<td>• When to report to the RM any persons considered high risk, as a result of the nutrition risk assessment.</td>
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<tr>
<td>Service</td>
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<tr>
<td>Minor Home Modifications</td>
<td>The agency must comply with the requirements for delivery of minor home modifications, which include requirements as to:</td>
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<td></td>
<td>• Type of allowed modifications;</td>
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<td></td>
<td>• Time frames for completion;</td>
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<td></td>
<td>• Specifications for the modification;</td>
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<td></td>
<td>• Inspections of modifications;</td>
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<td></td>
<td>• Follow-up on the completion of modifications; and</td>
</tr>
<tr>
<td></td>
<td>• Qualified building contractors provide minor home modifications in accordance with state and local building codes and other applicable regulations.</td>
</tr>
<tr>
<td></td>
<td>• Direct service providers must meet applicable laws and regulations for the provision of the approved minor home modification and provide modifications in accordance with applicable state and local building codes.</td>
</tr>
<tr>
<td>Nursing</td>
<td>Direct service providers must maintain an RN license (or LVN licensed vocational nurse under the supervision of an appropriate Clinical Supervisor registered nurse), registered to practice in the state or otherwise authorized to practice in Texas under the Nurse Licensure Compact.</td>
</tr>
<tr>
<td>Recovery Management</td>
<td>Direct service providers of recovery management must comply with the following requirements:</td>
</tr>
<tr>
<td></td>
<td>• Have at least 2 years of experience working with people with SMI;</td>
</tr>
<tr>
<td></td>
<td>• Have a master’s degree in human services or related field;</td>
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<td></td>
<td>• Demonstrate knowledge of issues affecting people with SMI and community-based interventions/resources for this population; and</td>
</tr>
<tr>
<td></td>
<td>• Complete HHSC-required training in the HCBS-AMH program.</td>
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<td></td>
<td>Direct service providers of recovery management cannot be any of the following:</td>
</tr>
<tr>
<td></td>
<td>• Related by blood or marriage to the person;</td>
</tr>
<tr>
<td></td>
<td>• Financially or legally responsible for the person;</td>
</tr>
<tr>
<td></td>
<td>• Empowered to make financial or health-related decisions on behalf of the person; or</td>
</tr>
</tbody>
</table>
|                         | • Direct service providers of other HCBS-AMH services for the person, or those who have interest in or are employed by an HCBS-AMH provider on the IRP, except when the provider is the only willing and qualified entity in a geographic area whom the person chooses to provide the service (See 92121 Recovery Management Provider of Last Resort).
<table>
<thead>
<tr>
<th>Service</th>
<th>Provider Qualifications</th>
</tr>
</thead>
</table>
| HCBS-AMH Psychosocial Rehabilitation services | Direct service providers must comply with the following requirements:  
• Be qualified and demonstrate competency and fidelity to the evidence-based practices (EBPs) used;  
• Have the level of education and experience required by the evidence-based modality employed; and  
• At minimum, must have a bachelor’s degree in psychology or a related field; and  
  o Have HHSC-approved training and/or certification in the EBP; and  
  o Must be supervised by a licensed clinician trained and certified in the EBP.                                                                                      |
| Respite care                        | Direct service providers must adhere to the following standards:  
• Be 18 years of age or older;  
• Trained in CPR/first-aid;  
• Pass criminal history checks;  
• Not be on a list of Employee Misconduct Registry or Nurse Aide Registry;  
• Maintain current Texas driver’s license and proof of automobile insurance if transporting persons; and  
• Be familiar with person-specific competencies                                                                                                                     |
| Substance Use Disorder Services     | Direct service providers must be Qualified Credentialed Counselors (QCC) for the provision of SUD as defined by HHSC. Substance Use Disorder (SUD) treatment programs must be licensed by the Texas Department of State Health Services as Chemical Dependency Treatment Programs.  
Direct service providers must be licensed and/or appropriately credentialed to provide services and act within the scope of their licensure and/or credentialing. |
| Transition Assistance               | Direct service providers of TAS must be 18 years of age or older, pass a criminal background check, and demonstrate knowledge and/or have experience in managing transitions to home and community-based settings. Must demonstrate knowledge of, and history in, successfully serving persons who require home and community-based services. |
| Transportation Services             | Direct service providers must meet the following qualifications:  
• 18 years of age or older;  
• Valid driver’s license;  
• Proof of insurance; and  
• Pass a criminal background check                                                                                                                                 |
Direct service providers must be employees of the LMHA or LBHA. Provision of each component of pre-engagement must be provided in accordance with the requirements of each component (i.e. ANSA certification, QMHP designation. Etc.).

9400 Responsibility of the Recovery Manager in Service Provision

The RM is responsible for assisting persons in gaining access to needed HCBS-AMH services, as well as medical, social, educational, and other resources, regardless of funding source. The RM is responsible for coordination of services, including coordinating HCBS-AMH services, coordinating with the MCO providing other Medicaid services, and coordinating with third parties providing services. RMs are responsible for monitoring the provision of services included in the IRP to ensure that the person’s needs, preferences, health, and welfare are promoted. The RM:

- Coordinates / leads development of the IRP using a PCRP which supports the person;
- Monitor, on a quarterly basis to see if the objectives and outcomes of Employment Services are being met;
- Assists the person in directing and making informed choices according to the person’s needs and preferences;
- Provides supporting documentation to be considered by HHSC in the independent evaluation and reevaluations;
- Identifies services / providers, brokers to obtain and integrate services, facilitates, and advocates to resolve issues that impede access to needed services;
- Develops / pursues resources to support the person’s recovery goals including non-HCBS Medicaid, Medicare, and/or private insurance or other community resources;
- Assists the person in identifying and developing natural supports (family, friends, and other community members) and resources to promote the person’s recovery;
- Informs persons of fair hearing rights;
- Assists persons with fair hearing requests when needed and upon request;
- Assists persons with retaining HCBS-AMH and Medicaid eligibility;
- Educates and informs persons about services, the individual recovery planning process, recovery resources, rights, and responsibilities;
- Actively coordinates with other persons and/or entities essential to physical and/or behavioral services for the person (including the individual’s MCO) to
ensure that other services are integrated and support the person’s recovery goals, health, and welfare;

- Monitors health, welfare, and safety through regular contacts (visits with the person, paid and unpaid supports, and natural supports) at a minimum frequency required by HHSC;
- Responds to and assesses emergency situations and incidents and assures that appropriate actions are taken to protect the health, welfare, and safety of persons;
- Reviews provider service documentation and monitors the person’s progress;
- Initiates recovery plan team discussions or meetings when services are not achieving desired outcomes. Outcomes include housing status, employment status, involvement in the criminal justice system, response to treatment and other services, and satisfaction with services; and
- Through the recovery plan monitoring process, solicits input from the person and/or family, as appropriate, related to satisfaction with services.
- Arranges for modifications in services and service delivery, as necessary;
- Advocates for continuity of services, system flexibility and integration, proper utilization of facilities and resources, accessibility, and beneficiary rights; and
- Participates in any HHSC-identified activities related to quality oversight and provide reporting as required by HHSC.

9410 Creation of IRP

The RM is responsible for facilitating the creation of the initial IRP and updating IRPs not to exceed 90 days from the date of the last IRP: See the following sections for guidance on the creation and development of the IRP.

- 6330 Recovery Manager Meets with the;
- 7000 Individual Recovery Plan (IRP);
- 7200 IRP Requirements;
- 7300 Initial IRP;
- 7400 Update IRP; and
- 7700 IRP Approval Process.

9420 Service Coordination

9421 Coordination with Managed Care Organizations

The Recovery Management Entity provides and obtains updates from the MCO during weekly conference calls. The RM works closely to coordinate services with the MCO. The RM works closely with the person’s assigned MCO coordinator for provision of services, access to benefits and ensuring non-duplication of services (See 20000
Non-Duplication of Services and 2100 Overview of Roles and Responsibilities of the Recovery Manager and Recovery Management Entity).

9422 Coordination with HCBS-AMH Provider Agency

After the person selects the HCBS-AMH Provider Agency the RM notifies the HCBS-AMH Provider Agency and coordinates participation on the development of the IRP. The RM monitors that HCBS-AMH services are initiated within seven business days of authorization of the IRP.

Throughout the duration of services, RM responsibilities shall include but are not limited to the following:

- Continued contact with HCBS-AMH providers to ensure the coordination and provision of services;
- Coordinating and facilitating any IRP meetings with the person and HCBS-AMH providers;
- Assist in conflict resolution between the person and HCBS-AMH providers;
- Outreach to persons after missed scheduled appointment with providers within 24 hours;
- Upon notification by HCBS-AMH Provider Agency that the person is not attending scheduled services, the RM schedules and facilitates recovery plan meeting with the person and/or LAR, and the person’s PCRP participants within seven business days of this notification to try and re-engage the person in services. The recovery plan meeting should address the following:
  - Access barriers and issues and concerns with current provider; and
  - Update IRP to reflect any changes in services; and
- If the person choses to remain in services, additional updates may be made to the current IRP, if applicable. (See 7400 Update IRP).

9423 Coordination with HHSC to Obtain Preauthorization for Recovery Management Conversion Services

Preauthorization is approval by HCBS-AMH staff for a provider to bill for Recovery Management services prior to the person’s enrollment in HCBS-AMH from a nursing home or another HCBS program.

Preauthorization of Recovery Management services allow the RM to work with the person’s HCBS team to ensure a smooth transition into the HCBS-AMH program. Additionally, for those persons residing in a nursing facility, the RM works with nursing facility staff, MCOs, and community providers to help the person discharge from these institutions and move into the community. See RM Handbook to view preauthorization process located at https://www.dshs.state.tx.us/mhsa/hcbs-amh/recoverymanager/. Access the Preauthorization Form located at https://www.dshs.state.tx.us/mhsa/hcbs-amh/Forms.aspx.
9430 Monitoring the IRP

The RM is responsible to monitor the IRP through the following;

- Contact with the PCRP participants identified on the IRP;
- Review of provider service documentation;
- Monitoring the person’s progress toward recovery goals;
- Initiating PCRP discussions or meetings when services are not achieving desired outcomes. Outcomes include housing status, employment status, involvement in the criminal justice system, response to treatment and other services, and satisfaction with services;
- Soliciting input from the person or LAR, as appropriate, related to satisfaction with services;
- Arranging for modifications in services and service delivery, as necessary;
- Advocating for continuity of services, system flexibility and integration, proper utilization of facilities and resources, accessibility, and beneficiary rights; and
- Participating in any HHSC-identified activities related to quality oversight and provide reporting as required by HHSC.

9431 Review of the IRP

The HCBS-AMH services on the IRP are reviewed not to exceed 90 days from the date of the last IRP and as needed. An Update IRP is required as indicated.

9432 Updating the Services on the IRP

The Recovery Manager initiates updates to the IRP in coordination with the members of the person’s PCRP participants. Modifications to quantity and/or type of services listed on a person’s IRP may occur (See 7400 Update IRP). Reasons for this to occur include but are not limited to the following:

- Quantity of Service and/or Types of Service specified in the most recent IRP are no longer clinically appropriate for the person. This includes the following:
  - The person needs a higher level of care
- Quantity of Service and/or Types of Service are adjusted to meet the current treatment needs of the person as identified by the PCRP participants;
- The person transfers to a different HCBS-AMH Provider Agency or Recovery Management Entity (See 10300 Transfer).
- The person’s place of residence changes to an institutional setting for greater than 30 days and services are suspended (See 10200 Suspension);
- The person is discharged from service (See 10100 Discharge);
- The person has Imminent Health or Safety Risk.
9440 Frequency of Recovery Management Service Provision

9441 Recovery Management Prior to Discharge from State Hospital

During Recovery Management Facility Discharge services (HCBS-AMH service provided prior to discharge from the state hospital), the RM shall meet with the person at a minimum of one time every two weeks for RM Facility Discharge Services. RMs providing Recovery Management Facility Discharge Services to persons in state hospitals at a distance greater than 100 miles from the RM’s office building provide a minimum of three in person visits during the duration of Facility Discharge Services provided to the person in the state hospital. The RM must meet face-to-face with the person within fourteen calendar days prior to the anticipated date of discharge. The RM is permitted to coordinate and monitor services via teleconference in addition to the required face to face contacts.

9442 Recovery Management Following Discharge from the State Hospital

The RM shall meet with the person for the provision of recovery management at an intensive level (minimum of three times per week) during the first three months of a person’s discharge to the community from the state hospital. The RM must provide at least one of these encounters in the person’s residence.

After three months of recovery management at an intensive level, the RM shall convene a meeting with the person, the person’s supports, and HCBS-AMH providers to discuss the necessary level of Recovery Management. If appropriate, the RM may reduce Recovery Management encounters to a minimum of one weekly home visit. This reduction in visits should be reflected on the IRP.

9443 Recovery Management at an Intensive Level

The RM is responsible for providing recovery management services at an intensive level (minimum of three times per week) during crisis situations, potential discharge from HCBS-AMH, and transfer of services.

9500 Responsibility of the HCBS-AMH Provider Agency

HCBS-AMH Provider Agencies shall provide all HCBS-AMH services directly or indirectly by establishing and managing a network of Subcontractors. The HCBS-AMH Provider Agency has the ultimate responsibility to comply with the HCBS-AMH Provider Agreement and the Provider Manual regardless of whether HCBS-AMH services are provided directly or through subcontractors.
### 10000 Discharge, Suspension, and Transfer

#### 10100 Discharge

#### 10110 Reasons for Discharge

In the event a person is discharged from HCBS-AMH one of the following reasons shall be cited:

<table>
<thead>
<tr>
<th>Reason for Discharge</th>
<th>Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Voluntary:</td>
<td>The person, for whom HCBS-AMH continues to be indicated, requests to be discharged from HCBS-AMH and Recovery Management Entity OR the person chooses to discontinue necessary participation in the HCBS-AMH Program (See <a href="#">2600 Roles of the Person</a>) despite engagement efforts by HCBS-AMH Provider.</td>
</tr>
<tr>
<td>No Clinical Need:</td>
<td>HCBS-AMH services are no longer required to meet the clinical needs of the person; OR the person has not received any HCBS-AMH services for one year.</td>
</tr>
<tr>
<td>Higher Clinical Need:</td>
<td>HCBS-AMH services are no longer appropriate or effective to meet the clinical needs of the person; OR the clinical needs of the person place the person and/or community at risk and cannot be addressed by available HCBS-AMH services.</td>
</tr>
<tr>
<td>No Longer Eligible (for reasons other than clinical need):</td>
<td>The person is enrolled in a different HCBS Medicaid program OR no longer meets financial eligibility</td>
</tr>
<tr>
<td>Unable to Locate:</td>
<td>The person is unable to be located for 90 consecutive days.</td>
</tr>
<tr>
<td>Out of Service Area (and not able to be transferred):</td>
<td>The person permanently moves out of state OR the person moves to a county where HCBS-AMH does not have a contracted Provider Agency.</td>
</tr>
<tr>
<td>Hospitalization (greater than 180 days):</td>
<td>The person has been hospitalized for a period greater than 180 days and does not receive an extension on suspension of their services.</td>
</tr>
<tr>
<td>Incarceration (greater than 180 days):</td>
<td>The person has been incarcerated in a criminal justice institution greater than 180 days and does not receive an extension on suspension of his/her services.</td>
</tr>
<tr>
<td>Reason for Discharge</td>
<td>Justification</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Person’s Choice of Setting:</td>
<td>The person chooses to live in a setting that does not meet 42 CFR §441.710 and is not able to have services.</td>
</tr>
<tr>
<td>Services No Longer Available:</td>
<td>A service critical to the person’s continued community tenure is no longer available to the person due to no HCBS-AMH provider available in person’s area of residence.</td>
</tr>
<tr>
<td>Death:</td>
<td>The person has died.</td>
</tr>
<tr>
<td>Non-compliant with Services:</td>
<td>The person declines to participate in the recovery planning process or address goals essential to their continued health and safety in the community for 90 consecutive days.</td>
</tr>
</tbody>
</table>

**10120 Discharge Procedure**

**10121 Voluntary:**

The HCBS-AMH Recovery Management Entity and the HCBS-AMH Provider Agency shall not modify, discontinue or refuse services to a person enrolled in HCBS-AMH unless documented efforts have been made with the person and/or LAR to resolve the situation that triggers such modification or discontinuation or refusal to provide services.

When a person requests discharge from services but still requires HCBS-AMH, the RM and HCBS-AMH Providers must do the following:

1. The RM schedules and facilitates an IRP meeting with the person, LAR, if applicable, and the person’s PCRP participants within seven business days of the discharge request. The IRP meeting should address the following:
   (A) Develop a corrective action plan which outlines the following
       ○ Contributing problems/barriers to treatment;
       ○ Life changes;
       ○ Clinical Interventions; and
       ○ Corrective action plan should be documented in the person’s progress notes
   (B) Update IRP to reflect services and efforts to re-engage the person; and
   (C) Discharge and transition planning, as indicated (i.e. the person refuses continued HCBS-AMH services and all engagement activities).
2. After IRP authorization of Update IRP, the RM shall document attempts to provide Recovery Management at an intensive level for two weeks, in an attempt to re-engage the person in HCBS-AMH services.
3. The RM facilitates a follow-up IRP meeting with the person and/or LAR, and the person’s PCRP participants. The IRP meeting should address the following:
(A) Assess progress and continued barriers, re-evaluate corrective action plan, and document in the person’s progress notes;
(B) Provide option of discharge from services or transfer of services to new provider; and
(C) Decision on discharge from HCBS-AMH services.

4. If the person chooses to discharge from HCBS-AMH services, the RM assists the person in selecting alternate community services, and makes referrals to community resources and has the person complete release of information. (See 7500 Discharge IRP).

5. The RM submits Discharge IRP to HHSC and supporting documents within three business days of final request for discharge. (See 7500 Discharge IRP and 7740 Submission of Discharge IRP).

6. The RM notifies the person’s HCBS-AMH Provider Agency of discharge from program within three business days of authorization of Discharge IRP.

HHSC issues Determination Letter and the RM distributes the letter to the person within three business days of authorization of Discharge IRP. The Determination letter should include the following:

- Notification of discharge from HCBS-AMH services;
- Discharge Date (Date Discharge IRP is authorized);
- Re-enrollment process and Medicaid Fair Hearing Process; and
- Contact information of LMHA/LBHA.

10122 No Clinical Need:

If the RM, HCBS-AMH Provider Agency, and the person agree HCBS-AMH services are no longer necessary to meet the person’s needs, the RM:

1. Submits request to LMHA or authorized assessor for an Update HCBS-AMH UA. UA to re-evaluate need for services is conducted within ten business days of request.
2. The RM reviews UA and gathers supporting documents from other HCBS-AMH providers to support discharge reason within three business of receipt of UA.
3. The RM creates Discharge IRP and submits supporting documents within three business days of receipt of UA to HHSC. (See 7740 Submission of Discharge IRP).
4. The RM notifies the person’s HCBS-AMH Provider Agency of discharge from program within three business days of authorization of Discharge IRP.
5. The RM refers the person to any additional community supports requested and obtains a signed consent to release information from the person and/or LAR. Upon the person and/or LAR’s request, a copy of the person’s record is provided.
HHSC issues Determination Letter and the RM distributes the letter to the person within three business days of authorization of Discharge IRP. The Determination letter should include the following:

- Notification of discharge from HCBS-AMH services;
- Discharge Date (Date Discharge IRP is authorized);
- Re-enrollment process and Medicaid Fair Hearing Process; and
- Contact information of LMHA/LBHA.

