

5160-27-01

**Eligible provider for behavioral health services.**

(A) An "eligible behavioral health provider" for purposes of this chapter is a provider of a mental health or substance use disorder treatment service covered in agency 5160 of the Administrative Code and is one of the following:

- (1) An entity operating in accordance with meeting the certification requirements set forth in section 5119.36 of the Revised Code and Chapters 5122-24 to 5122-29 and Chapter 5160-1 of the Administrative Code and providing mental health or substance use disorder treatment services.
- (2) An entity furnishing mental health and/or substance use disorder services operating in a bordering state and operating in accordance with meeting the requirements set forth in rule 5160-1-11 of the Administrative Code. ~~The entity must be an eligible and enrolled provider with the state medicaid agency in the state where the entity operates.~~
- (3) Physician, as described in Chapter 4731 of the Revised Code, or physician assistant, as described in Chapter 4730 of the Revised Code, ~~licensed by the state of Ohio medical board and practicing according to~~ in accordance with agency 4731 and agency 4730 of the Administrative Code respectively and Chapter 5160-4 of the Administrative Code, or a clinical nurse specialist or certified nurse practitioner, as described in Chapter 4723 of the Revised Code, ~~licensed by the Ohio board of nursing and practicing according to agency 4723 of the Administrative Code.~~ The practitioner described in this paragraph must be an employee or an independent contractor of an entity operating in accordance with meeting the requirements set forth in paragraph (A)(1) or (A)(2) of this rule.
- (4) Registered nurse or licensed practical nurse as defined in 4723.01 of the Revised Code ~~licensed by the Ohio board of nursing and practicing according to agency 4723 of the Administrative Code.~~ The nurse must be an employee or an independent contractor of an entity operating in accordance with meeting the requirements set forth in paragraph (A)(1) or (A)(2) of this rule. A registered nurse or licensed practical nurse must work under an order authorized by one of the practitioners listed in paragraph (A)(3) of this rule, except when a registered nurse performs a nursing regimen in accordance with section 4723.01 of the Revised Code or rule 5160-27-11 of the Administrative Code.
- (5) A ~~licensed practitioner type described in~~ meeting the requirements stated in rule 5160-8-05 of the Administrative Code ~~and who is~~ an employee or an independent contractor of an entity operating in accordance with meeting the requirements set forth in paragraph (A)(1) or (A)(2) of this rule.

- (6) An unlicensed practitioner operating in accordance with ~~meeting~~ the following requirements as applicable:
- (a) An unlicensed practitioner providing mental health services who holds a valid high school diploma or equivalent and has both work experience and training related to the service(s) being provided, and is an employee or an independent contractor of an entity operating in accordance with ~~meeting the requirements set forth in~~ paragraph (A)(1) or (A)(2) of this rule. These practitioners must operate under the general supervision of one of the practitioners listed in paragraphs ~~(DE)(1)~~ to ~~(DE)(16+0)~~ of this rule, in accordance with paragraph (D)(2)(b) of rule 5160-8-05 of the Administrative Code.
  - (b) An unlicensed practitioner providing substance use disorder services must operate under the general supervision, in accordance with paragraph (D)(2)(b) of rule 5160-8-05 of the Administrative Code, of one of the practitioners listed in paragraphs ~~(DE)(1)~~ to ~~(DE)(16+0)~~ of this rule, be an employee or an independent contractor of an entity operating in accordance with ~~meeting the requirements set forth in~~ paragraph (A)(1) or (A)(2) of this rule, and be one of the following provider types:
    - (i) A chemical dependency counselor assistant operating in accordance with agency 4758 of the Administrative Code, and ~~certified by the Ohio chemical dependency professionals board and practicing according to~~ rule 5160-8-05 of the Administrative Code.
    - (ii) A peer recovery supporter who is ~~meeting all of the following requirements:~~
      - (a) Certified as a peer recovery supporter by the Ohio department of mental health and addiction services; and;
      - (b) ~~Be eighteen~~ Eighteen years of age or older and has ~~have~~ a high school diploma or equivalent.
    - (iii) A care management specialist who meets ~~meeting~~ the following criteria ~~requirements:~~
      - (a) Be eighteen years of age or older and have a high school diploma or equivalent.
      - (b) Have an understanding of substance use disorder treatment and recovery including how to engage a person in treatment and recovery.

(c) Have an understanding of health care systems, social service systems, and the criminal justice system.

(7) A pharmacist operating in accordance with rule 5160-8-52 of the Administrative Code. The pharmacist will be an employee or an independent contractor of an entity described in paragraph (A)(1) or (A)(2) of this rule.

(B) All practitioners shall practice within their professional scope of practice.

(C) Supervisors shall ensure that individuals whom they supervise meet the appropriate education and training qualifications for the service(s) they render.

~~(D) Provider agencies shall have an active provider agreement with the Ohio department of medicaid.~~

~~(E)(D) Supervising practitioners: The following practitioners shall have an active provider agreement with the Ohio department of medicaid:~~

(1) Physician.

(2) Physician assistant.

(3) Certified nurse practitioner.

(4) Clinical nurse specialist.

(5) Psychologist.

(6) Board licensed school psychologist.

(7) Licensed independent social worker.

(8) Licensed professional clinical counselor.

(9) Licensed independent marriage and family therapist.

(10) Licensed independent chemical dependency counselor.

~~(11) Licensed practical nurse.~~

~~(12)~~(11) Registered nurse.

(12) Licensed marriage and family therapist.

(13) Licensed chemical dependency counselor II.

(14) Licensed chemical dependency counselor III.

(15) Licensed professional counselor.

(16) Licensed social worker.

~~(F) An eligible provider meeting the requirements set forth in paragraph (A)(1) or (A)(2) of this rule must ensure that all contact information for their business including all physical locations where services are rendered are listed correctly in the medicaid information technology system (MITS) and updated within thirty days of any change in operations.~~

Effective:

Five Year Review (FYR) Dates: 1/1/2023

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Certification

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Date

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