



## MEMORANDUM

**TO:** Howard Henry, Ohio Department of Mental Health and Addiction Services

**FROM:** Christopher Smyke, Regulatory Policy Advocate

**DATE:** June 28, 2018

**RE:** **CSI Review – Community Psychiatric Supportive Treatment Service (OAC 5122-29-17)**

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On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

### **Analysis**

This rule package consists of one no-change rule submitted by the Ohio Department of Mental Health and Addiction Services (MHAS) for its statutorily-required five-year rule review. The comment period opened on April 10, 2018 and closed April 30, 2018 with no comments submitted. The rules were filed with the CSI office on May 1, 2018.

The rule in this package outlines Community Psychiatric Supportive Treatment (CPST) service, which is “delivered by community based, mobile individuals or multidisciplinary teams of professionals”. The rule outlines the types of activities permitted under CPST service and the method of delivery, as well as requirements regarding case coordination and development plans. The rule is being presented for its statutorily-required five-year review with no changes proposed.

Prior to filing with CSI, MHAS sought input on the rule from stakeholders during the behavioral health redesign process in 2016 and 2017. Such interested parties included the Ohio Council of Behavioral Health & Family Services Providers, the Ohio Association of County Behavioral

Health Authorities, and many other individual certified service provider entities. The BIA notes that the decision to not change the rule was received positively by stakeholders. The BIA also states that MHAS, as a part of the behavioral health redesign, agreed to make no changes to these services in the first year of the redesign implementation. In addition, no comments were received during the CSI public comment period.

The BIA identifies the impacted business community as any certified provider of mental health services. The rule requires the provider to designate a staff member to conduct case coordination and for providers to maintain a staff development plan. However, the rule allows an element of flexibility, as well as delegation of services in order to minimize costs and allow providers to provide services in a manner appropriate to their setting. The BIA also notes that the additional cost for case coordination is built into the Medicaid reimbursement rates.

After reviewing the proposed rule and BIA, the CSI Office has determined that the rule satisfactorily meets the standards espoused by the CSI Office, and the purpose of the rule package is justified.

### **Recommendation**

For the reasons explained above, the CSI office does not have any recommendations for this rule package.

### **Conclusion**

Based on the above comments, the CSI Office concludes that the Ohio Department of Mental Health and Addiction Services should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.

cc: Emily Kaylor, Lt. Governor's Office