**10123 Higher Clinical Need:**

If it is believed a person can no longer reside safely in the community with current HCBS-AMH services, the RM:

1. Submits request to LMHA/LBHA or authorized independent assessor for an Update UA. UA to re-evaluate need for services is conducted within ten business days of request for discharge.
2. The RM reviews UA and supporting documents. The RM assists the person with identifying a setting which provides a higher level of care and obtains a signed consent to release information from the person and or LAR. The RM makes referral and transfers a copy of the person's current psychiatric and medical information (See 6230 Transfer of Records).
3. The RM updates and submits Discharge IRP and supporting documents to HHSC within three business days of receipt of UA. (See 7740 Submission of Discharge IRP).
4. The RM notifies the person’s HCBS-AMH Provider Agency of discharge from program within three business days of authorization or Discharge IRP.

HHSC issues Determination Letter and the RM distributes the letter to the person within three business days of authorization of Discharge IRP. The Determination letter should include the following:

- Notification of discharge from HCBS-AMH services;
- Discharge Date (Date Discharge IRP is authorized);
- Re-enrollment process and Medicaid Fair Hearing Process; and
- Contact information of LMHA/LBHA.

**10124 No Longer Eligible (for reasons other than clinical need):**

During participation in HCBS-AMH services, a person’s eligibility status may change. In these instances:

1. The RM obtains a signed consent to release information from the person and refers the person to alternate community services. A copy of the person’s record is available upon the person and/or LAR’s request.
2. The RM updates IRP and submits Discharge IRP to HHSC within five business days of notification of ineligibility. (See 7740 Submission of Discharge IRP).
3. HCBS-AMH Recovery Management Entity and HCBS-AMH Provider Agency discharges the person within two business days of receiving notification of the person’s discharge from HCBS-AMH services.

10125 Unable to Locate:

1. HCBS-AMH Recovery Management Entity and HCBS-AMH Provider Agency may discharge or suspend a person’s services for up to 180 days when they have been unable to locate the person for 90 consecutive days. During these 90 days, Recovery Management Entity must do the following:
   (A) Check all local inpatient facilities and jails;
   (B) Outreach to the individual’s emergency contact; and
   (C) Attempt a home visit to the person’s last known address.
2. If the HCBS-AMH Recovery Management Entity and HCBS-AMH Provider Agency choose to suspend the person’s services, the RM must submit an Update IRP requesting a suspension of services (See 10230 Documentation Requirements for Suspension).
3. If a person’s services are placed in suspended status, the RM makes the above listed outreach attempts every thirty days.
4. If the RM and HCBS-AMH Provider Agency discharge the person, the RM creates Discharge IRP and submits IRP and supporting documentation from the RM and HCBS-AMH providers showing outreach efforts to HHSC within three business days of the determination. This documentation includes, but is not limited to:
   (A) All phone calls to the person’s emergency contact (if consents provided);
   (B) Attempted home visits to the last known address; and
   (C) Outreach letter to the last known address and emergency contact requesting re-engagement in services. Letter should include the following:
      ○ Request to re-engage in services;
      ○ Notification of discharge or suspension from program if re-engagement is not made within 90 days of date of notice; and
      ○ Contact information of HCBS-AMH Provider Agency and Recovery Management Entity.
5. The RM notifies HCBS-AMH Provider Agency and direct service providers of person’s discharge from the program within three business days of authorization or Discharge IRP.
6. HHSC issues Determination Letter and the RM distributes the letter to the person within three business days of authorization of Discharge IRP. The Determination letter should include the following:
(A) Notification of discharge from HCBS-AMH services;
(B) Discharge Date (Date Discharge IRP is authorized);
(C) Re-enrollment process and Medicaid Fair Hearing Process; and
(D) Contact information of LMHA/LBHA.

10126 Out of Service Area (and not able to be transferred):

When a person relocates to a county within Texas served by the HCBS-AMH Program, the person remains shall be transferred to another HCBS-AMH Provider Agency and Recovery Management Entity (See 10300 Transfer). However, if the person moves to a county or service area where there is not yet an HCBS-AMH Provider Agency and Recovery Management Entity, the participant must be discharged from HCBS-AMH. In this circumstance:

1. The RM obtains a signed consent to release information from the person and makes referral to alternate community services in the person’s new area of residence. A copy of the person’s records are available upon request by the person and/or LAR.
2. The RM updates IRP and submits Discharge IRP and supporting documentation to HHSC within five business days of request for discharge (See 7740 Submission of Discharge IRP).
3. The RM notifies HCBS-AMH Providers of the person’s discharge from the program within three days of authorization or Discharge IRP.

HHSC issues Determination Letter and the RM distributes the letter to the person within three business days of authorization of Discharge IRP. The Determination letter should include the following:

- Notification of discharge from HCBS-AMH services;
- Discharge Date (Date Discharge IRP is authorized);
- Re-enrollment process and Medicaid Fair Hearing Process; and
- Contact information of LMHA/LBHA.

10127 Hospitalization (greater than 180 days):

When a person is hospitalized, the RM completes and submits critical incident to HHSC within 72 hours of the person’s hospitalization. (See 13530 Critical Incidents Reporting).

Services may be suspended for up to 180 days with the possibility of a 30-day extension. (See 10200 Suspension, 10221 Inpatient Psychiatric Hospitalization: 10222 Inpatient Medical Hospitalization:, and 10227 Extension of Suspended Services).

After the person’s period of service suspension is over:

1. The RM submits Discharge IRP with supporting documents.
2. HHSC issues a Determination Letter and the RM distributes the letter within three business days of HHSC decision. The letter should include the following:
   (A) Determination of HCBS-AMH services;
   (B) Discharge date (Date Discharge IRP is authorized by HHSC);
   (C) Re-enrollment or Medicaid Fair Hearing Process; and
   (D) Contact information of LMHA/LBHA.

3. The RM notifies HCBS-AMH Provider Agency of the person’s discharge from the program within three business days of authorization of Discharge IRP.

10128 Criminal Justice Involvement (greater than 180 days):

When a person is incarcerated, the RM completes and submits critical incident to HHSC within 72 hours of the person’s incarceration. (See 13530 Critical Incidents Reporting).

Services may be suspended may be suspended for up to 180 days with the possibility of a 30-day extension. (See 10200 Suspension, 10224 Incarceration: and 10227 Extension of Suspended Services)

After the person’s period of service suspension is over:

1. The RM submits Discharge IRP with supporting documents to HHSC within three business days.
2. HHSC issues a Determination Letter and the RM sends the letter to the person within three business days of authorization or Discharge IRP. The letter should include the following:
   (A) Determination of HCBS-AMH services;
   (B) Discharge date (Date Discharge IRP is authorized by HHSC);
   (C) Re- enrollment and Medicaid Fair Hearing Process; and
   (D) Contact information of LMHA/LBHA.
3. The RM notifies HCBS-AMH Provider Agency of the person’s discharge from the program within three business days of authorization of Discharge IRP.

10129 Person’s Choice of Setting:

During participation in HCBS-AMH services, the person may choose to move to a setting that is not in compliance with 42 CFR §441.710.

If a person chooses to live in this type of setting:

1. The RM facilitates an IRP meeting with the person, LAR, if applicable, and the person’s PCRP participants within seven business days of notification of the person selecting a non-HCBS-AMH approved setting. IRP meeting should address the following:
   (A) The person’s reasons for selection of a non-HCBS-AMH approved setting;
(B) Notification of discharge from services if non-HCBS-AMH approved setting is selected; and
(C) Alternate housing options which meet HCBS-AMH setting requirements.

2. If a person chooses to discharge, the RM obtains a signed consent to release information from the person and makes referral to alternate community services. A copy of the person’s records is available upon request by the person and/or LAR.

3. The RM updates IRP and submits Discharge IRP and supporting documentation to HHSC. HHSC issues Determination Letter and the RM sends the letter to the last known address of the person within three business days of authorization of Discharge IRP. The letter should include the following:
   (A) Notification of discharge from HCBS –AMH services;
   (B) Discharge Date (Date Discharge IRP is authorized);
   (C) Re-enrollment and Medicaid Fair Hearing process; and
   (D) Contact information of LMHA/LBHA.

4. The RM notifies HCBS-AMH Provider Agency of the person’s discharge from the program within three business days of authorization of Discharge IRP.

**101210 Services Not Available:**

If a service critical to the person’s continued tenure in the community is no longer available to the person:

1. The RM submits request to HHSC for Update UA to re-evaluate the person’s service needs within seven business days of request for discharge.

2. The RM reviews UA and supporting documents within three business days of receipt of UA. The RM schedules an IRP meeting with the person, LAR (if applicable), and the person’s PCRP participants. The IRP meeting should address the following:
   (A) Access barriers/problems to remaining in the community;
   (B) Access alternative ways for the person to remain in the community; and
   (C) Provide crisis and safety planning (if necessary, update on IRP and submit to HHSC).

3. If alternative services are identified in the community, the RM and HCBS-AMH provide intensive services for two weeks. After two weeks, a follow up IRP meeting is scheduled. The IRP meeting should address the following:
   (A) Review progress;
   (B) Access barriers/problems remaining in community; and
   (C) Determination on the person remaining in the community.

4. If no alternative placements are available, the RM obtains a signed consent to release information from the person and refer the person to a higher level of care. (See **10123 Higher Clinical Need:**).
5. The RM submits Discharge IRP and supporting documents to HHSC within three business days. (See 7740 Submission of Discharge IRP and 7500 Discharge IRP).

6. HHSC issues a Determination Letter and the RM distributes the letter to the person within three business days of authorization of Discharge IRP. The letter should include the following:
   (A) Determination on HCBS-AMH services;
   (B) Discharge Date (Date Discharge IRP authorized);
   (C) Re-enrollment and Medicaid Fair Hearing Process; and
   (D) Contact information of the LMHA/LBHA

7. Upon discharge approval, the RM notifies HCBS-AMH Provider Agency of the person’s discharge within three business days of authorization or Discharge IRP.

101211 Death:
Upon the death of a person enrolled in HCBS-AMH:

1. The RM or HCBS-AMH provider completes critical incident report. The RM submits critical incident report to HHSC within 72 hours of notification of the person’s death. (See 13530 Critical Incidents Reporting);
2. The RM submits Discharge IRP and supporting documents to HHSC within three business days;
3. The RM notifies HCBS-AMH Provider Agency of the person’s death.

101212 Non-Compliant with Services:
When a person becomes non-compliant with services, the RM follows the process outlined for a voluntary discharge (See 10121 Voluntary:). All efforts to engage the person and make adaptations to IRP to engage the person in services must be documented in progress notes and Update IRPs. The person’s participant agreement should be reviewed with the person and the person should also be informed that they are in violation of their Participant Agreement and subject to discharge or suspension of their HCBS-AMH services. The person is notified that continued choice to not engage in IRP planning process will result in discharge or suspension of their HCBS-AMH services.

If a person remains non-compliant with services for 90 days consecutively, the person is offered the option to voluntarily discharge from services or have their services suspended for up to 180 days (See 10230 Documentation Requirements for Suspension). If a person declines to do so:

1. The RM updates the IRP to reflect non-compliance with services and submits Discharge IRP and supporting documents to HHSC within three business days.
2. HHSC issues Determination Letter and the RM sends the letter to the last known address of the person within three business days of authorization of Discharge IRP. The letter should include the following:
   (A) Notification of discharge from HCBS –AMH services;
   (B) Discharge Date (Date Discharge IRP is authorized);
   (C) Re-enrollment and Medicaid Fair Hearing process; and
   (D) Contact information of LMHA/LBHA.

3. The RM notifies HCBS-AMH Provider Agency of the person’s discharge from the program within three business days of HHSC discharge approval.

10130 Documentation Requirements for Discharge

The reason for discharge and all agency referrals shall be documented in the person’s clinical record and the Recovery Management Entity shall submit a Discharge IRP to HHSC within 3 business days. (See 2120 The Recovery Management Entity is responsible to; and 7510 Requirements Specific to the Discharge IRP).

The RM and the HCBS-AMH Provider shall document efforts made with the person and/or LAR to resolve situations that trigger modification, discontinuation, or refusal to provide services.

10200 Suspension

10210 Reasons for Suspension

<table>
<thead>
<tr>
<th>Reason for Suspension</th>
<th>Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inpatient Psychiatric Hospitalization:</td>
<td>The person is admitted into an inpatient psychiatric facility a period greater than 30 days.</td>
</tr>
<tr>
<td>Inpatient Medical Hospitalization:</td>
<td>The person is admitted into an inpatient medical hospital for a physical health need greater than 30 days.</td>
</tr>
<tr>
<td>Resides in a Nursing Home:</td>
<td>The person has been admitted into nursing home greater than 30 days.</td>
</tr>
<tr>
<td>Incarceration:</td>
<td>The person has been incarcerated greater than 30 days.</td>
</tr>
<tr>
<td>Temporary Living Arrangement:</td>
<td>Temporary living arrangement: The person chooses to temporarily reside in a non-HCBS-AMH approved setting that is not a hospital, nursing home, or criminal justice institution.</td>
</tr>
</tbody>
</table>
### Reason for Suspension

<table>
<thead>
<tr>
<th>Reason for Suspension</th>
<th>Justification</th>
</tr>
</thead>
</table>
| Imminent Health or Safety Risk | The person exhibits behavior that constitutes imminent danger or a threat to the health or safety of the person or another person including the service provider. Examples include, but are not limited to:  
  - Exhibiting weapons;  
  - Making direct or indirect threats of physical harm, force or death;  
  - Physically attacking a person with or without a weapon;  
  - Threatening use of force by self or someone else; and  
  - Sexual harassment or sexual assault. |

### 10220 Suspension Procedure

#### 10221 Inpatient Psychiatric Hospitalization:

Persons may need to access temporary inpatient psychiatric services while enrolled in HCBS-AMH. If the situation is temporary but exceeds 30-days the person may be placed in suspended status. (See 5100 Enrollment Process Definitions), but the person’s eligibility is not affected.

Upon admission:

The RM submits and Update IRP within five business days of submission of critical incident report to HHSC. (See 13530 Critical Incidents Reporting).

HHSC issues a Determination Letter and the RM distributes the letter to the person and/or LAR within three business days of authorization of the Update IRP. The Determination Letter includes the following:

- Determination of suspension of services;
- Reason for suspension of services;
- Medicaid Fair Hearing Process;
- Date of service suspension (30 days from date letter is drafted); and
- Duration of suspension of services.

A person may be placed in suspended status for up to 180 days, with the option of a 30-day extension. (See 10227 Extension of Suspended Services).

Upon discharge from the State Hospital while on Suspended Status:

Prior to discharge from a state hospital, the SHSW should utilize the SSA Pre-Release Agreement, if applicable, to ensure expedited reinstatement of the person’s benefits. (See 14110 Social Security Administration Prerelase Program).
Upon the person’s discharge from the hospital, the RM submits an Update IRP within five business days of submission of the critical incident report and submits the Update IRP to HHSC. (See 13530 Critical Incidents Reporting). The RM notifies the person through Determination Letter upon person’s discharge from the hospital within three business days. The Determination letter includes the following:

- Determination of services;
- Date services will resume (date Medicaid is reinstated); and
- Contact information of the HCBS-AMH Recovery Management Entity.

**10222 Inpatient Medical Hospitalization:**

Persons may need to access temporary inpatient services for physical health needs while enrolled in HCBS-AMH. If the situation is temporary but exceeds 30-days the person’s eligibility is not affected.

Upon admission:

The RM submits and Update IRP within five business days of submission of critical incident report to HHSC. (See 13530 Critical Incidents Reporting).

HHSC issues a Determination Letter and the RM distributes the letter to the person and/or LAR within three business days of authorization of the Update IRP. The Determination Letter includes the following:

- Determination of suspension of services;
- Reason for suspension of services;
- Medicaid Fair Hearing Process;
- Date of service suspension (30 days from date letter is drafted); and
- Duration of suspension of services.

A person may be placed in suspended status for up to 180 days, with the option of a 30-day extension. (See 10227 Extension of Suspended Services).

Upon discharge:

Upon the person’s discharge from the hospital, the RM submits an Update IRP within 5 business days of submission of the critical incident report and submits the Update IRP to HHSC (See 13530 Critical Incidents Reporting). The RM notifies the person through Determination Letter upon the person’s discharge from the hospital within three business days. The Determination letter includes the following:

- Determination of services;
- Date services will resume (date Medicaid is reinstated); and
- Contact information of the HCBS-AMH Recovery Management Entity.
10223 Resides in a Nursing Home:

When the RM determines the person requires care in a nursing home for a period greater than 30 days, the person may be placed in suspended status.

HCBS-AMH Respite Services must be considered as an initial option for meeting the person’s need for a Nursing Home. If it is determined that an alternative temporary out-of-home living arrangement is more appropriate to address the current needs of the person, then the following guidelines apply. This policy does not apply to Temporary Inpatient Hospitalizations.

Prior to admittance into the nursing home, the RM submits an Update IRP indicating need for nursing home care, start date for the temporary out-of-home living arrangement, and a supporting document as to why the HCBS-AMH covered services are not being utilized.

Upon admission:

Upon authorization of the Update IRP, HHSC issues a Determination Letter and the RM distributes the letter to the person and/or LAR within three business days. The Determination letter includes the following:

- Determination of suspension of services;
- Reason for suspension of services;
- Medicaid Fair Hearing Process;
- Date of service suspension (30 days from date letter is drafted); and
- Duration of suspension of services, if known.

A person may be placed in suspended status for up to 180 days, with the option of a 30-day extension. (See 10227 Extension of Suspended Services).

For persons suspended for “Resides in an Institution” recovery management must occur on a monthly basis to coordinate and document the person’s plan to transition back to residing in the community.

Upon discharge:

Upon the person’s discharge from the nursing home, the RM submits an Update IRP within five business days of submission of the critical incident report (See 13530 Critical Incidents Reporting). The RM notifies the person through Determination Letter upon the person’s discharge from the hospital within three business days. The Determination letter includes the following:

- Determination of services;
- Date services will resume (date Medicaid is reinstated); and
- Contact information of HCBS-AMH Recovery Management Entity.
Upon the person’s discharge from the nursing home, the RM submits an Update IRP within five business days of submission of the critical incident report and submits the Update IRP to HHSC. (See 13530 Critical Incidents Reporting). The RM notifies the person through a Determination Letter upon the person’s discharge from the hospital within three business days. The Determination letter includes the following:

- Determination of services;
- Date services will resume (date Medicaid is reinstated); and
- Contact information of HCBS-AMH Recovery Management Entity.

**10224 Incarceration:**

If a person is incarcerated for a period greater than 30 days, he/she may be placed in suspended status.

Upon incarceration:

Upon incarceration the RM updates and submits an Update IRP within five business days of submission of critical incident report. (See 13530 Critical Incidents Reporting). Upon authorization of Update IRP, HHSC issue a Determination Letter and the RM distributes the letter to the person and/or LAR within three business days. The Determination includes the following:

- Determination on suspension of services;
- Reason for suspension of services;
- Medicaid Fair Hearing Process;
- Date of service suspension (30 days from date letter is drafted); and
- Duration of suspension of services, if known.

A person may be placed in suspended status for up to 180 days, with the option of a 30-day extension. (See 10227 Extension of Suspended Services).

Upon release:

Upon the person’s release, the RM submits an Update IRP within five business days of submission of the critical incident report and submits the Update IRP to HHSC (See 13530 Critical Incidents Reporting). The RM notifies the person through a Determination Letter upon the person’s discharge from the hospital within three business days. The Determination letter includes the following:

- Determination of services;
- Date services will resume (date Medicaid is reinstated); and
- Contact information of HCBS-AMH Recovery Management Entity.
10225 Temporary Living Arrangement:
If the person chooses to temporarily reside in a non-HCBS-AMH approved setting consistent with the 42 CFR §441.710, he/she may be placed in suspended status.

Prior to the person’s relocation to this setting, the RM submits an Update IRP with the start date for the temporary out-of-home living arrangement and a rationale as to why the HCBS-AMH covered services are not being utilized.

Relocation to the temporary non-HCBS-AMH approved setting:
Upon relocation to the temporary non-HCBS-AMH approved setting, HHSC issues a Determination Letter and the RM distributes the letter within three business days of notification of suspension of services.

The letter includes the following:
- Determination on suspension of services;
- Reason for suspension of services;
- Medicaid Fair Hearing Process;
- Date of service suspension (30 days from date letter is drafted); and
- Duration of suspension of services, if known.

A person may be placed in suspended status for up to 180 days, with the option of a 30-day extension. (See 10227 Extension of Suspended Services).

Return to HCBS-AMH approved setting:
Upon notification and verification that the person has returned to an HCBS-AMH approved setting, HHSC issues a Determination letter and the RM distributes the letter to the person within two business days of verification of HCBS-AMH setting. This letter includes the following:
- Determination on Services;
- Medicaid Fair Hearing Process; and
- Date services are reinstated (five business days from date letter is drafted).

The RM meets with the person on date services are reinstated and submits an Update IRP to HHSC within ten business days.

10226 Imminent Health or Safety Risk:
If the person poses an imminent health or safety risk, he/she may be placed in suspended status and the HCBS-AMH Provider Agency and HCBS-AMH RM must make an immediate referral to:
- Appropriate protective services agency;
- Local law enforcement; and/or
The RM or HCBS-AMH Provider Agency must complete and submit a critical incident report within 72 hours of incident to HHSC and Update IRP to HHSC.

Upon authorization of the Update IRP, HHSC issues a Determination Letter to be distributed by the RM to the person within three business days. The Determination letter includes the following:

- Determination of suspension of services;
- Reason for suspension of services;
- Medicaid Fair Hearing Process;
- Date of service suspension (Date of IRP Authorization); and
- Duration of suspension of services, if known.

Upon notification by licensed mental health professional that the person is no longer at imminent risk of danger to themselves or others, the RM meets with the person and PCRP participants and updates IRP.

**10227 Extension of Suspended Services**

A person may be placed in suspended status for up to 180 days, with the option of a 30-day extension with HHSC approval. Approval of the 30-day extension may occur:

- If the person or family member indicates the wish for HCBS-AMH services to resume;
- The RM reviews the reasons for the request to determine if an exception should be submitted to HHSC; and
- If reasons or conditions demonstrate clear and convincing evidence the person can resume service within 30 days past the 180-day suspension period.

Reasons and conditions include:

- Documentation or verbal communication from a treating professional that demonstrates the person is able to return to his home in the community within 30 days of exceeding the 180-suspension period;
- Proof of having a home in the community to live in upon discharge from an institution;
- Resources in the community (for example, involved family) that are available to help; support the person when he moves back into the community;
- Temporarily living or traveling out of state;

The RM requests an exception by encrypted email to HHSC HCBS-AMH mailbox with the subject line “Extension of Suspended Services” outlining request and attaching supporting documents which meet at least one of the criteria listed above.
10230 Documentation Requirements for Suspension

In order to request suspension of services, the RM must submit an Update IRP and supporting documents. The following are suitable forms of supporting documentation:

- Documentation of outreach attempts to locate the person (See 10125 Unable to Locate);
- Documentation of the person’s non-compliance with services (See 101212 Non-Compliant with Services);
- Nursing Home Admission documents;
- Legal documents;
- Medical documentation verifying need for extended hospital or nursing home stay;
- Verification of temporary residence in non-HCBS-AMH approved setting; and
- Documentation verifying any of the reasons for extension of suspended services. (See 10227 Extension of Suspended Services).

10300 Transfer

A person may transfer from one HCBS-AMH Provider Agency or HCBS-AMH Recovery Management Entity to another available HCBS-AMH provider at any time.

10310 Reasons for Transfer

<table>
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<tr>
<th>Reason for Transfer</th>
<th>Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Person Selects Different Provider Agency:</td>
<td>The person chooses to transfer to obtain HCBS-AMH services through a different provider agency in the same service area.</td>
</tr>
<tr>
<td>HCBS-AMH Provider Agreement Termination:</td>
<td>The HCBS-AMH Provider Agreement is terminated between an HCBS-AMH Provider Agency and HHSC and the person must be transferred to another HCBS-AMH Provider Agency.</td>
</tr>
<tr>
<td>Person Relocates Outside the Provider’s Service Area:</td>
<td>A person relocates to a county within Texas that is served by the HCBS-AMH Program but not by the current HCBS-AMH Provider Agency.</td>
</tr>
<tr>
<td>Person Selects Different LMHA Region:</td>
<td>The person chooses to obtain HCBS-AMH services in a different LMHA service area.</td>
</tr>
</tbody>
</table>

10320 Transfer Procedure

The RM is responsible for the coordination of the transfer activities to another HCBS-AMH Provider Agency and/or Recovery Management Entity. The Recovery Management Entity initiating the transfer of the person must do all of the following:

- Obtain a completed HCBS-AMH Provider Selection Form, signed by the person;
● Conduct and IRP meeting(s) to assess reason for transfer and provide interventions;
● Obtain a release of information from the person within five business days to facilitate communication and coordination with the new Recovery Management Entity and/or HCBS-AMH Provider Agency;
● Contact the new Recovery Management Entity and/or HCBS-AMH Provider Agency to inform them of the impending transfer;
● Prepare a packet of information to forward to the new Recovery Management Entity and/or HCBS-AMH Provider Agency. This packet must contain the following information (See 6230 Transfer of Records):
  ‣ The person and/or LAR’s contact information;
  ‣ Determination Letter;
  ‣ Progress notes;
  ‣ Current UA;
  ‣ If applicable, any additional functional assessments;
  ‣ Current IRP;
  ‣ HCBS-AMH Provider Selection Form;
  ‣ Notification of Participant’s Rights Form;
  ‣ Valid HCBS-AMH consents;
  ‣ Copy of Medicaid Card and valid IDs; and
● Periodically check to ensure the transfer process is proceeding;
● Submit Transfer IRP to HHSC within 3 business days (See 7730 Submission of Transfer IRP); and
● Notify accepting HCBS-AMH provider of HHSC approval of the person’s transfer within two business days of authorization of Transfer IRP and electronically send transfer information packet; and
● Distribute to the person and/or LAR a Determination Letter within three business days of authorization of Transfer IRP which states the following:
  ‣ Determination of HCBS-AMH services;
  ‣ Date of approved transfer;
  ‣ Medicaid Fair Hearing Process; and
  ‣ Contact information of new HCBS-AMH Provider Agency or Recovery Management Entity.

10321 Person Selects Different HCBS-AMH Provider:

If a person requests transfer to another HCBS-AMH Provider Agency or Recovery Management Entity:

1. The RM schedules and facilitates an IRP meeting with the person, LAR, if applicable, and the person’s PCRP participants within seven business days of the discharge request. The IRP meeting should address the following:
   (A) Contributing problems/barriers to treatment;
(B) Life changes;
(C) Clinical Interventions;
(D) Updates IRP to reflect services;
(E) Transition planning, as indicated (i.e. the person requests immediate transfer); and
(F) Complete Corrective Action Plan documented in the person’s progress notes, if applicable

2. The RM facilitates a follow-up IRP meeting with the person and/or LAR, and the person’s PCRP participants. The IRP meeting should address the following:
   (A) Assess progress and continued barriers and re-evaluate corrective action plan (if indicated in previous IRP meeting); and
   (B) Decision to transfer to another provider.

3. If the person chooses to transfer HCBS-AMH Provider Agency or HCBS-AMH Recovery Management Entity, the RM works with the person to complete new HCBS-AMH Provider Selection Form and consents necessary to release information. The RM transfers the following documents (See 6230 Transfer of Records):
   (A) The person’s and/or LAR contact information;
   (B) Determination Letter;
   (C) Progress notes;
   (D) Current UA, any additional functional assessments (if applicable);
   (E) Current IRP;
   (F) HCBS-AMH Provider Selection Form;
   (G) Notification of Participant’s Rights Form, Valid HCBS-AMH consents; and
   (H) Copy of Medicaid Card, and valid IDs.

4. Upon securing new provider, the RM submits an Update IRP to HHSC within five business days of the person completing new HCBS-AMH Provider Selection Form. (See 7730 Submission of Transfer IRP).

5. The RM notifies the person’s HCBS-AMH Provider Agency of transfer within three business days of authorization of the Transfer IRP.

6. HHSC issues a Determination Letter to be distributed by the RM within three business days of authorization of Transfer IRP. The letter shall state the following:
   (A) Determination of HCBS-AMH services;
   (B) Date of approved transfer;
   (C) Medicaid Fair Hearing Process;
   (D) Contact information of new HCBS-AMH Provider Agency or Recovery Management Entity.
10322 HCBS-AMH Provider Agreement Termination:

If the HCBS-AMH Provider Agreement is terminated between an HCBS-AMH Provider Agency and HHSC, all persons that HCBS-AMH Provider Agency is serving must be appropriately transitioned to another HCBS-AMH Provider (if available) prior to the termination. HHSC notifies the person and/or LAR 30 days prior to termination of the provider agreement. Persons must choose another HCBS-AMH Provider Agency from which to receive services. The RM shall:

1. Meet with the person and/or LAR and complete HCBS-AMH Provider Selection Form and have the person complete consents for release of information.
2. Refer the person to new provider and transfer the following documents (See 6230 Transfer of Records):
   (A) The person and/or LAR’s contact information;
   (B) Determination Letter;
   (C) Progress notes;
   (D) Current UA, any additional functional assessments (if applicable);
   (E) Current IRP;
   (F) HCBS-AMH Provider Selection Form;
   (G) Notification of Participant’s Rights Form, Valid HCBS-AMH consents; and
   (H) Copy of Medicaid Card, and valid IDs.
3. Upon securing new provider, submit Transfer IRP to HHSC within five business days of the person completing new HCBS-AMH Provider Selection Form. (See 7730 Submission of Transfer IRP).
4. Notify current and new HCBS-AMH Provider Agency of HHSC’s approval of the person’s transfer within two business days of authorization of Transfer IRP.
5. Distribute a Determination Letter to the person and/or LAR within three business days of authorization of Transfer IRP. The letter shall state the following:
   (A) Determination on HCBS-AMH services;
   (B) Date of approved transfer;
   (C) Medicaid Fair Hearing Process; and
   (D) Contact information of new HCBS-AMH provider or Recovery Management Entity.

10323 Person Relocates Outside the Provider’s Service Area:

When a person relocates to a county or service area within Texas that has an HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity, the person remains eligible for the program. The RM shall:

1. Meet with the person and/or LAR and complete HCBS-AMH Provider Selection Form and have the person complete consents for release of information.
2. Refer the person to new provider and transfer the following documents (See 6230 Transfer of Records):
   (A) The person and/or LAR’s contact information;
   (B) Determination Letter;
   (C) Progress notes;
   (D) Current UA, any additional functional assessments (if applicable);
   (E) Current IRP;
   (F) HCBS-AMH Provider Selection Form;
   (G) Notification of Participant’s Rights Form, Valid HCBS-AMH consents; and
   (H) Copy of Medicaid Card, and valid IDs.

3. Upon securing new provider, submit Transfer IRP to HHSC within five business days of the person completing new HCBS-AMH Provider Selection Form. (See 7730 Submission of Transfer IRP).

4. Notify current and new HCBS-AMH Provider Agency of HHSC’s approval of the person’s transfer within two business days of authorization of Transfer IRP.

5. Distribute a Determination Letter to the person and/or LAR within three business days of authorization of Transfer IRP. The letter shall state the following:
   (A) Determination on HCBS-AMH services;
   (B) Date of approved transfer;
   (C) Medicaid Fair Hearing Process; and
   (D) Contact information of new HCBS-AMH Provider Agency or Recovery Management Entity.

10324 Transfer to another LMHA Region

Persons are free to move from one LMHA service area to another. Once the RM is notified by the person or their LAR of the request to relocate, they must, within 5 business days:

- Notify HHSC of the persons request to change LMHA service region
- Notify the current LMHA of the persons choice to relocate
- Notify the new selected LMHA of the persons desire to relocate to their service area
- Assist the person in selecting a new RM Entity and or Provider agency (as described in Section 10320.3) if necessary.

If the HCBS-AMH RM Entity and/or HCBS-AMH Provider Agency are also providers of HCBS-AMH services within the new LMHA service region and the person chooses to remain in service with these agencies, an updated IRP must be completed within 5 business days. If a new HCBS-AMH RM Entity and/or HCBS-AMH Provider agency are selected a new IRP must be completed within 5 business days of relocation.
All requests to relocate must be received by HHSC and both LMHA’s 14 days prior to expected relocation date.

It is the responsibility of the Recovery Manager to coordinate with all persons involved in all transfers and ensure continuity of services.

10325 Coordination with New HCBS-AMH Provider

New providers (HCBS-AMH Recovery Management Entity and/or HCBS-AMH Provider Agency) must do all of the following:

- Review the transfer packet;
- Identify the PCRP participants;
- Coordinate with the RM, person, and PCRP participants to schedule a meeting;
- Work with the PCRP participants to determine if current IRP will be adopted as written, revised or an Update IRP will be developed;
- If applicable, submit an Update IRP to HHSC; and
- Request an Update HCBS-AMH UA if necessary
- Coordinate with the LMHA to ensure continuity of care

10330 Documentation Requirements for Transfer

A Transfer IRP must be submitted to HHSC at least fourteen days prior to transition of the person to another HCBS-AMH Provider Agency. (See 7510 Requirements Specific to the Discharge IRP).
11000 Settings Requirements

11100 General HCBS-AMH Settings Requirements

HCBS-AMH services are provided in “home and community-based settings,” including individual homes, apartments, adult foster homes, assisted living facilities, and small community-based residences. Home and community-based settings meet certain qualifications, as dictated by local, state and federal licensure or certification standards. In accordance with 42 CFR §441.710 Home and Community-Based Setting qualifications include:

- The setting is integrated in and supports full access of persons receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as persons not enrolled in HCBS-AMH;
- The setting is selected by the person from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the IRP and are based on the person's needs, preferences, and, for residential settings, resources available for room and board;
- Ensures the person’s rights of privacy, dignity and respect, and freedom from coercion and restraint;
- Optimizes, but does not regiment, person initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact; and
- Facilitates person choice regarding services and supports, and who provides them

Residential settings include homes or apartments owned by the person or their family; homes or apartments leased by the person from non-HCBS provider sources; homes owned or leased by an HCBS–AMH Provider Agency and certified by the State; or assisted living facilities licensed by the State under 26 TAC, Part 1, Chapter 553 (relating to Licensing Standards for Assisted Living Facilities).

HHSC or designee will perform an onsite HCBS Setting review prior to services being rendered and on a biennial basis to ensure that all settings meet the Code of Federal Regulations as well as do not have the quality of an institutional setting.

All HCBS Setting requirements also apply to provider offices if the person is receiving services in a provider office. HCBS-AMH Settings checklist will be performed by the HHSC and/or RM.
HCBS-AMH services must:

- Be physically accessible to the person;
- Be furnished in integrated settings and in a way that fosters the independence of each person and the realization of the benefits of community living, including opportunities to seek employment and work in competitive integrated settings;
- Be person-driven to the maximum extent possible, treat each person with dignity and respect, promote persons’ inclusion in community activities, use natural supports and typical community services available and accessible to the same degree as persons not receiving HCBS-AMH services; and
- Promote social interaction and participation in leisure activities and improve/maintain daily living and functional living skills.

Home and community-based settings do not include the following:

- A nursing facility;
- An institution for mental diseases;
- An intermediate care facility for persons with intellectual disabilities;
- A hospital providing long-term care services; or
- Any other locations that have qualities of an institutional setting.

Additionally, persons may not reside in any of the following settings and receive HCBS-AMH services:

- Any setting that is located in a building that is also a publicly or privately operated facility that provides inpatient institutional treatment;
- Any setting that is located in a building on the grounds of, or immediately adjacent to, a public institution; or
- Any other setting that has the effect of isolating persons receiving Medicaid HCBS from the broader community of persons not receiving Medicaid HCBS.

11200 Provider Owned and Operated Housing

In a provider-owned or controlled residential setting, in addition to the qualities specified above and in Section 11100, the following additional conditions must be met:

1. The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the person, and the person has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity. For settings in which landlord/tenant laws do not apply, a residency agreement or other form of written agreement must be in place for each person which provides protections that address eviction processes and
appeals comparable to those provided under the jurisdiction’s landlord tenant law.

2. Each person has privacy in their sleeping or living unit:
   (A) Units have entrance doors lockable by the person. Appropriate staff may have keys to doors if this modification is documented on the IRP;
   (B) Persons sharing units have a choice of roommates in that setting; and
   (C) Persons have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.

3. Persons have the freedom and support to control their own schedules and activities, and have access to food at any time.

4. Persons are able to have visitors of their choosing at any time.

5. The setting is physically accessible to the person.

6. Any modification of the additional conditions specified in items 1 through 4 above, must be supported by a specific assessed need and justified in the IRP according to the following requirements:
   (A) Identify a specific and individualized assessed need.
   (B) Document the positive interventions and supports used prior to any IRP modifications.
   (C) Document less intrusive methods of that have been tried but did not work.
   (D) Include a clear description of the condition that is directly proportionate to the specific assessed need.
   (E) Include regular collection and review of data to measure the ongoing effectiveness of the modification.
   (F) Include established time limits for periodic reviews to determine if the modification is still necessary or can be terminated.
   (G) Include the informed consent of the person.
   (H) Include an assurance that interventions and supports will cause no harm to the person.
**12000 Utilization Management**

### 12100 HHSC Functions

HHSC monitors service utilization data in coordination with the approved IRP, as well as all service encounter claims. HHSC conducts UM functions and develops quality indicators.

In order to maintain program, cost within the state appropriations, HHSC monitors IRPs and utilization of services by persons. The total cost of program services may not exceed a maximum amount set by HHSC based on the amount of monies available to HCBS-AMH as authorized in appropriation by the legislature. When the program costs are getting close to the maximum amount as authorized in appropriations by the legislature, HHSC may submit an amendment to amend the HCBS-AMH SPA to CMS requesting changes to the needs-based criteria.

HHSC monitors the HCBS-AMH Provider Agency and Recovery Management Entity on the performance of HCBS-AMH activities and conduct regular data verification via desk review.

HHSC conducts an on-going process of retrospective analysis of the Medicaid utilization data.

### 12200 Utilization Management Guidelines

Across the HCBS-AMH population served, some persons may require more/less intense provision of services or utilize services at a higher/lower rate per month. If service utilization is high need, supporting documentation is submitted to HCBS-AMH prior to the authorization of service(s).

As necessary, HHSC coordinates with the person’s RM to request additional information for proposed services and amounts of services that meet the level of need as defined in UM Guidelines table below. When notified by HHSC that a requested service needs additional justification, the RM coordinates with HCBS-AMH Provider Agency and PCRP participants to obtain justification for a service and reports back to HHSC within 5 business days (See 7200 IRP Requirements)

<table>
<thead>
<tr>
<th>Service</th>
<th>Standard Anticipated Utilization</th>
<th>High Need Utilization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Host Home Companion</td>
<td>Daily</td>
<td>N/A</td>
</tr>
<tr>
<td>Supported Home Living</td>
<td>1-62 units/month (hour unit)</td>
<td>63-186 units/month</td>
</tr>
<tr>
<td>Service</td>
<td>Standard Anticipated Utilization</td>
<td>High Need Utilization</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>----------------------------------</td>
<td>---------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Supervised Living Services</td>
<td>Daily</td>
<td>N/A</td>
</tr>
<tr>
<td>Assisted Living</td>
<td>Daily</td>
<td>N/A</td>
</tr>
<tr>
<td>HCBS-AMH Psychosocial Rehabilitation Services (Individual)</td>
<td>20-40 units per month</td>
<td>41-65 units per month</td>
</tr>
<tr>
<td>HCBS-AMH Psychosocial Rehabilitation Services (Group)</td>
<td>20-40 units per month</td>
<td>41-65 units per month</td>
</tr>
<tr>
<td>Supported Employment</td>
<td>10-21 units per month (hour unit)</td>
<td>22-38 units per month</td>
</tr>
<tr>
<td>Employment Assistance</td>
<td>8-13 units/ month (hour unit)</td>
<td>14-17 units/month</td>
</tr>
<tr>
<td>Minor Home Modifications</td>
<td>$500</td>
<td>$1,000</td>
</tr>
<tr>
<td>Home-delivered Meals</td>
<td>20-31 units/month (per meal)</td>
<td>32-62 units/month</td>
</tr>
<tr>
<td>Transition Assistance</td>
<td>$1500-Supported Home Living</td>
<td>$2500-Supported Home Living</td>
</tr>
<tr>
<td></td>
<td>$500-Host Home, Supervised Living, Assisted Living</td>
<td>$1,000-Host Home, Supervised Living, Assisted Living</td>
</tr>
<tr>
<td>Adaptive Aids</td>
<td>$500</td>
<td>$1,000</td>
</tr>
<tr>
<td>Transportation Services</td>
<td>303-400miles/month</td>
<td>401-500 miles/month</td>
</tr>
<tr>
<td>Community Psychiatric Supports and Treatment</td>
<td>4-5 units/month (1-hour units)</td>
<td>6-10 units/month (1-hour unit)</td>
</tr>
<tr>
<td>Peer Support</td>
<td>10-20 units/month</td>
<td>21-30 units/month</td>
</tr>
<tr>
<td>Respite Care (In home)</td>
<td>1 unit/month (per day unit)</td>
<td>3 units/month</td>
</tr>
<tr>
<td>Respite Care (Out of home)</td>
<td>1 unit/month (per day unit)</td>
<td>3 units/month</td>
</tr>
<tr>
<td>Substance Use Disorder Services (individual)</td>
<td>100-145 units/month</td>
<td>146-192 units/month</td>
</tr>
<tr>
<td>Substance Use Disorder Services (group)</td>
<td>10-20 units/month (hour unit)</td>
<td>21-39 units/month</td>
</tr>
<tr>
<td>Nursing</td>
<td>12-24 units/month (hour unit)</td>
<td>25-56 units/month</td>
</tr>
<tr>
<td>Service</td>
<td>Standard Anticipated Utilization</td>
<td>High Need Utilization</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>-----------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Recovery Management</td>
<td>On average 24-48 units per week or a maximum of 192 units per month</td>
<td>On average 49-64 units per week or a maximum of 256 units per month</td>
</tr>
</tbody>
</table>

### 12300 HCBS-AMH Provider UM Functions

The HCBS-AMH Provider Agency shall not modify, discontinue or refuse services to a person unless documented efforts have been made with the person to resolve the situation that triggers such modification or discontinuation or refusal to provide services.

Due to the limited availability of resources in certain service areas, it may not always be possible to locate the full array of HCBS-AMH services. In these cases, a provider must demonstrate a Good Faith Effort in locating providers through outreach and networking (See 6421 Good Faith Effort Exception).

### 12310 Recovery Management Entity UM Functions

The Recovery Management Entity performs UM activities that include monitoring service utilization for compliance with the approved IRP for each person. HHSC assists the RM in UM activities by requesting monthly encounter data from the HCBS-AMH Provider Agencies and provides the RM with HCBS-AMH-specific service encounter data at similar intervals for each person enrolled in HCBS-AMH.

The HCBS-AMH Recovery Management Entity participates collaboratively in ongoing quality improvement and assurance activities.

HCBS-AMH Recovery Management Entities are required to repay any identified overpayment.

### 12320 HCBS-AMH Provider Agency Functions

The HCBS-AMH Provider Agency monitors service utilization for compliance with the approved IRP for each person.

HCBS-AMH Provider Agencies are required to repay any identified overpayment. Encounters are linked to paid claims and any identified invalid services are expected to be repaid by the HCBS-AMH Provider Agency. The HCBS-AMH Provider Agency participates collaboratively in ongoing quality improvement and assurance activities (See 12200 Utilization Management Guidelines).
12400 Minimum Amount of Services

In order for a person to be determined to need HCBS-AMH services, a person must require the provision of at least one HCBS-AMH service, as documented in the IRP.

12500 Reduction in Services

During the course of the person’s participation in the program, the intensity of services being provided by the RM and HCBS-AMH Direct Service Providers may change. If it is clinically indicated there needs to be a reduction in services, the RM completes the following:

- Convenes a IRP meeting with the person/and or LAR, HCBS-AMH Provider, and RM to review a possible reduction in services;
- Completes an Update IRP which reflects which HCBS-AMH services are reduced and the reason for this reductions in services;
- Submits the Update IRP for approval by HHSC within three business days (See 7720 Submission of Update IRP); and
- After approval, notifies the person and/or LAR as well as HCBS-AMH Provider Agency via the Determination Letter provided by HHSC.
The Recovery Management Entity and HCBS-AMH Provider Agency are responsible to adhere to the following guidelines:

- Records should be organized and divided into sections according to a consistent standard allowing for ease of location and referencing;
- Records should be sequential, and date ordered;
- Records should be fastened together to avoid loss or being misplaced. No loose papers;
- The HCBS-AMH Recovery Management and HCBS-AMH Provider Agency shall allow HHSC Staff access to all clinical records upon request;
- The person shall have access to the clinical record in accordance with Texas Health and Safety Code, §611.0045;
- The HCBS-AMH Recovery Management and HCBS-AMH Provider Agency must keep all records required by the Provider Agreement until one of the following occurs, whichever is the latest:
  - Seven years from the date that one of the following events occurs: transfer, death, discharge;
  - Any audit exception or litigation involving the records is resolved;
- Clinical records must be stored in a “double locked” manner (e.g. in a locked filing cabinet located within a locked office). If records must be transported, maintain the “double locked” and safeguarding requirements (e.g. transported in a locked box in a locked vehicle trunk and not left in an unattended vehicle). Electronic Health Records (EHR) must be stored in a password-protected computer located within a locked room.

The exchange or sharing of confidential information, particularly protected health information or other sensitive personal information shall be done in compliance with HIPAA. All parties involved with the HCBS-AMH Program (including HHSC staff, HCBS-AMH Provider Agency and Recovery Management entity direct service staff) shall maintain and protect the confidential information to the extent required by law.

**13100 HHSC Maintenance of Records**

HHSC Maintains the Following:

- Records documenting the audit trail of adjudicated claims (including supporting documentation) are maintained by HHSC and the HCBS-AMH provider for a minimum period of three years as required in 45 CFR §92.42;
● Determination Letter;
● Indigent Waitlist;
● Consents;
● Enrollment documents;
● Assessments; and
● Criminal history, Background checks, licensures, and certifications for persons providing HCBS-AMH services in the state hospital to an enrolled person.

13200 Recovery Management Entity Maintenance of Records

The Recovery Management Entity shall maintain original forms provided to the person and LAR in the person’s clinical record and provide the person and LAR a copy.

The Recovery Management Entity maintains the following in the clinical record for each person:

● Demographic and contact information for the person;
● Determination Letters;
● HCBS-AMH Provider Selection Form;
● Demographic and contact information of person enrolled in HCBS-AMH;
● Notification of Participant’s Right’s Form;
● Individual Recovery Plans;
● Safety Plans and Crisis Plans;
● Progress Notes for all HCBS-AMH services provided to the person;
● Critical Incident Reports; and
● Other HCBS-AMH Program documentation.

13300 HCBS-AMH Provider Agency Maintenance of Records

The HCBS-AMH Provider Agency maintains the Following in the Clinical Record for each person:

● Demographic and contact information for the person;
● Determination Letters;
● Notification of Participant Rights Form;
● HCBS-AMH Provider Selection Form;
● Individual Recovery Plans;
● Safety Plans and Crisis Plans;
● Respite Provider Form;
● Transportation Log;
● Progress Notes for all HCBS-AMH services provided to the person;
● Critical Incident Reports;
● Other HCBS-AMH Program documentation; and
● Personnel Records (See 13600 Personnel Records)

13400 Documentation Requirements

HCBS-AMH Provider Agencies and Recovery Management Entities are responsible for keeping accurate and adequate records that document the services provided to the person. (See HCBS-AMH Billing Guidelines for additional documentation requirements).

13410 Documentation of Provider Choice

Documentation regarding provider choice is included in the person’s record. Documentation of provider choice includes:

● A completed HCBS-AMH Provider Selection Form, signed by the person;
● The final selection of an HCBS-AMH Provider Agency and Recovery Management Entity must be documented and retained in the person’s clinical record; and
● The person’s right to choose the service provider extends to the specific HCBS-AMH direct service personnel that provide HCBS-AMH services. The person and LAR’s selection of HCBS-AMH Provider Agency and Recovery Management Entity personnel is documented and retained in the person’s clinical record.

13420 Progress Notes

Progress notes are required for all services provided to a person. HHSC may request progress note documentation at any time to verify reimbursed services are being provided in accordance with the requirements of HCBS-AMH. General documentation requirements for progress notes include but are not limited to:

● Progress notes must be written for all persons and kept in the clinical record;
● Adhere to 26 TAC, Chapter 301, Subchapter G, §301.361 (relating to Documentation of Service Provision)
● All entries must be legible;
● Use only ink;
● Every page must have some form of person identification;
● The name of the person receiving the service;
● The name of the service and a description of the service provided;
● The date of the contact;
● Start and stop time of the contact;
● The location where the service was provided;
● The person's response to the services being provided;
● The progress or lack of progress in addressing the person's outcomes as identified in the Individual Recovery Plan;
● Summary of activities and behaviors which occurs during the provision of the service;
● The signature and credentials of direct service staff;
● All words must be tailored to the changing needs of each person;
● Correcting errors: Do not use correction tape/fluid, or scribble over; instead, draw a single line through the error & initial, then enter correct material;
● Only original authors may make alterations;
● Reviewers or supervisors may not edit original authors but may supply an addendum with dated signature; and
● Acronyms and abbreviations: Use only universal acronyms and abbreviations.

### 13430 Documentation Specific to Certain Services

In addition to the general documentation requirements identified above, certain HCBS-AMH services have documentation requirements. (See HCBS-AMH Billing Guidelines for more details).

### 13500 Reporting

#### 13510 HCBS-AMH Service Reporting

The encounter system and invoice system are linked together in an Excel workbook titled HCBS-AMH Invoice Template

HHSC receives all HCBS-AMH invoices from the Recovery Management Entity and Provider Agency. HHSC conducts quality checks on invoice for accuracy and completeness and reviews the amounts against the approved IRP. HHSC may collect any information from the provider by accessing other data sources such as TMHP or requesting records from the HCBS-AMH Recovery Management Entity or Provider Agency.


The HCBS-AMH Provider must have prior approval by HHSC to submit the HCBS-AMH Invoice Template through a method other than encrypted email.
13520 Quarterly and Annual Reports


13530 Critical Incidents Reporting

Critical incident training for HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity direct service staff is by the HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity.

The HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity are responsible for implementing a procedure which ensures the reporting of all critical incidences. Incidences may include, but are not limited to, the following:

- Abuse, neglect, or exploitation of an HCBS-AMH participant (See 13540 Abuse, Neglect, and Exploitation (ANE));
- Psychiatric hospitalizations;
- Extended nursing home placement;
- Incarceration;
- When a person is either hospitalized or discharged from the hospital, the RM must complete and submit the Critical Incident Reporting Form to HHSC within 72 hours of the date notified of hospitalization, and within 72 hours of the date notified of hospitalization discharge;
- Restraint of an HCBS-AMH participant;
- A slip or fall, medication error, or medical complication; or
- Incidents caused by the member such as verbal and/or physical abuse of staff or other members, destruction or damage of property, contraband, and member self-abuse;
- Eviction from primary residence; or
- Serious injury or death

The HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity are required to report any critical incidents that result in substantial disruption of the program operation involving or potentially affecting persons enrolled in HCBS-AMH within 72 hours of notification of an incident. The HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity are required to submit a follow-up Critical Incident report within 72 hours of the original incident to address outcomes that may have occurred during that timeframe. (See 13540 Abuse, Neglect, and Exploitation (ANE) for additional ANE reporting requirements). The HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity are responsible for submitting all Critical Incident Reporting Forms to HHSC within 72 hours of notification of an incident report. The Critical Incident Report Form is submitted to HHSC at HCBS-HCBS-
The HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity are required to complete a Critical Incident Report Form (See http://www.dshs.state.tx.us/mhsa/hcbs-amh/Forms.aspx for access to this form) that includes, but is not limited to, the following information:

- Date, time, and location of incident;
- Person identifying or demographic information;
- Staff making report, witnesses, and associated contact information;
- Categories of Critical Incidents: ANE, Injury, Medical Emergency, Behavioral or Psychiatric Emergency (including psychiatric hospitalizations), Allegation against client rights, Criminal Activity, Death, Restraint, Medication Error, Participant Departure (missing); and
- Detailed description of the incident.

The HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity shall re-submit to HHSC the Critical Incident Report Form within 72 hours of notification of outcome of the incident with any updated information. If psychiatric hospitalization (or other institutionalization) occurs, the Recovery Management Entity must submit an Update IRP to HHSC within 30 days of discharge from the institution.

In the case of critical incidents, the HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity are expected to take immediate action to resolve, when feasible, and to report to the appropriate state and/or law enforcement entities.

HHSC is responsible for overseeing the reporting of and response to critical incidents that affect persons enrolled in HCBS-AMH. Critical incidents are managed as part of the contract oversight process by HHSC.

When reviews of the HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity occur, critical incident reports are reviewed. HHSC reports data from critical incident reviews to HHSC on a quarterly basis.

The HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity cooperates with and assists HHSC and any state or federal agency charged with the duty of identifying, investigating, sanctioning or prosecuting suspected fraud and abuse, including the Office of Inspector General at HHSC.

The HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity may not change a confirmed finding made by a DFPS investigator. The HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity may request a review of the finding or the methodology used to conduct the investigation.
The HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity must comply with all applicable state and Federal abuse and other reporting laws. It is the responsibility of the HCBS-AMH Provider to understand and comply with professional and legal requirements within the State of Texas.

13540 Abuse, Neglect, and Exploitation (ANE)

13541 General Policies and Procedures Regarding ANE

Cases of suspected ANE shall be reported by the HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity to the appropriate investigative authority immediately. The HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity shall cooperate with Adult Protective Services (APS) investigator to ensure APS is able to complete a thorough investigation.

The HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity shall develop, implement and enforce a written policy that includes Screening, Documenting, and Reporting Policy for Contractors/Providers and train all direct service staff on reporting requirements.

The HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity shall retain reporting documentation on site and make it available for inspection by HHSC when requested.

For ANE reports, the HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity are required to submit accurate and timely information to HHSC. The HCBS-AMH Provider Agency and HCBS- AMH Recovery Management Entity must report any incidents that result in substantial disruption of program operation involving or potentially affecting persons enrolled in HCBS-AMH within 72 hours of notification on an incident, including allegations of ANE. HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity shall submit a Critical Incident Reporting Form (See http://www.dshs.state.tx.us/mhsa/hcbs-amh/Forms.aspx for access to this form) within 72 hours of an alleged ANE report, and within 72 hours of receiving a final investigative report from DFPS. The HCBS- AMH Provider submits the Critical Incident Report Form to HHSC at HCBS-AMH.CIR@hhsc.state.tx.us with the subject line titled “Critical Incident Reporting Form.”

The Department of Family and Protective Services (DFPS) provides HHSC copies of each investigation of ANE allegations involving a person enrolled in the HCBS-AMH. Regardless of the investigation findings, HHSC reviews each investigative report.
**13542 Reports to Department of Family and Protective Services (DFPS)**

When the alleged or suspected abuse involves a person responsible for the care, custody, or welfare of the person, the report must be made to DFPS.

Reports to DFPS: A person having cause to believe that an elderly or disabled person is in a state of abuse, neglect, or exploitation, is required to report the information immediately to DFPS. (See: Texas Human Resources Code, §48.051 (relating to Report).

All contacts related to reporting of suspected ANE must be documented by all direct service staff. This documentation, at a minimum, shall include date of contact, name of service provider and provider agency, name of member the report is being made on behalf of, brief synopsis of allegations, name of the DFPS employee taking the report.

The HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity may not change a confirmed finding made by a DFPS investigator. The HCBS-AMH Provider may request a review of the finding or the methodology used to conduct the investigation.

**13543 Client Abuse and Neglect Reporting System (CANRS) for LMHA/LBHA Providers of HCBS-AMH**

If the perpetrator or alleged perpetrator is an employee or agent of and LMHA/LBHA, or the perpetrator is unknown, then the Administrator of the HCBS-AMH Provider, or their designee shall ensure that a Client Abuse and Neglect Report (See [http://www.dshs.state.tx.us/mhsa/hcbs-amh/Forms.aspx](http://www.dshs.state.tx.us/mhsa/hcbs-amh/Forms.aspx) for access to this form) is completed. The Client Abuse and Neglect Report must be completed within fourteen calendar days of the receipt of the investigative report or decision made after review or appeal using the CANRS Definitions and the CANRS Classifications; 25 TAC Chapter 414, Subchapter L, §414.558 – Data Reporting Responsibilities. Within one working day after completion of the Client Abuse and Neglect Reporting form, the Administrator of the HCBS-AMH Provider, or their designee shall ensure that:

- the information contained in the completed Client Abuse and Neglect Report is entered into the Client Abuse and Neglect Reporting System (CANRS); or
- if access to CANRS is unavailable, a copy of the completed Client Abuse and Neglect Report is forwarded for data entry to the HHSC Office of Consumer Services and Rights Protection.
**13544 DFPS Investigations**

DFPS investigates reports of alleged abuse, neglect, or exploitation (ANE) of persons receiving services from certain providers including elderly persons, disabled persons, and children. This includes investigations of:

- Facilities (State Hospitals, State Supported Living Centers, ICF-IIDs, etc.);
- Community Center, Local Mental Health Authority, Local Intellectual and Developmental Disability Authority;
- Person who contracts with HHS agency or MCO to provide HCBS;
- Person who contracts with MCO to provide behavioral health services;
- MCO;
- Officer/employee/agent/contractor/subcontractor of above; and
- Employee/agent/manager/coordinator of a person participating in the Consumer Directed Services Option

DFPS also investigates children residing in an HCS home as well as all children receiving services from a licensed HCSSA.

DFPS-APS conducts these investigations pursuant to Texas Human Resources Code, Chapter 48, as amended by S.B. 1880 as well as Texas Family Code §261.404, as amended by S.B. 1880.

When DFPS receives ANE reports concerning a person in a facility licensed by another state agency, DFPS forwards the report to the appropriate agency for investigation. DFPS investigates reports of ANE when there is not already an authorized entity to conduct such an investigation.

Abuse Hotline for APS Facility Investigations: 1-800-647-7418  
Online via secure website and get a response within 24 hours: [https://www.txabusehotline.org/Login/Default.aspx](https://www.txabusehotline.org/Login/Default.aspx)

Texas Department of Aging and Disability Services (DADS)  
DADS regulates nursing homes, assisted living facilities, private ICF/MR, and adult day care Complaints (reports of abuse):  
1-800-458-9858

Nursing Home Information:  
1-800-252-8016

Texas Health and Human Services Commission  
HHSC oversees hospitals, psychiatric hospitals (including private psychiatric facilities), and various other medical facilities.  
Complaints:  
1-888-973-0022

Texas Council on Family Violence Domestic Violence Hotline:  
1-800-799-7233
13600 Personnel Records

13610 Minimum Standards

The HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity is required to retain a confidential personnel record for each direct service staff. The HCBS-AMH Provider Agency and Recovery Management Entity is ultimately responsible to verify that direct service staff of subcontracted providers meets stated qualifications, criminal history, and registry checks. Personnel records at minimum should include:

1. Current Criminal Background Check;
2. Completion of HHSC required training;
3. Completion of training required for competence of the service delivered;
4. Certification records for employees and subcontractors;
5. Certification or Registration with the state and federal government, as required by applicable state and federal Laws;
6. Current copy of Professional Licensure, Certification or Registration with the state and federal government, as required by applicable state and federal Laws;
7. Educational history;
8. Work history;
9. Prior or pending malpractice litigation;
10. Professional liability claims history;
11. Criminal convictions;
12. Individual complaints received by facilities or state agency;
13. Any disciplinary action initiated against the provider by state board or other agency;
14. Any curtailing, suspension, or termination of staff privileges at any medical or treatment facility or program;
15. Any sanctions imposed by an insurance company or CMS, including sanctions relating to the provider's participation in Medicaid or Medicare programs;
16. Evidence of adequate malpractice or liability insurance;
17. For physicians, information on the practitioner from the National Practitioner’s Data Bank and the following: current and valid license from the Texas Board of Medical Examiners; current and valid Drug Enforcement Administration (DEA)
certificate, and evidence of graduation from medical school and completion of residency, or board eligibility/ certification, if applicable;
18. History, education, and ability to provide services to covered lives;
19. History or previous training in providing the covered services;
20. A statement by the applicant regarding:
   (A) Any physical or behavioral health problems that may affect the provider’s ability to provide services;
   (B) History and current status of licensure and felony convictions.
   (C) History and current status of privileges, including limitations, or disciplinary actions by the appropriate licensing agency or facilities, and
   (D) An attestation to the correctness and completeness of the application.

The HCBS-AMH Provider Agency and Recovery Management Entity shall allow HHSC Staff access to personnel records when conducting QM reviews, invoicing verifications and for other requests.

13620 Credentialing for Service Provision within the State Hospitals

The services identified in below are allowable inside the state hospital and require completion of the fingerprinting procedure by all direct service staff providing HCBS-AMH services inside a state hospital.

<table>
<thead>
<tr>
<th>Service</th>
<th>Fingerprinting Required</th>
<th>Degree/License/Certification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recovery Management</td>
<td>Yes</td>
<td>Master’s Degree</td>
</tr>
<tr>
<td>Psychiatric Supports and Treatment</td>
<td>Yes</td>
<td>License</td>
</tr>
<tr>
<td>Substance Use Disorder (SUD) Services</td>
<td>Yes</td>
<td>Degree or License</td>
</tr>
<tr>
<td>HCBS-Psychosocial Rehabilitation Services</td>
<td>Yes</td>
<td>Bachelor’s Degree or License</td>
</tr>
<tr>
<td>Peer Support</td>
<td>Yes</td>
<td>Certification</td>
</tr>
</tbody>
</table>

The HCBS-AMH Provider Agency and Recovery Management Entity are required to maintain personnel records of direct service staff providing services (see 13600 Personnel Records).

The HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity shall provide the following electronically to HHSC for direct service staff providing services in the state hospital at HCBS-AMH@hhsc.state.tx.us and use the subject line “Hospital Credentialing.”

- Each direct service provider’s name and state hospital(s) in which each direct service provider provides services; Completion of fingerprinting procedures as
described by state hospital point of contact (POC) HHSC; and as applicable; proof of degree, license, or certification for each direct service provider providing HCBS-AMH services inside a state hospital.

HCBS-AMH Provider Agencies and HCBS-AMH Recovery Management Entities shall send notification via email identifying any changes/updates to HCBS-AMH direct service staff that are authorized to work in a state hospital to HCBS-AMH@hhsc.state.tx.us. HCBS-AMH direct service providers shall not provide HCBS-AMH services to any person inside a state hospital until credentialing process is complete.

13621 Credentialing Procedure for the Recovery Manager

The Recovery Management Entity shall receive notification through the HCBS-AMH Provider Selection Form that the Recovery Management Entity has been selected by a person residing in a SH. In the notification a POC at the identified SH shall be listed. The RM shall contact the SH POC and work collaboratively to schedule a fingerprinting appointment. Once the appointment is complete and verified by the SH POC, the RM may schedule initial IRP meeting with the person in the SH.

13622 Credentialing Procedure for the Provider Agency

Upon completion of the Initial IRP, the RM and the person identify if an approved HCBS-AMH Provider Agency (See 13620 Credentialing for Service Provision within the State Hospitals) is required to meet goals identified on the IRP while a person is residing in a SH. Goals identified in the first three to six months of enrollment for a person is residing in a SH are identified to ensure successful transition to the community. If a service provider is identified, The RM shall:

1. Inform SH POC and approved HCBS-AMH service provider;
2. Coordinate a time for the SH POC and HCBS-AMH service provider to schedule a fingerprinting appointment;
3. Follow-up with SH POC and HCBS-AMH service provider to ensure the person is cleared to work in a SH; and
4. Schedule a meeting to complete an update IRP to include additional HCBS-AMH service providers.
14000 Benefits, Entitlements and Financial Resources

14100 Social Security and Medicaid Application

The Social Security Administration (SSA) through Supplemental Security Income (SSI) or HHSC determines if a person is eligible for Medicaid. When a person has been identified as eligible for HCBS-AMH services, SHSW or referring entity begins the SSI application process.

14110 Social Security Administration Prerelease Program

Through and Interagency Agreement with the Social Security Administration (SSA), State Hospitals are able to utilize SSA’s Prerelease Program. This expedited application process is for persons whose Social Security benefits have been reduced, suspended, or terminated because of institutionalization and who are being discharged from a public or private institution. If a person is currently residing in the hospital at the time of enrollment HCBS-AMH eligibility determination, the SHSW assists the person with the SSI application process through the Social Security Administration Prerelease program.

An application filed before release allows SSA to make a determination based on what the situation will be after the institution releases the person. This allows the HCBS-AMH eligible person to receive SSI or Social Security payments shortly after they re-enter the community.

14120 Community Applications for SSI Benefits

Persons currently residing in the community while HCBS-AMH eligibility is determined work with their referring entity to submit an application for SSI benefits.

For more information on the application process and appeals, see http://www.socialsecurity.gov/disabilityssi/apply.html.

Persons may also be eligible for expedited approval of Social Security and Medicaid Benefits if they have been diagnosed with a disorder that is listed on SSA’s Compassionate Allowance Condition. A list of these disorders can be found at http://www.socialsecurity.gov/compassionateallowances/.

If a person is denied SSI benefits, see http://www.ssa.gov/appeals/ for appeals process.
14130 Recovery Managers Role in Obtaining and Maintaining Benefits

When applicable, it is the responsibility of the RM to coordinate with the SHSW to ensure the Social Security prerelease application process has been completed. The RM is responsible for monitoring the status of the person’s benefits and providing guidance and assistance to help the person obtain and maintain benefits.

14140 Qualified Income Trust

If a person’s income exceeds the HCBS-AMH financial eligibility requirements (150% of the FPL), then an option is available for the person to set up a Qualified Income Trust (QIT) in order to meet the financial requirements. It is the responsibility of the person and LAR to set up a QIT.

14200 Medicaid

If a person is not currently Medicaid Eligible, staff from the referring entity submits an application for Medicaid eligibility. This only applies to the Long-Term Hospitalization population.

14210 SSI and Medicaid Eligibility

Eligibility determinations for Medicaid are performed as described under the Texas Medicaid State Plan. HHSC makes the final determination of eligibility for the 1915(i) state plan option. In accordance with the Social Security Act §1902(a)(5), the determination of eligibility for medical assistance under the plan shall be made by HHSC or, for persons qualifying for Supplemental Security Income (SSI), by the agency or agencies administering the supplemental security income program. Persons approved for SSI Benefits receive Medicaid without an additional application process.

14220 Non-SSI Eligible Medicaid Eligibility

Non-SSI eligible persons must complete a Medicaid eligibility determination by submitting an application to HHSC Medicaid Eligibility (HHSC ME). This process involves an investigation of the applicant’s financial status, proof of citizenship, and ends with a decision of approval or denial.

14230 Application for Medicaid

The referring entity assists the person and/or the LAR in obtaining and completing an application for Medicaid Eligibility.

- Application and submission process can be found on https://www.yourtexasbenefits.com/ssp/SSPHome/ssphome.jsp
• Tips to submit a complete application:
  ▶ Complete application in terms of income and resources of the person applying for Medicaid.
  ▶ Provide the Diagnosis Review;
  ▶ Provide the most recent physician signed medical treatment records with diagnosis; records from the most recent twelve months is preferable;
  ▶ Provide copy of the person’s Birth Certificate
  ▶ Provide copy of the person’s Private Insurance Card, front and back (if applicable); include policy values; and
  ▶ All resources must be listed (i.e. bank accounts), financial verification (i.e. 3 consecutive monthly bank statements dated to first of month of application date complete with ending balance and account holder names) must also accompany the application or will be requested by HHSC.

NOTE: Information from other sources may also help show the extent to which a person’s impairment(s) affects his or her ability to function in a work setting. Other sources include public and private agencies, non-medical sources such as social workers and employers, and other practitioners such as naturopaths, chiropractors and audiologists.

14231 Medicaid Appeal Process
Denial of Medicaid eligibility may be appealed through a request to HHSC ME staff. If a person, referring entity, or their authorized representative does not agree with HHSC's decision concerning eligibility for any MEPD program they may request a fair hearing within 90 days of the eligibility determination.

Reasons for dissatisfaction may include:

• Denial of benefits
• Reduction of benefits
• Co-payment amounts

A person or their authorized representative may request a fair hearing by:

• Calling 2-1-1
• Contacting any local HHSC office
• Submitting a written request via fax to 1-877-447-2839
• Submitting a written request via mail to:
  HHSC
  PO Box 15100
  Midland, TX 79711-990710
14232 Additional Resources if Medicaid Eligibility is Denied

The following is a list of application options in the situation that the current status of Medicaid eligibility is denied, no record of eligibility, or record is showing a future eligibility end date.

- H1010E – Application for Assistance located at http://www.dads.state.tx.us/forms/H1010/. This is an integrated application for requesting additional programs/services outside the scope of Medicaid Aged and Disabled (i.e. SNAP, TANF).

14300 Dual-Eligibility

Persons are eligible for HCBS-AMH services if they are receiving both Medicaid and Medicare (dual-eligibility). In cases of dual-eligibility, the person’s HCBS-AMH services are covered under Medicaid and acute care services are billed to Medicare.

14400 STAR+PLUS

STAR+PLUS is a Medicaid managed care program of the Texas Health and Human Services Commission in which persons are automatically enrolled in if they have a physical or mental disability and are able to get SSI or Medicaid because of low income.

Medicaid STAR+PLUS eligible persons are provided information on MCO choices and have 15 calendar days after an enrollment packet is mailed to them to select their STAR+PLUS MCO. If no selection is made within the specified timeframe, the person is defaulted into a STAR+PLUS MCO.

STAR+PLUS enrollees have the opportunity to change to a different STAR+PLUS MCO within the first 90 days after initial enrollment into an MCO, and annually thereafter. Under certain circumstances, enrollees may change STAR+PLUS MCO after that 90-day timeframe.

The STAR and STAR+PLUS plans:

- Offers traditional Medicaid benefits
- Primary care provider
- Community-based long-term services and supports
- Mental health rehabilitative and mental health targeted case management services
- Service coordination
- No limit on prescription medicines
- Extra services offered by the health plan
NOTE: Dual Eligible persons enrolled in long-term services and supports through STAR+PLUS and basic medical services through Medicare.

14500 Federal Insurance Exchange

If a person’s income is more than 100% of the FPL, a person is able to purchase a private health insurance plan in the Marketplace and may be eligible for premium subsidies based on his/her household size and income.

To assist a person in enrolling in the Texas Health Insurance Exchange Marketplace, use the official website www.HealthCare.gov/ or call 800-318-2596 to apply for coverage, compare plans, and enroll.

14600 Texas Supplemental Nutrition Assistance Program (SNAP)

SNAP, commonly known as food stamp benefits, is a government run program to assist persons and families with food costs. SNAP Benefits allow persons and families to purchase food items at an authorized retail store.

For questions about SNAP and the application process, see https://www.yourtexasbenefits.com/ssp/SSPHome/ssphome.jsp.

14700 Comprehensive Energy Assistance Program (CEAP)

CEAP is a federally funded program that issues heating benefits to supplement a household’s annual energy cost.

To apply for CEAP, call toll free at (877) 399-8939 between 8 a.m. and 5 p.m., Monday through Friday. The toll-free number directly connects with the CEAP service provider in the county from which the call originates.

14800 County Indigent Health Care Program (CIHCP)

Persons who are deemed indigent may be enrolled in HCBS-AMH. Indigent persons may also receive additional services through the CIHCP.

See Appendix A: Training Requirements for additional information on training on CIHCP and the services available.
Quality Management (QM) activities are performed by HHSC and locally by the HCBS-AMH Provider Agency and Recovery Management Entity.

The foremost responsibility of any service system is to ensure the health, welfare and safety of persons being served. Within Texas’ Mental Health service delivery system, protocols are in place to ensure that health and welfare standards are continuously met and that Medicaid services, including those funded through HCBS-AMH implemented in accordance with Medicaid statute, HCBS-AMH requirements and programmatic standards. Components of the HCBS-AMH QM system include:

- Development and review of the IRP;
- Annual required reviews of each HCBS-AMH Provider;
- Service utilization and billing analysis;
- Clinical outcomes analysis;
- Review and investigation of health and safety complaints by protective agencies;
- Training and Technical Assistance;
- Review and follow-up on critical incident reports;
- Collection and analysis of critical incident data to identify trends and initiate quality improvement strategies;
- The person receiving service satisfaction; and
- Setting Requirements

The HCBS-AMH Provider Agency and Recovery Management Entity participates collaboratively with HHSC in ongoing quality improvement and assurance activities. The HCBS-AMH Provider Agency, Recovery Manager, or HHSC may identify issues and suggest potential remedies.

**15100 HCBS-AMH Provider Agency and Recovery Management Entity QM Responsibilities**

HCBS-AMH Provider Agency and Recovery Management Entity must allow representatives of HHSC, DFPS, Office of Attorney General Medicaid Fraud, and United States Department of Health and Human Services full and free access to direct service staff, persons enrolled in HCBS-AMH, and all locations where the HCBS-AMH Provider Agency direct service staff or subcontractors and Recovery Management Entity Recovery Managers perform activities related to the HCBS-AMH program.
HCBS-AMH Provider Agency and Recovery Management Entity are obligated to verify on an ongoing basis that this access is achieved, maintained, and documented. HHSC conducts annual review to verify these requirements continue to be met after the provider and HHSC enter into an agreement.

15200 HHSC Responsibilities

HHSC is responsible for the oversight of the HCBS-AMH Provider Agencies and Recovery Management Entities. HHSC conducts, quarterly desk reviews and annual site reviews of compliance with the functions delegated in the approved HCBS-AMH Provider Agreement. These reviews examine HCBS- AMH Provider policies, procedures and operation of the functions delegated in the approved HCBS-AMH Application. These reviews also monitor HCBS-AMH Provider compliance with requirements for criminal history and registry checks. HCBS-AMH Program aggregates the data annually and reports to HHSC.

HHSC conducts quarterly desk reviews and annual on-site reviews of each HCBS-AMH Provider Agency and Recovery Management Entity to evaluate compliance with the HCBS-AMH policies. The reviews include an evaluation of clinical records of persons enrolled in HCBS-AMH to ensure that the HCBS-AMH Provider is providing adequate oversight and that the HCBS-AMH Provider Agency and Recovery Management Entity is responsive to findings. These reviews monitor HCBS-AMH Provider Agency and Recovery Management Entity compliance with requirements for criminal history and abuse registry checks in accordance with 25 TAC Chapter 414, Subchapter K, Criminal History and Registry Clearances. Part of HHSC’s annual review of each HCBS-AMH Provider Agency and Recovery Management Entity consists of a comparison of the billed services to the services documented in the person’s clinical record.

HHSC reviews each sampled record’s service plan to verify that demographic, clinical, and financial eligibility has been met and that any applicable service limitations have not been exceeded.

HHSC reviews the authorized residential service on an ongoing basis to ensure that it is community-based, inclusive and meets federal and state HCBS setting requirements. HHSC staff conducts periodic reviews of residential services in all settings; including unannounced site visits to provider owned or operated settings. If the monitoring suggests that a change in service is needed, an independent reassessment is conducted by HHSC or its designee to re-evaluate the participant to determine the appropriateness of the service in accordance with HHSC requirements.

HHSC also review IRPs in relation to practice and conduct periodic onsite reviews of community-based settings to ensure that settings do not have the qualities of an institutional setting, meet home and community-based setting requirements, and
promote choice and community inclusion. Additionally, residential settings must meet state licensure or program certification requirements that may pertain to each setting.

HHSC includes medication management review as part of its annual review of contracted HCBS-AMH Provider Agency and Recovery Management Entity’s. HHSC is responsible for monitoring the performance of providers administering medications to the person. HHSC enforces requirements through annual assessment and review of critical incidents.

HHSC oversees providers to ensure individual choice and independence is not compromised. HHSC reviews and approve the person’s IRP before the provision of services.

HHSC annually reviews contractors who complete evaluations, reevaluations, assessments, and IRPs to ensure that they do not have an interest in or are under the control of a provider on the IRP.

In addition, HHSC annually reviews contractors completing evaluations/reevaluations to ensure that they do not have a conflict of interest and are not administratively under the control/direction of a provider who is on the beneficiary’s IRP.

In addition to scheduled reviews, intermittent reviews may be conducted if a pattern of unresolved complaints, critical incidents, an HCBS-AMH Provider Agency and Recovery Management Entity’s past performance, or other findings warrants more frequent review.

HHSC conducts quarterly data verification via desk review. This process can generate a Plan of Improvement if deficiencies are discovered.

HHSC conducts quarterly reviews of reported service encounters to verify the validity of the service. Encounters are linked to paid claims and any identified invalid services are expected to be repaid by the HCBS-AMH Provider Agency and Recovery Management Entity. These data verification reviews include verification of diagnosis, treatment plan, demographic, clinical and financial eligibility, server credentials, as well as service documentation.

HHSC identifies inefficiencies and barriers to desired outcomes and makes recommendations to the HCBS-AMH Provider Agency and Recovery Management Entity and/or HHSC for program and administrative modifications.

DFPS provide HHSC copies of each investigation of ANE allegations involving a person enrolled in HCBS- AMH. Regardless of the investigation findings, HHSC reviews each investigative report.

HHSC develops, implements, and monitors compliance with rules, policies, procedures, and other guidance governing the HCBS-AMH Program.
HHSC may conduct interviews with persons enrolled in HCBS-AMH to verify the person’s satisfaction and verify the delivery of services.

The Quality Management Plan delineates specific indicators related to each sub-assurance. Data from these reviews are reported to HHSC via these indicators and associated reports. HHSC coordinates with HHSC to discuss findings and trends and, when necessary to develop and monitor remediation plans.

HHSC conducts surveys and monitors HCBS-AMH Provider Agency and Recovery Management Entity’s for compliance with licensing and certification requirements. When harmful or non-compliant practices are identified, corrective action is taken to bring the facility back into compliance. HHSC analyzes data regarding each quality assurance measure through reports presented at Quality Review Team meetings, and when potentially harmful practices are identified, develop remediation or improvement plans, as needed.

HHSC includes medication management review as part of its quarterly risk review of contracted HCBS-AMH Provider Agency and Recovery Management Entity’s. HHSC is responsible for monitoring the performance of providers administering medications to the person. HHSC enforces requirements through quarterly risk assessment and review of critical incidents. In the case of medication management, remediation plans involve communication and other technical assistance to HCBS-AMH Provider Agency and Recovery Management Entity’s about issues and trends identified through the quality process.

All monitoring/reviews of HCBS-AMH Provider Agencies and HCBS-AMH Recovery Management Entities are subject to possible generation a Plan of Improvement if deficiencies are identified by HHSC staff.

**15300 Recovery Management Entity QM Activities**

HCBS-AMH Recovery Management Entities are specifically responsible for the following QM activities:

- Informing HHSC of concerns or known issues with HCBS-AMH Provider Agency and Recovery Management Entity’s and the implementation of services identified in any person’s IRP; and
- Implementing QM operating practices for HCBS-AMH services and activities such as monitoring that the required contacts occur, modifying each IRP as necessary, and ensuring that the documentation generated by the RM provides evidence of compliance with requirements.

The Recovery Management Entity should extend the standard QM practices to services and activities that are carried out by the RM. HHSC and the Recovery Management Entity collaborate on identifying, developing, and implementing
utilization management, quality assurance & improvement activities specific to the HCBS-AMH Program.

**15400 HCBS-AMH Provider Agency QM Activities**

HHSC performs QM oversight of the HCBS-AMH Provider Agency and Recovery Management Entity through encounter data reporting and regular desk and on-site reviews. HCBS-AMH Provider Agency and Recovery Management Entity allow HHSC access to records related to HCBS-AMH services. HCBS-AMH Provider Agency and Recovery Management Entity must participate in Quality Improvement activities as identified by HHSC.

The HCBS-AMH Provider Agency is specifically responsible for the following QM activities:

- Informing HHSC of concerns or known issues with HCBS-AMH Provider Agency and Recovery Management Entity and the implementation of services identified in any person’s IRP;
- Implementing QM operating practices for HCBS-AMH services and activities such as monitoring that the documentation generated by the provider provides evidence of compliance with requirements.

HHSC and the HCBS-AMH Provider Agency collaborate on identifying, developing, and implementing utilization management, quality assurance & improvement activities specific to the HCBS-AMH Program.
**16000 Health and Safety**

**16100 Suicide Prevention and Intervention Protocol**

Information on policies and procedures associated with suicide prevention/intervention as well as information on available trainings can be accessed at [http://www.texassuicideprevention.org/](http://www.texassuicideprevention.org/). For additional information on training requirements for suicide prevention and intervention (See Appendix A: Training Requirements).

**16200 Use of Restrictive Interventions**

HCBS-AMH Provider Agency and Recovery Management Entity shall comply with 25 TAC Chapter 415, Subchapter F. regarding Interventions in Mental Health Services. Per 25 TAC §415.254, except as provided by this subchapter, the use of restraint or seclusion is prohibited during the course of the delivery of HCBS-AMH services. 25 TAC §415.253 defines restraint as, “The use of any personal restraint or mechanical restraint that immobilizes or reduces the ability of the person to move his or her arms, legs, body, or head freely.” Restraint is used only as last resort after less restrictive measures have been found to be ineffective or are judged unlikely to protect the person or others from harm. The intervention is used for the shortest period possible and terminated as soon as the person demonstrates the release behaviors specified by the ordering physician.

Persons must provide informed consent regarding the potential use of restrictive intervention. This potential must be included on the person’s safety plan and modification section of the IRP. This includes understanding of their rights, how to report abuse, neglect, and exploitation (See 7250 Deviations from Service Standards and 7200 IRP Requirements).

Direct staff shall:

- Respect and preserve the rights of a person during restrictive interventions;
- Provide an environment that is protected and private from other persons and that safeguards the personal dignity and well-being of a person placed in restrictive interventions;
- Ensure that undue physical discomfort, harm or pain to the person does not occur when initiating or using restrictive interventions;
- Use only the amount of physical force that is reasonable and necessary to implement a particular restrictive intervention.
The use of restrictive interventions (personal restraint) is permissible on the provider’s property or for transportation of a person only if implemented:

- In accordance with state law regarding interventions in mental health services 25 TAC Chapter 415, Subchapter F, regarding Interventions in Mental Health Services
- When less restrictive interventions (such as those listed in the safety plan if there is one) are determined ineffective to protect other persons, the person, staff members, or others from harm;
- In accordance with, and using only those safe and appropriate techniques as determined by the provider’s written policies or procedures and training program;
- In connection with applicable evaluation and monitoring;
- In accordance with any alternative strategies and special considerations documented in the IRP;
- When the type or technique of restrictive intervention used is the least restrictive intervention that are effective to protect the other persons, the individual, staff members, or others from harm; and
- Is discontinued at the earliest possible time.

The HCBS-AMH Provider Agency and Recovery Management Entity must take into consideration information that could contraindicate or otherwise affect the use of personal restraint, including information obtained during the UA or intake. This information includes, but is not limited to:

- Techniques, methods, or tools that would help the person effectively cope with his or her environment;
- Pre-existing medical conditions or any physical disabilities and limitations, including substance use disorders, that would place the person at greater risk during restraint;
- Any history of sexual or physical abuse that would place the person at greater psychological risk during restraint; and
- Any history that would contraindicate restraint.

A person held in restraint shall be under continuous direct observation. The HCBS-AMH Provider Agency and Recovery Management Entity shall ensure adequate breathing and circulation during restraint. An acceptable hold is one that engages one or more limbs close to the body to limit or prevent movement.

**16210 Documentation and Reporting of Restrictive Interventions**

The use of personal restraint must be documented as a critical incident by the HCBS-AMH Provider Agency and Recovery Management Entity and follow the procedures for
Critical Incident Reporting. Unauthorized use of restrictive interventions are detected by record review and through complaints.

The HCBS-AMH Provider Agency and Recovery Management Entity shall record the following information in the clinical record within 24 hours:

- The circumstances leading to the use of personal restraint;
- The specific behavior necessitating the restraint and the behavior required for release;
- Less restrictive interventions that were tried before restraint began;
- The names of the direct service staff who implemented the restraint;
- The date and time the restraint began and ended; and
- The person's response.

The LAR must be notified each time restraint is used according to the following:

- Except as provided by 42 Code of Federal Regulations, Part 2, a staff member shall notify as soon as possible, but no later than 12 hours following the initiation of the restrictive intervention; and
- Except in cases in which the adult person has consented to have one or more specified family members informed regarding the person's care, and the family member or members have agreed to be informed, a HCBS-AMH Provider Agency informs the family member or members of the restraint or seclusion episode within the time frame determined by prior agreement between the person and specified family member(s);
- The date and time of notification and the name of the staff member providing the notification must be documented in the person's clinical record. The documentation shall include any unsuccessful attempts, the phone number called, and the name(s) of person(s) with whom the staff member spoke; and
- As permitted by Texas Health and Safety Code, §611.0045(b), a professional may deny a person's LAR access to any portion of a person's record if the provider determines that the disclosure of such portion would be harmful to the person's physical, mental, or emotional health.

The RM shall review convene the person's PCRP team and document alternative strategies for dealing with behaviors in each of the following circumstances and update the IRP and safety plan accordingly:

- In any case in which behaviors have necessitated the use of restrictive interventions for the same person more than two times during any 30-day period; and
- When two or more separate episodes of restrictive interventions of any duration have occurred within the same 12-hour period.
HHSC is responsible for overseeing the use of restrictive interventions, including the use of personal restraints, with persons enrolled in HCBS-AMH.

The use of restrictive interventions are reported as critical incidents and managed as part of the contract oversight process by HHSC.

HHSC's oversight of the use of personal restraints by HCBS-AMH Provider Agency and Recovery Management Entity is accomplished through annual risk assessment conducted by HHSC. Unauthorized use of restraint is detected by record review, site reviews, and through complaints.

16220 Prohibited Restrictive Interventions

The use of chemical restraints and mechanical restraints are prohibited by HCBS-AMH Provider Agency. The use of seclusion is prohibited. The use of personal restraints are prohibited except in a behavioral health emergency.

Other forms of interventions that restrict participant movement, participant access to other persons, locations or activities, restrict participant rights or employ other aversive methods to modify behavior are not allowable.

A behavioral emergency is a situation involving a person who is behaving in a violent or self-destructive manner and in which preventive, de-escalating, or verbal techniques have been determined ineffective deeming it immediately necessary to restrain the person to prevent:

- Imminent probable death or substantial bodily harm to the person because the person is attempting to commit suicide or inflict serious bodily harm; or
- Imminent physical harm to others because of acts the person commits.

Restrictive interventions shall not be used:

- As a means of discipline, retaliation, punishment, or coercion;
- For the purpose of convenience of staff members or other persons;
- As a substitute for effective treatment or habilitation; or
- Unless it is necessary to intervene to prevent imminent probable death or substantial bodily harm to the person or imminent physical harm to another, and less restrictive methods have been tried and failed.

HCBS-AMH Provider Agency and Recovery Management Entity shall not use more force than is necessary to prevent imminent harm and shall ensure the safety, well-being, and dignity of persons who are personally restrained, including attention for personal needs.

Additionally, per 25 TAC §415.255, personal restraints that do any of the following are prohibited:
• Obstructs the person's airway, including a procedure that places anything in, on, or over the person's mouth or nose;
• Impairs the person's breathing, including applying pressure to the person's torso or neck;
• Restricts circulation;
• Secures a person to a stationary object while the person is in a standing position;
• Causes pain to restrict a person's movement (pressure points or joint locks);
• Inhibits, reduces, or hinders the person's ability to communicate;
• Are protective or supportive devices that are not easily removable by the person without assistance;
• Is a protective or supportive device that is not easily removable by the person without a staff member's assistance; and
• Functions as a protective device for wound healing, after a wound has healed.

Per 25 TAC §415.255, a prone or supine hold shall not be used during a personal restraint. Should a person become prone or supine during a restraint, then any provider involved in administering the restraint shall immediately transition the person to a side lying or other appropriate position.

16230 Training Requirements Regarding Restrictive Interventions

HCBS-AMH Provider Agency and Recovery Management Entities shall ensure that direct service members are informed of their roles and responsibilities and are trained and demonstrate competence accordingly.

The training program shall:

• Target the specific needs of the HCBS-AMH target population;
• Be tailored to the competency levels of the staff members being trained;
• Emphasize the importance of reducing and preventing the use of restraint and seclusion;
• Be evaluated annually, which shall include evaluation to ensure that the training program, as planned and as implemented, complies with the requirement of this section and 25 TAC Chapter 415, Subchapter F;
• Incorporate evidence-based best practices; and
• Provide information about declarations for mental health treatment, including:
  ▶ The right of persons to execute declarations for mental health treatment; and
  ▶ The duty of direct service staff to act in accordance with declarations for mental health treatment to the fullest extent possible.

Before assuming job duties involving direct care responsibilities, and at least annually thereafter, direct service staff must receive training and demonstrate competence in
at least the following knowledge and applied skills that shall be specific and appropriate to the target population of HCBS-AMH:

- The use of restraint, including how to perform the restraint;
- Identifying the causes of aggressive or threatening behaviors of persons who need mental health services, including behavior that may be related to a person’s non-psychiatric medical condition;
- Identifying underlying cognitive functioning and medical, physical, and emotional conditions;
- Identifying medications and their potential effects;
- Identifying how age, weight, cognitive functioning, developmental level or functioning, gender, culture, ethnicity, and elements of trauma-informed care, including history of abuse or trauma and prior experience with restraint or seclusion, may influence behavioral emergencies and affect the person's response to physical contact and behavioral interventions;
- Explaining how the psychological consequences of restraint or seclusion and the behavior of staff members can affect a person's behavior, and how the behavior of persons can affect a staff member;
- Applying knowledge and effective use of communication strategies and a range of early intervention, de-escalation, mediation, problem-solving, and other non-physical interventions, such as clinical timeout and quiet time; and
- Recognizing and appropriately responding to signs of physical distress in persons who are restrained or secluded, including the risks of asphyxiation, aspiration, and trauma.

Before any direct service staff may initiate any restraint, direct service staff shall receive training and demonstrate competence in:

- Safe and appropriate initiation and use of restraint as a last resort in a behavioral emergency;
- Safe and appropriate initiation and application, and use of personal restraint as a last resort in a behavioral emergency; management of emergency medical conditions in accordance with the provider's policies and procedures and other applicable requirements for:
  - obtaining emergency medical assistance; and
  - obtaining training in and using techniques for cardiopulmonary respiration and removal of airway obstructions.

Before assuming job duties, and at least annually thereafter, a registered nurse or a physician assistant who is authorized to:

- Perform assessments of persons who are in restraint shall receive training, which shall include a demonstration of competence in:
monitoring cardiac and respiratory status and interpreting their relevance to the physical safety of the person in restraint or seclusion;
- recognizing and responding to nutritional and hydration needs; o checking circulation in, and range of motion of, the extremities; o providing for hygiene and elimination;
- identifying and responding to physical and psychological status and comfort, including signs of distress;
- assisting persons in de-escalating, including through identification and removal of stimuli, that meet the criteria for a behavioral emergency if known;
- recognizing when continuation of restraint or seclusion is no longer justified by a behavioral emergency; and
- recognizing when to contact emergency medical services to evaluate and/or treat a person for an emergency medical condition.

● Conduct evaluations of persons, including face-to-face evaluations pursuant to 25 TAC §415.260(c) relating to Initiation of Restraint in a Behavioral Emergency of persons who are in restraint, shall receive training, which shall include a demonstration of competence in:
  - identifying restraints that are permitted by the provider and by applicable law;
  - identifying stimuli that trigger behaviors;
  - identifying medical contraindications to restraint;
  - recognizing psychological factors to be considered when using restraint and seclusion, such as sexual abuse, physical abuse, neglect, and trauma.

Before assuming job duties, and at least annually thereafter, providers who are authorized to monitor, under the supervision of a registered nurse, persons during restraint shall receive training, which shall include a demonstration of competence in:

- Monitoring respiratory status;
- Recognizing nutritional and hydration needs;
- Checking circulation in, and range of motion of, the extremities;
- Providing for hygiene and elimination;
- Addressing physical and psychological status and comfort, including signs of distress;
- Assisting persons in de-escalating, including through identification and removal of stimuli, if known.
- Recognizing when continuation of restraint is no longer justified by a behavioral emergency;
- Recognizing when to contact a registered nurse; and
- See Appendix A: Training Requirements and Resources.
16300 Medication Safety and Management

16310 Medication Management General Standards

HCBS-AMH Provider Agency must adhere to the 25 TAC Chapter 415, Subchapter A in the provision of medication management. HCBS-AMH Provider Agencies are responsible for monitoring participant medication regimens, for persons enrolled in HCBS-AMH who cannot self-administer and/or require oversight of self-administration of medications. (See 7250 Deviations from Service Standards).

- At least annually, The HCBS-AMH Provider Agency must assure that staff administering medications be qualified under their scope of practice.
- HCBS-AMH Provider Agency must comply with 22 TAC Chapter 225 when delegating nursing tasks to unlicensed caregivers.
- The HCBS-AMH Provider Agency must assure that staff delegated the authority to administer medications or oversight of persons who self-administer medications receive instruction in medication administration and monitoring from a practitioner with delegation authority. Staff delegated to administer medications are trained and have knowledge of each medication, what is prescribed for, and the adverse reactions side effects before assuming their duties and as indicated by changes in the client’s condition or medication regimen.
- The HCBS-AMH Provider Agency must monitor staff that have been delegated authority to administer medications or oversight of persons who self-administer medications.
- If applicable, the LAR must sign an authorization for the HCBS-AMH Provider Agency to administer each medication according to label directions.
- The medication must be in the original container labeled with the expiration date and the person’s full name.
- The HCBS-AMH Provider Agency must administer the medication according to the label directions or as amended by a physician.
- The HCBS-AMH Provider Agency must administer the medication only to the person for whom it is intended.
- The HCBS-AMH Provider Agency must not administer the medication after its expiration date.
- If applicable, the HCBS-AMH Provider Agency may provide non-prescription medications if the HCBS-AMH Provider Agency obtains LAR consent prior to administration of the medication. Consent may be given over the phone and documented as such by the HCBS-AMH Provider Agency.
- At least quarterly, or more frequently if indicated by the person’s condition, medication regimen or changes to the regimen, HCBS-AMH Provider Agencies
shall review medication administration records to ensure that medications are correctly administered.

16320 Self-Administration of Medications

If the person requires supervision for self-administration of medications, the HCBS-AMH Provider Agency direct service staff must ensure:

- If applicable, the LAR has signed an authorization for the person to self-administer each medication according to label directions;
- The medication must be in the original container labeled with the person’s full name and expiration date;
- The person administers the medication in amounts according to the label directions or as amended by a physician;
- The person must administer the medication only to him or herself;
- The person must not administer the medication after its expiration date; and
- If applicable, the person may provide self-administration of non-prescription medications if the HCBS-AMH Provider Agency obtains consent from the LAR prior to the self-administration of the medication. Consent may be given over the phone and documented as such by the HCBS-AMH Provider Agency.

16330 Medication Errors

Any errors must be reported to HHSC as critical incidents, and a Critical Incident Reporting Form (See [http://www.dshs.state.tx.us/mhsa/hcbs-amh/Forms.aspx](http://www.dshs.state.tx.us/mhsa/hcbs-amh/Forms.aspx) for access to this form) must be completed and emailed to the HHSC HCBS-AMH within 72 hours of notification of the incident.

The HCBS-AMH Provider Agency direct service staff that is responsible for medication administration are required to both record and report medication errors to HHSC. Medication errors that occur, the HCBS-AMH Provider Agencies are required to record are as follows:

- Medication given to the wrong person;
- Giving the person the wrong medication;
- Giving the incorrect dosage;
- Failing to give the medication at the correct time;
- Failing to use the correct route;
- Discrepancy in the medication count; or
- Failing to accurately document the administration of the medication.

16340 Required Medication Documentation

All medication records must be kept for three months after administering the medication. All medication must be documented upon entry into HCBS-AMH on the
Perpetual Medication Record and ongoing on the person’s Medication Administration Record (MAR).

The HCBS-AMH Provider Agency must document the following on the Perpetual Medication Record upon the person’s enrollment into HCBS-AMH:

- Full name of the person to whom the medication was given;
- Name of the medication and quantity; and
- Direct service staff obtaining information

The HCBS-AMH Provider Agency or authorized designee must document the following on the MAR when medication is administered or assistance is provided with self-administered medication:

- Full name of the person to whom the medication was given;
- Name of the medication;
- Date, time, and amount of medication given;
- Full name of direct service staff administering the medication; and
- Outcome of medication administration (i.e. person refused, or medication discontinued)

16350 Storing Medications

If the HCBS-AMH Provider Agency is responsible to store the person’s medications, the provider must store medications as follows:

- Out of reach of children or in locked storage;
- In a manner that does not contaminate food;
- Refrigerate if required; and
- Kept separate from food.

Authorized staff may pick up or transport medications pre-packaged (by the pharmacy) from one program site to another.

Authorized staff may transport prescribed medications to or from the person’s home if authorized by the person and/or LAR, including pill packs properly labeled in advance by the client or pharmacy and pharmacy-labeled pill bottles.

Prescribed medications must be inventoried by nursing/designated staff upon receipt from the pharmacy or the client. Medications held at the site for the person to access (such as pillboxes) or for staff to transport to the person’s home, must be inventoried and kept locked.

16360 Destruction of Medication and Empty Prescription Bottles

If the HCBS-AMH Provider Agency is responsible to store the person’s medications, the provider must abide by 22 TAC §303.1 regarding destruction of medication.
Empty bottles contain protected health information and must be disposed of appropriately.
17000 Consumer Rights

Persons shall be notified of his/her rights prior to enrollment into the HCBS-AMH Program. This shall be verified through completion of the Notification of Participant Rights Form.

This Notification of Participant Rights Form:

- Informs the person of the contact information for HHSC Office of Consumer Services and Rights Protection, DFPS, and the Office of the Ombudsman;
- Informs the person of his/her right to a Fair Hearing regarding the HCBS-AMH Program; and
- Informs the person of the process for reporting allegations of ANE and the toll-free number for DFPS.

The HCBS-AMH Provider Agency and Recovery Management Entity must also give this information to the person and LAR when requested, and when a need is identified or thought to exist.

The name, telephone number, and mailing address of the HCBS-AMH Provider Agency and Recovery Management Entity’s rights protection officer must be prominently posted in every area that is frequented by HCBS-AMH participants. Persons desiring to contact the rights protection officer must be allowed access to the HCBS-AMH Provider Agency and Recovery Management Entity’s telephones to do so.

The method used to communicate the information is designed for effective communication, tailored to meet each person’s ability to comprehend, and responsive to any visual or hearing impairment. Oral communications of rights is documented on the Notification of Participant Rights Form bearing the date and signatures of the person enrolled in HCBS-AMH and/or LAR and the staff person who explained the rights. The Notification of Participant Rights Form is filed in the person’s clinical record.

17100 Medicaid Fair Hearing

The HCBS-AMH Provider Agency must implement procedures to give notice of the right to a timely and objective appeal process for all persons receiving HCBS-AMH services. For persons eligible for Medicaid, HCBS-AMH Provider Agencies must implement procedures that provide notice of the right to request a fair hearing, as described in 1 TAC, Chapter 357, Subchapter A (relating to Uniform Fair Hearing Rules), to a person whose service or benefits are denied, reduced, suspended, or terminated. The procedures regarding notice of the right to a Medicaid fair hearing must comply with HHSC policy, which may be included in contract provisions.
The Determination Letter informs the person of the right to continue to receive services while the Medicaid Fair Hearing is pending and the actions the person must take for services to continue.

When HHSC receives a request for a fair hearing, HHSC notifies the HCBS-AMH Provider Agency of such request and the date that the request was received. HCBS-AMH Provider Agency shall review the basis of its decision to deny, terminate, reduce, or suspend services. The HCBS-AMH Provider Agency shall continue services until the hearing officer makes a final decision.

The RM shall assist the person with the fair hearing process if needed, including the preparation and submission of documentation.

17110 Conditions for Requesting a Fair Hearing

The conditions under which the person may request a Fair Hearing include, but are not limited to:

- A person is denied participation in the HCBS-AMH Program;
- A person is denied continued participation in the HCBS-AMH Program;
- A person’s HCBS-AMH Program services are denied, reduced, suspended, or terminated; or
- The person’s request for eligibility for the HCBS-AMH Program is not acted upon with reasonable promptness.

17120 Requirements for Notification

The person is informed of the right to a fair hearing during enrollment through the Notification of Participant Rights Form (See http://www.dshs.state.tx.us/mhsa/hcbs- amh/Forms.aspx for access to this form). Additional notifications occur for any reduction, termination, suspension or denial of a service.

The following requirements for notification requirements apply:

- The person may elect to receive notifications electronically;
- The person’s election to receive notices electronically shall be confirmed by regular mail;
- The person shall be informed of his or her right to change such election to receive notices through regular mail;
- Notices shall be posted to the person’s electronic account within 1 business day of notice generation;
- Email or other electronic communication alerting the person that a notice has been posted to his or her account shall be sent. Confidential information shall not be included in the email or electronic alert;
Notice shall be sent by regular mail within three business days of the date of a failed electronic communication if an electronic communication is undeliverable; and

Any notice posted to the person’s electronic account shall be provided through regular mail, at the person’s request.

17130 Fair Hearing Process

17131 Requesting a Fair Hearing

The person (appellant) has the right to appeal within 90 days from, the date on the notice of agency action, or the effective date of the agency action, whichever is later. Only the appellant or the appellant’s authorized representative has the right to appeal action by an agency.

Requests for a Fair Hearing must be made to the HHSC Office of Consumer Services and Rights Protection. An authorized representative of the appellant may make the request for a Fair Hearing by completing the steps outlined in the Determination Letter or by calling the Office of Consumer Services and Rights Protection.

Once an appeal is filed, only the appellant or the appellant’s representative may withdraw the request. The appellant must make the request in writing to the hearings officer or the local office and give the reason for requesting to withdrawal.

Contact Information:
Texas Health and Human Services Commission (HHSC) Office of Consumer Services and Rights Protection Mail Code 2018
8317 Cross Park, Suite 175
Austin, TX 78754

Toll Free Number: 1-800-252-8154 Local Number: 512-206-5760
Relay Texas, Voice: 1-800-735-2988 Relate Texas, TTY: 1-800-735-2989

17132 Continuation of Benefits

During the appeal process, the appellant has the right to receive continued benefits under the program if required by state or federal regulation or statute. The appellant must request continued benefits when requesting a Fair Hearing, if applicable. Persons not currently enrolled may not request continued benefits.

The Determination Letter notice informs the person of his/her right to continue to receive services while the hearing is pending and the actions the person must take for services to continue.
17133 Notification of Fair Hearing

The HHSC Office of Consumer Services and Rights Protection receive and enter the formal request for a Fair Hearing into the TIERS database, and HHSC provides notification of a scheduled hearing date no less than fourteen days prior to the Fair Hearing.

17134 Decision by Fair Hearing’s Officer

A decision by the Fair Hearing’s officer must be made by 90 days from the date the appeal request is received. All Fair Hearings are conducted according to the rules in 1 TAC, Chapter 357, Subchapter A (relating to Uniform Fair Hearing Rules).

17200 Complaints

17210 HCBS-AMH Provider Agency and Recovery Management Entity Policy

HCBS-AMH Provider Agency and Recovery Management Entities shall be responsible for implementing a procedure which ensures the reporting of a complaint against an agency or its personnel by a member or interested party.

HCBS-AMH Provider Agency and Recovery Management Entity shall ensure availability of their policies and procedures to staff, persons, LAR or family members or any other interested parties. HCBS-AMH Provider Agency and Recovery Management Entity policies and procedures may be subject to review by HHSC.

17220 HHSC Consumer Services and Rights Protection Unit

HHSC Consumer Services and Rights Protection Unit staff operates a toll-free phone line with TTY (telecommunication device for the deaf) capabilities from 8:00am – 5:00pm Monday - Friday.

Complaints can also be submitted via email or written correspondence.

- Complaints may be anonymous.
- There is no restriction on the types of complaints that persons enrolled in HCBS-AMH may register.
- All complaints are acted upon immediately. Given the variety of complaints, there is no mandated time line for resolution to the complaint.
- Consumer Rights and Protection Staff have access to all departments and units to resolve the person’s complaint.

Contact Information:
17230 Complaints involving allegations of Abuse, Neglect and Exploitation

Complaints involving allegations of Abuse, Neglect and Exploitation are referred immediately to the Department of Family and Protective Services (DFPS) the department with statutory responsibility for investigation of such allegations. (See 13540 Abuse, Neglect, and Exploitation (ANE)).

17240 HHSC’s Office of the Ombudsman

When HHSC’s complaint process cannot or does not satisfactorily resolve an issue, persons have the option of contacting the Office of the Ombudsman directly. The Ombudsman’s services include:

- Conducting independent reviews of complaints concerning agency policies or practices;
- Ensuring policies and practices are consistent with the goals of HHSC;
- Ensuring persons are treated fairly, respectfully and with dignity; and
- Making referrals to other agencies as appropriate.

The process to assist with complaints and issues is as follows:

1. Member of the public, person, or provider makes first contact with HHSC or with HHSC to request assistance with an issue or complaint.
2. If not able to resolve the issue or complaint, the Office of the Ombudsman may be contacted.
3. The Office of the Ombudsman provides an impartial review of actions taken by the program or department.
4. The Office of the Ombudsman seeks a resolution and may use mediation if appropriate. If it is necessary for the Office of the Ombudsman to refer an issue to the appropriate department, the Office of the Ombudsman:
   (A) Follows-up with the complainant to determine if a resolution has been achieved; and
   (B) Refers complainant to other available known resources.
17300 Advanced Directives

Advance directives are legal documents that allow a person to convey their decisions about end-of-life care ahead of time. They provide a way for a person to communicate their wishes to family, friends and health care professionals.

Note: Texas law allows an option for a person's signature to be acknowledged by a notary instead of witness signatures and for digital or electronic signatures on the Directive to Physicians, Out-of-Hospital Do Not Resuscitate Order, and the Medical Power of Attorney, if certain requirements are met. See Health and Safety Code Chapter 166, Subchapter A for details.

When applicable, The Recovery Management Entity may utilize the following forms:

17310 Declaration for Mental Health Treatment

The Declaration for Mental Health Treatment is a legal document which allows a person to make decisions about mental health treatment in advance. Specifically, the person gives a declaration regarding three types of mental health treatment: psychoactive medication, convulsive therapy, and emergency mental health treatment. The instructions that a person includes in this declaration are followed only if a court believes that the person is incapacitated to make treatment decisions. Otherwise, the person is considered able to give or withhold consent for the treatments.

17320 Directives to Physicians, Family or Surrogates

Directive to Physicians, Family or Surrogates communicates a person’s wishes about medical treatment at some time in the future when they are unable to make their wishes known because of illness or injury.

17330 Medical Power of Attorney

Medical Power of Attorney is a legal document gives an agent the authority to make any and all health care decisions for a person in accordance with their wishes,
including their religious and moral beliefs, when they are no longer capable of making those decisions.

17340 Out-of-Hospital Do Not Resuscitate

This legal document instructs emergency medical personnel and other health care professionals to forgo resuscitation attempts. This order does NOT affect the provision of other emergency care including comfort care and is not applicable once a person is in a hospital.

17350 Statutory Durable Power of Attorney

Statutory Durable Power of Attorney is a legal form is for designating an agent who is empowered to take certain actions regarding a person’s property. It does not authorize anyone to make medical and other healthcare decisions for a person.

These forms are available at: http://www.dads.state.tx.us/news_info/publications/handbooks/advancedirectives.html
The HCBS-AMH Provider Agency and Recovery Management Entity shall utilize CMBHS to submit IRPs and claims when CMBHS is made available. HHSC or an independent qualified agent shall utilize CMBHS to process UAs and authorize IRPs. When CMBHS has the capacity to support these functions, submission of information is as otherwise outlined by HHSC.

CMBHS shall be used to meet the following standards:

1. Verification of the person’s enrollment status;
2. Verification of the provision of HCBS-AMH services;
3. Authorization of the IRP;
4. Complete and accurate upload and entry of all data elements required by the Department in a timely manner;
5. Verification when service delivery begins and when and where the delivery is completed each time services are delivered to a person. This is to be completed in a manner prescribed by the Department; and
6. When requested by the Department, service delivery documentation is immediately available for review.
19000 Managing Conflicts of Interest

19100 Conflict of Interest Standards

19110 Standards

The HCBS-AMH Provider Agency and Recovery Management Entity shall establish clear and easily accessible means for persons to make complaints and/or appeals to the State for assistance regarding concerns about choice, quality, and outcomes. These processes shall be available in writing at each agency. Complaints can be made via phone or written communication. The complaint process is managed and reviewed independently by HHSC.

HCBS-AMH Provider Agencies and Recovery Management Entities shall be transparent in their communications about agency decisions that directly affect the interests of the person, including the process and criteria for the selection of subcontracted HCBS-AMH service providers.

The HCBS-AMH Provider Agency and Recovery Management Entity shall regularly review relationships and agreements with direct service providers and/or RM to ensure they are in keeping with prevailing laws, agency policies, professional standards and the best interests of the persons they serve.

Former employees of Recovery Management Entities and Provider Agencies are to cease contact with participants once they have left employment. In the event that a former HCBS-AMH RM or Provider Agency employee is employed by another RM Entity or Provider Agency, the employee is prohibited from actively recruiting the participant to change agencies. HCBS-AMH will monitor these types of situations and intervene as necessary.

Providers of the HCBS-AMH services, except a Host Home/Companion Care provider (See 9250 Host Home/Companion Care), shall not be related by blood or marriage to the person; to any of the person’s paid caregivers; or to anyone financially responsible for the person or empowered to make financial or health-related decisions on the person’s behalf.

Agencies that are both a HCBS-AMH Recovery Management Entity and an HCBS-AMH Provider Agency must have a clear administrative firewall that separates the two service entities. For example, supervision or administrative oversight of HCBS-AMH Provider Agency or subcontractors by any HCBS-AMH RM staff is not allowed. As such, supervision or administrative oversight of HCBS-AMH RM staff by HCBS-AMH Provider Agency or subcontractors is also not allowed. (See 19200 Administrative Firewall for Providers of Last Resort).
19120 Ensuring Individual Choice

The person, LAR, and PCRP participants shall be presented with options of Recovery Management Entities and HCBS-AMH Provider Agencies available in the person’s community of choice. Additionally, during IRP meetings the person verifies if they wish to continue being assisted by their current RM and provider, or if they wish to choose an alternative.

The opportunity to choose among all qualified HCBS-AMH Provider Agency and Recovery Management Entity is documented on the HCBS-AMH Provider Agency and Recovery Management Entity Selection Form. The selection of the HCBS-AMH Provider Agency and Recovery Management Entity is documented in the IRP Form in addition to the HCBS-AMH Provider Agency and Recovery Management Entity Selection Form.

Additional documentation may be required if the selected HCBS-AMH is also providing Recovery Management Services to that person (See 19200 Administrative Firewall for Providers of Last Resort).

19121 Overview of Recovery Management Entities

The overview of Recovery Management Entities provided by HHSC or referring entity to the person shall include the following information:

- How long the provider has been in business; and
- Location of provider; and
- Specialization of services

19122 Overview of HCBS-AMH Provider Agencies

The overview of HCBS-AMH Direct Providers provided by HHSC or referring entity to the person shall include but is not limited to the following information:

- How long the provider has been in business;
- Location of provider; and
- Specialization of services

19200 Administrative Firewall for Providers of Last Resort

19210 Agency Roles and Responsibilities

Agencies providing both HCBS-AMH Recovery Management and HCBS-AMH Provider Agency services to the same person must establish administrative separation between Recovery Management staff and direct service staff.
These agencies shall have separate administrative structures which provide oversight over HCBS-AMH Recovery Management and HCBS-AMH Provider Agency service staff providing all HCBS-AMH services. This separate administrative structure should ensure that Recovery Management decisions are not to be subject to influence or revision by those providing or administering other HCBS-AMH Provider Agency services. A person may not select an agency that Provides both RM and Provider services if there are other RM Entities and Provider Agencies in the service region. If there is more than one RM Entity and Provider Agency in the service region, the person is free to choose either of the RM entities or Provider agencies as long as they are not part of the same organization.

Recovery Managers are prohibited from providing any services listed as Provider Agency services at any time. Provider Agency staff or subcontracted staff may not provide Recovery Management services.

19220 Agency Policies

Agencies providing both HCBS-AMH Recovery Management and HCBS-AMH Provider Agency services have clear agency policies that provide an additional layer of protection regarding conflict of interest. These policies outline staff’s fiscal and ethical responsibilities with regard to the interests of the agency and the persons served. These policies should include a process for disclosing conflicts to HHSC, and a process for reviewing and acting upon those disclosures within seven business days.

This includes but is not limited to:

- Changes in administrative structure;
- Changes in billing practices; and
- Responsible parties for submitting invoices for the agency.

To ensure person choice is protected, HHSC may require additional documentation if the selected HCBS-AMH Provider Agency is also providing Recovery Management Services to the same person. This includes documentation that the RM is not rewarded or penalized based on amount of services listed on an IRP.
20000 Non-Duplication of Services

HCBS-AMH Medicaid persons are enrolled in Medicaid managed care and are eligible to receive traditional state plan services in addition to HCBS-AMH services. Because of this, duplication of services can occur. This service duplication happens when an HCBS-AMH participant receives similar services from two different programs (i.e. Adult Mental Health and HCBS-AMH) at the same time.

20100 RM’s Role in Non-Duplication of Medicaid Services

The RM is required to identify the potential for service duplication and to prevent the occurrence of duplication. The RM is required to coordinate care, including the development of an IRP, with the participant’s MCO Service Coordinator and any additional providers designated by HHSC to ensure comprehensive, coordinated, unduplicated services.

The RM certifies that the person has exhausted all applicable state plan resources before the following HCBS-AMH services are submitted on the IRP:

- Adaptive Aids
- Non-Medical Transportation
- Peer Support
- Substance Use Disorder Services (unless clinically indicated)

Note: If the assessment indicates the HCBS-AMH participant needs an HCBS-AMH service in lieu of the state plan services, it must be documented on the IRP.

Additionally, the RM must ensure that HCBS-AMH Psychosocial Rehabilitation is not delivered at the same date and time as another service that is alike in nature and scope as that HCBS-AMH service, regardless of the funding source.

20200 RM’s Role in Non-Duplication of Services for HCBS-AMH Persons 18-21

HCBS-AMH Medicaid persons under age 21 will be enrolled in STAR Kids or STAR Health (for foster children).

- STAR Kids is tailored to the needs of youth with disabilities. The program provides benefits such as prescription drugs, hospital care, primary and
specialty care, preventive care, personal care services, private duty nursing, and durable medical equipment and supplies.

- STAR Health provides a full-range of Medicaid covered medical and behavioral health services for children in Department of Family and Protective Services (DFPS) conservatorship and young adults in DFPS paid placement.

Through STAR Kids and STAR Health, persons have access to traditional state plan services and additional benefits which maybe duplicative of HCBS-AMH services.

To avoid duplication of services, for HCBS-AMH persons under 21 years of age in DFPS conservatorship (foster children), RMs ensure that the following HCBS-AMH services are not delivered at the same date and time as another service that is alike in nature and scope as that HCBS-AMH service, regardless of the funding source:

- Residential services (Note: If the person is in a Foster Care Residential Placement, the person may remain in their placement and receive HCBS-AMH services; and
- Respite

Additionally, the RM certifies that the person has exhausted all applicable state plan resources before the following HCBS-AMH services are submitted on the IRP:

- Private Duty Nursing through Early and Periodic Screening, Diagnostic, and Treatment (EPSDT)

Note: If the assessment indicates the HCBS-AMH participant needs an HCBS-AMH service in lieu of the state plan services, it must be documented on the IRP.

See the Non-Duplication Checklist located at https://www.dshs.state.tx.us/mhsa/hcbs- amh/recoverymanager/ for additional information on non-duplication of services.
Appendix A: Training Requirements and Resources

The HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity must implement and maintain a plan for initial and periodic training of staff members and service providers. Initial and periodic training shall ensure direct service providers are qualified to deliver services as required by the current needs and characteristics of the persons to whom they deliver services and are knowledgeable of acts that constitute abuse, neglect, or exploitation of a person and methods to prevent the occurrence of abuse, neglect, and exploitation.

Periodic training is delivered by the HCBS-AMH Provider Agency, as needed, to ensure service providers are qualified to provide HCBS-AMH services in accordance with state and federal laws and regulations); and to ensure the person’s safety and security.

All direct service staff shall be trained on program philosophy, policies and procedures, including identifying, preventing, and reporting of critical incidents and ANE.

All direct service staff shall be trained in the safe use of personal restraint, if applicable.

The HCBS-AMH Provider Agency and Recovery Management Entity hire direct service staff that meet or exceed the minimum skills and training required to provide the assigned HCBS-AMH service and to meet the primary objective of protecting and promoting the health, safety and well-being of persons.

The HCBS-AMH Provider Agency and Recovery Management Entity may identify Training and Technical Assistance needs to HHSC at any time by contacting the HCBS-AMH staff. The HCBS-AMH Provider Agency and Recovery Management Entity or HHSC may identify issues and suggest potential remedies.

All HCBS-AMH Provider Agency and Recovery Management Entity direct service staff attend and satisfactorily complete the relevant HCBS-AMH specific training prior to the provision of HCBS-AMH services or within designated timeframe. HCBS-AMH Provider Agency and Recovery Management Entity must maintain training documentation in personnel files.
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<th>Service</th>
<th>Required</th>
<th>Recommended</th>
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<tr>
<td>Supported Home Living</td>
<td>• Restrictive Interventions - prior to service provision&lt;br&gt;• Opioid Overdose Prevention — prior to service provision&lt;br&gt;• Ask About Suicide (ASK) - prior to provision of services&lt;br&gt;• Co-Occurring Psychiatric and Substance Use Disorder (COPSD) - prior to service provision</td>
<td>• Person-Centered Recovery Planning (online modules only)&lt;br&gt;• Harm Reduction&lt;br&gt;• Motivational Interviewing, I and II</td>
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<tr>
<td>Assisted Living</td>
<td>• Restrictive Interventions - prior to service provision&lt;br&gt;• Opioid Overdose Prevention – prior to service provision&lt;br&gt;• Ask About Suicide (ASK) - prior to provision of services&lt;br&gt;• Co-Occurring Psychiatric and Substance Use Disorder (COPSD) - prior to service provision</td>
<td>• Person-Centered Recovery Planning (online modules only)&lt;br&gt;• Harm Reduction&lt;br&gt;• Motivational Interviewing, I and II</td>
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<tr>
<td>Supervised Living Services</td>
<td>• Restrictive Interventions-prior to service provision&lt;br&gt;• Opioid Overdose Prevention – prior to service provision&lt;br&gt;• Ask About Suicide (ASK)-prior to service provision&lt;br&gt;• Co-Occurring Psychiatric and Substance Use Disorder (COPSD)- prior to service provision</td>
<td>• Person-Centered Recovery Planning (online modules only)&lt;br&gt;• Harm Reduction&lt;br&gt;• Motivational Interviewing, I and II</td>
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<td>Host-Home/Companion Care</td>
<td>• Restrictive Interventions - prior to service provision&lt;br&gt;• Opioid Overdose Prevention– prior to service provision&lt;br&gt;• Ask About Suicide (ASK) - prior to service provision&lt;br&gt;• Co-Occurring Psychiatric and Substance Use Disorder (COPSD)- prior to service provision</td>
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| Community Psychiatric Supports and Treatment | • Harm Reduction – within three months of service provision  
• Restrictive Interventions - prior to service provision  
• Person-Centered Recovery Planning (online modules) – prior to service provision  
• Ask About Suicide (ASK) - prior to service provision  
• Competency in at least one of the following. Initial training must be completed prior to service provision. Competency must be obtained within one year of service provision:  
  ▶ Cognitive Behavioral Therapy  
  ▶ Dialectical Behavior Therapy (DBT)  
  ▶ Cognitive Behavioral Therapy for Psychosis (CBTp) | • Cognitive Processing Therapy;  
• Motivational Interviewing, I and II;  
• Illness Management Recovery  
• Seeking Safety  
• Cognitive Behavioral Therapy for Psychosis (CBTp) (if provider already holds a competent in DBT or CBT) |
| Employment Services                          | • Individual Placement and Support (Supported Employment) – prior to service provision  
• Restrictive Interventions - prior to service provision  
• Person-Centered Recovery Planning (online modules) - prior to service provision | • Motivational Interviewing, I and II |
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<td>Substance Use Disorder Services</td>
<td>● Required training for the provision of any EBP (See Section <a href="#">9215 Substance Use Disorder Services</a>)</td>
<td>● Illness Management Recovery</td>
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<td>● Harm Reduction – within three months of service provision;</td>
<td>● Seeking Safety – w</td>
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<td></td>
<td>● Motivational Interviewing – Motivational Interviewing I completed within three months of service provision.</td>
<td>● Cognitive Processing Therapy Cognitive Behavioral Therapy for Psychosis (CBTp) –</td>
</tr>
<tr>
<td></td>
<td>● Restrictive Interventions</td>
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<tr>
<td></td>
<td>● Person-Centered Recovery Planning (online modules) – prior to service provision</td>
<td></td>
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<tr>
<td></td>
<td>● Co-Occurring Psychiatric and Substance Use Disorder (COPSD)- prior to service provision</td>
<td></td>
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<td></td>
<td>● Opioid Overdose Prevention- prior to the provision of services</td>
<td></td>
</tr>
<tr>
<td>Peer Support</td>
<td>● Peer Support Specialist Certification – prior to service provision</td>
<td>● Peer Specialist Whole Health and Resiliency</td>
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<td></td>
<td>● Restrictive Interventions – prior to service provision</td>
<td>● Advanced Peer Practices</td>
</tr>
<tr>
<td></td>
<td>● Person-Centered Recovery Planning (online modules) – prior to service provision</td>
<td>Illness Management Recovery</td>
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<td></td>
<td>● Opioid Overdose Prevention- prior to the provision of services</td>
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<tr>
<td></td>
<td>● Ask About Suicide (ASK) - prior to provision of services</td>
<td></td>
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<tr>
<td></td>
<td>● Co-Occurring Psychiatric and Substance Use Disorder (COPSD)- prior to service provision</td>
<td></td>
</tr>
<tr>
<td>Service</td>
<td>Required</td>
<td>Recommended</td>
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<tr>
<td>Nursing</td>
<td>● Restrictive Interventions - prior to service provision</td>
<td>● Harm Reduction –</td>
</tr>
<tr>
<td></td>
<td>● Person-Centered Recovery Planning (online modules) – prior to service provision</td>
<td></td>
</tr>
<tr>
<td></td>
<td>● Opioid Overdose Prevention Training - prior to service provision</td>
<td></td>
</tr>
<tr>
<td></td>
<td>● Co-Occurring Psychiatric and Substance Use Disorder (COPSD) - prior to service provision</td>
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</tbody>
</table>
| HCBS Psychosocial Rehabilitation Services | ● At least one of the following – prior to service provision (if provider does not already hold competency in an EBT):  
  ‣ Illness Management Recovery;  
  ‣ Seeking Safety;  
  ‣ Cognitive Adaptive Therapy  
|                                 | ● Person-Centered Recovery Planning (online modules) – prior to service provision | ● Motivational Interviewing –  
  ● Harm Reduction  
  ● Illness Management and Recovery (if provider hold a certificate in EBT Illness in CAT or Seeking Safety)  
<p>|                                 | ● Ask About Suicide (ASK) - prior to provision of services               |                                                            |</p>
<table>
<thead>
<tr>
<th>Service</th>
<th>Required</th>
<th>Recommended</th>
</tr>
</thead>
</table>
| Recovery Management             | ● Person-Centered Recovery Planning (online modules) – prior to service provision  
                                  | ● Person-Centered Recovery Planning (in person) – within 3 months of service provision  
                                  | ● Supplemental Security Income (SSI) – prior to service provision  
                                  | ● Restrictive Interventions -prior to service provision  
                                  | ● Ask About Suicide (ASK)-prior to service provision  
                                  | ● Opioid Overdose Prevention Training-prior to service provision  
                                  | ● Co-Occurring Psychiatric and Substance Use Disorder (COPSD)- prior to service provision  
                                  | ● Adult Needs and Strengths Assessment(ANSA)-prior to service provision  |
| Respite Care                    | ● Restrictive Interventions -prior to service provision  | ● Harm Reduction                                                             |

Many of these trainings are available online or in person at Texas Centralized Training Infrastructure for Evidence Based Practices (CTI-EBP).

**The HCBS-AMH Provider Agency and HCBS-AMH Recovery Management Entity must pass the HCBS- AMH Open Enrollment Application desk and site review before accessing HCBS-AMH trainings located at the CTI.**

The trainings that are not available through the CTI-EBP can be accessed by other means. Some trainings are the responsibility of the contracted HCBS-AMH Provider Agency or HCBS-AMH Recovery Management Entity. HHSC reviews personnel records to verify completion of these trainings.

All required trainings must be completed within the time frames specified. The web-based trainings produce a certificate upon completion of the training which must be available in personnel records for review by HHSC at quarterly desk/annual site reviews. The need for training and technical assistance may be identified through
results of HHSC HCBS-AMH Provider Agency and Recovery Management Entity monitoring, technical assistance contacts, and the use of quality indicators.

## Training Resources

<table>
<thead>
<tr>
<th>Training</th>
<th>Description</th>
<th>Resource</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Needs and Strengths Assessment (ANSA)</td>
<td>ANSA training and annual certification.</td>
<td><a href="http://www.canstraining.com">www.canstraining.com</a></td>
</tr>
<tr>
<td>Cognitive Adaptive Training (CAT)</td>
<td>Teaches in-home environmental supports to help persons bypass problems in motivation and thinking in order to organize their home environments and live independently.</td>
<td><a href="https://centralizedtraining.uthscsa.edu/Moodle">https://centralizedtraining.uthscsa.edu/Moodle</a></td>
</tr>
<tr>
<td>Certified Application Counselor</td>
<td>Provides an overview of the new health coverage options, applying for financial help with coverage, and enrolling in private health plans through the new health insurance marketplaces.</td>
<td><a href="https://marketplace.cms.gov/technical-assistance-resources/training-materials/training.html">https://marketplace.cms.gov/technical-assistance-resources/training-materials/training.html</a></td>
</tr>
<tr>
<td>Cognitive Behavioral Therapy (CBT)</td>
<td>Reviews the core principles of CBT and how to implement CBT practices in service provision.</td>
<td><a href="https://centralizedtraining.uthscsa.edu/Moodle">https://centralizedtraining.uthscsa.edu/Moodle</a></td>
</tr>
<tr>
<td>Cognitive Behavioral Therapy for Psychosis (CBTp)</td>
<td>Outlines how to utilize CBT when working with persons diagnosed with psychosis-related disorders.</td>
<td><a href="https://centralizedtraining.uthscsa.edu/Moodle">https://centralizedtraining.uthscsa.edu/Moodle</a></td>
</tr>
<tr>
<td>Training</td>
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</tr>
<tr>
<td>Co-Occurring Psychiatric and Substance Use Disorder (COPSD)</td>
<td>Offers information on how to integrate mental health and substance use disorder services. The training stresses a multi-view point approach to recovery when working with persons with co-occurring disorders.</td>
<td><a href="https://centralizedtraining.uthscsa.edu/Moodle">https://centralizedtraining.uthscsa.edu/Moodle</a></td>
</tr>
<tr>
<td>County Indigent Health Care Program Training Course (CIHCP)</td>
<td>Educates providers on the services offered through the CIHCP and how to access these services for persons.</td>
<td><a href="http://www.dshs.state.tx.us/cihcp">http://www.dshs.state.tx.us/cihcp</a></td>
</tr>
<tr>
<td>Dialectical Behavioral Therapy (DBT)</td>
<td>Provides DBT skills to help a variety of clients enhance their capabilities to aid them in their recovery. This training teaches the core component of DBT, the evidence-based treatment for BPD and co-occurring disorders.</td>
<td><a href="https://centralizedtraining.uthscsa.edu/Moodle">https://centralizedtraining.uthscsa.edu/Moodle</a></td>
</tr>
<tr>
<td>Harm Reduction</td>
<td>Introduces the concept of harm reduction and explores how it is used in a broader framework when working with persons diagnosed with a substance use disorder.</td>
<td><a href="https://centralizedtraining.uthscsa.edu/Moodle">https://centralizedtraining.uthscsa.edu/Moodle</a></td>
</tr>
<tr>
<td>Illness Management and Recovery (IMR)</td>
<td>Offers a variety of different information, strategies, and skills on IMR to help persons make informed decisions in their treatment and become empowered in their own recovery.</td>
<td><a href="https://centralizedtraining.uthscsa.edu/Moodle">https://centralizedtraining.uthscsa.edu/Moodle</a></td>
</tr>
<tr>
<td>Individual Placement and Support (Supported Employment)</td>
<td>Teaches providers how to support persons with a diagnosis of SMI in obtaining supported employment and competitive employment.</td>
<td><a href="https://centralizedtraining.uthscsa.edu/Moodle">https://centralizedtraining.uthscsa.edu/Moodle</a></td>
</tr>
<tr>
<td>Training</td>
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<td>Resource</td>
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</tr>
<tr>
<td>Motivational Interviewing</td>
<td>Teaches the provider how to utilize motivational practices to help elicit change in the person.</td>
<td><a href="https://centralizedtraining.uthscsa.edu/Moodle">https://centralizedtraining.uthscsa.edu/Moodle</a></td>
</tr>
<tr>
<td>Peer Support Specialist/Peer Specialist Advanced Practices/Peer Specialist Whole Health and Resiliency</td>
<td>Peer providers, who are currently in recovery, who help educate participants on how to use their recovery story to aid other persons in their own recovery journey.</td>
<td><a href="http://www.viahope.org/programs/training-certification">http://www.viahope.org/programs/training-certification</a></td>
</tr>
<tr>
<td>Person Centered Recovery Planning (PCRP)</td>
<td>Provides a comprehensive approach to assessment and services which empower persons to be leaders in their own recovery.</td>
<td><a href="https://centralizedtraining.uthscsa.edu/Moodle">https://centralizedtraining.uthscsa.edu/Moodle</a></td>
</tr>
<tr>
<td>Permanent Supportive Housing</td>
<td>Outlines the essential components of supportive housing in working with persons with mental illness.</td>
<td><a href="https://centralizedtraining.uthscsa.edu/Moodle">https://centralizedtraining.uthscsa.edu/Moodle</a></td>
</tr>
<tr>
<td>Opioid Overdose Prevention</td>
<td>Provides information on overdose prevention.</td>
<td>This training is given through the provider entity. The materials for this training can be accessed at: <a href="http://store.samhsa.gov/product/Opioid-Overdose-Prevention-Toolkit-Updated-2016/SMA16-4742">http://store.samhsa.gov/product/Opioid-Overdose-Prevention-Toolkit-Updated-2016/SMA16-4742</a>.</td>
</tr>
<tr>
<td>Restrictive Interventions</td>
<td>Outlines the roles and responsibilities of providers in the use of restrictive interventions. Must comply with the requirement of this section and 25 TAC Chapter 415, Subchapter F (See 16230 Training Requirements Regarding Restrictive Interventions).</td>
<td>This training is administered by the provider entity in accordance with TAC regulations.</td>
</tr>
<tr>
<td>Training</td>
<td>Description</td>
<td>Resource</td>
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</tr>
<tr>
<td>Seeking Safety</td>
<td>Shows how to implement Seeking Safety therapy to help persons who have Post Traumatic Stress Disorder (PTSD) and substance use.</td>
<td><a href="https://centralizedtraining.uthscsa.edu/Moodle">https://centralizedtraining.uthscsa.edu/Moodle</a></td>
</tr>
<tr>
<td>SSI/SSDI Outreach, Access, and Recovery (SOAR)</td>
<td>Educates providers on how to help persons with a disability and at risk of homelessness to apply for SSA benefits.</td>
<td><a href="https://soarworks.prainc.com/course/ssidi-outreach-access-and-recovery-soar-online-training">https://soarworks.prainc.com/course/ssidi-outreach-access-and-recovery-soar-online-training</a></td>
</tr>
<tr>
<td>Social Security Income (SSI)</td>
<td>Outlines the SSA application process.</td>
<td><a href="https://centralizedtraining.uthscsa.edu/Moodle">https://centralizedtraining.uthscsa.edu/Moodle</a></td>
</tr>
</tbody>
</table>
Appendix B: Definition of Forms

HCBS-AMH forms listed below can be accessed at [http://www.dshs.state.tx.us/mhsa/hcbs-amh/Forms.aspx](http://www.dshs.state.tx.us/mhsa/hcbs-amh/Forms.aspx).

<table>
<thead>
<tr>
<th>Form</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appeals Form</td>
<td>The Appeals Form is completed by a person and/or LAR when requesting a fair hearing to appeal an agency action.</td>
</tr>
<tr>
<td>Critical Incident Reporting Form</td>
<td>The Critical Incident Reporting Form is used to report to any critical incidents as required by policy.</td>
</tr>
<tr>
<td>Client Abuse and Neglect Report</td>
<td>If the perpetrator or alleged perpetrator of ANE is an employee or agent of the HCBS-AMH Provider Agency or Recovery Management Entity, or the perpetrator is unknown, then the Administrator of the HCBS-AMH Provider Agency or Recovery Management Entity, or their designee shall ensure that a Client Abuse and Neglect Reporting form is completed.</td>
</tr>
<tr>
<td>Crisis Plan Form</td>
<td>A version of the Crisis Plan that is accessible to the person and others as identified by the person and/or indicated on the crisis plan.</td>
</tr>
<tr>
<td>Good Faith Effort Form</td>
<td>The Good Faith Effort Form is completed by the HCBS-AMH Provider Agency and Recovery Management Entity and/or the RM when they are unable to serve a person because of their inability to locate a necessary service that meets the person’s needs identified on the person’s Uniform Assessment that ensures their safety in the community.</td>
</tr>
<tr>
<td>IRP Individual Recovery Form</td>
<td>The template utilized by Recovery Management Entities to complete independent assessments of persons referred to HCBS-AMH for services, initiating changes in services or discontinuing services.</td>
</tr>
<tr>
<td>Notification of Participant’s Rights</td>
<td>Notifies the person of his/her rights.</td>
</tr>
<tr>
<td>Form</td>
<td>Definition</td>
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<tr>
<td>Preauthorization Request Form</td>
<td>The RM completes the preauthorization form to obtain approval from HHSC to provide recovery management services to a person while they are dis-enrolling from another HCBS program into HCBS-AMH or when the RM is assisting a person residing in a correctional facility or nursing facility successfully discharge and transition to the community</td>
</tr>
<tr>
<td>HCBS-AMH Provider Selection Form</td>
<td>Documents the selection of the HCBS-AMH Recovery Management Entity and HCBS-AMH Provider Agency by the person.</td>
</tr>
<tr>
<td>Respite Relative Provider Form</td>
<td>Used to document the provision of any respite services in which a relative is the direct service staff.</td>
</tr>
<tr>
<td>Safety Plan Form</td>
<td>A version of the Safety Plan that is accessible to the person and others as identified by the person and/or indicated on the safety plan.</td>
</tr>
</tbody>
</table>