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By: 
Karyn L. Tibble, PsyD, LCSW, Director

POLICY TITLE Therapeutic Behavioral Services Implementation	Policy No: 401-3 Date of Original Approval: 6/1/2021 Date(s) of Revision(s):
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PURPOSE

This policy establishes the framework for implementing Therapeutic Behavioral Services (TBS) and ensures the program aligns with Specialty Mental Health Services (SMHS) for Alameda County Behavioral Health (ACBH).

AUTHORITY

- Department of Mental Health Therapeutic Behavioral Health Services Documentation Manual (Code 58) v. 2.0 (October 2009)
- Department of Mental Health (DMH) Information Notice 99-03

SCOPE

This policy applies to all ACBH county-operated and contracted programs providing mental health services to children and young adults.

POLICY

TBS is an adjunct service which must be used in conjunction with primary specialty mental health services. ACBH is responsible for authorizing TBS.

Eligibility criteria for TBS include:

- 1) Clients must be children or young adults under 21 (until the client's 21st birthday);
- 2) Clients must be considered for a higher level of care, including psychiatric hospitalization and out-of-home placement, or require support in transitioning to a lower level of care; and
- 3) Clients must also meet at least one of the following criteria:
 - Currently in a Short Term Residential Treatment Program (STRTP), and/or a locked treatment facility
 - Being considered for a STRTP, any other type of locked treatment facility, or both
 - Had one psychiatric hospitalization within the preceding 24 months related to current diagnosis
 - Previously received TBS while a member of the *Emily Q. v. Bonta* lawsuit certified class
 - At risk of psychiatric hospitalization

PROCEDURE**I. Authorization Process for TBS**

- a. Providers refer clients to TBS by sending the ACBH TBS eligibility referral form, including appropriate documentation outlined on form, to the TBS Coordinator (TBSCoordinator@acgov.org) using secure and encrypted email or via fax (1-888-818-1501).
- b. The TBS Coordinator will verify the client's Medi-Cal status and medical necessity for TBS as stated in the TBS Medi-Cal Documentation Manual (October 2009). If any clarification is required, the TBS Coordinator will contact the referring party to try to obtain additional information to resolve any concerns.
- c. If both criteria are met, the TBS Coordinator will authorize services and initiate a referral to a contracted TBS provider.
- d. If criteria are not met, ACBH will send client a Notice Of Adverse Benefit Determination (NOABD) in accordance with ACBH Policy #300-1-2 *Notices of Adverse Benefit Determination for Medi-Cal Beneficiaries*.

NON-COMPLIANCE

- I. Non-compliance is defined as ACBH or contracted CBO operated programs, entities, individuals not acting in accordance with the above policies and procedures.
- II. Providers may report non-compliance to InfoACBH.CYASOC@acgov.org as soon as possible.
- III. Beneficiaries may report non-compliance through the ACBH Consumer Grievance and Appeal process.
- IV. Staff shall not face retribution for filing a notice of non-compliance.
- V. Staff can notify their immediate supervisor about non-compliance, and the immediate supervisor can contact ACBH. Alternatively, staff can notify the appropriate ACBH staff directly.
- VI. Communication that contains protected health information or otherwise confidential information should be sent through secure methods such as email with secure encryption.
- VII. Any failure by Contract Providers to comply with this policy may result in formal actions, including and up to formal sanctions as outlined in ACBH policy 1302-1-1 "Contract Compliance and Sanctions for ACBH Contract Providers."

CONTACT

ACBH Office	Current as of	Email
Child & Young Adult System of Care – Therapeutic Behavioral Services Coordinator	04/30/2021	TBSCoordinator@acgov.org
Child & Young Adult System of Care – General Information	04/30/2021	InfoACBH.CYASOC@acgov.org

DISTRIBUTION

This policy will be distributed to the following:

- ACBH Staff
- ACBH County and Contract Providers
- Public

ISSUANCE AND REVISION HISTORY

Original Authors: Andrea Kiefer, LCSW, Program Specialist, Child & Young Adult System of Care

Original Date of Approval: 6/1/2021 by Karyn L. Tribble, PsyD, LCSW, Behavioral Health Director

Date of Revision: N/A

Revision Author	Reason for Revision	Date of Approval by (Name)
N/A		

DEFINITIONS

Term	Definition
Early Periodic Screening, Diagnosis and Treatment (EPSDT)	The Early and Periodic Screening, Diagnostic and Treatment (EPSDT) benefit provides comprehensive and preventive health care services for children under age 21 who are enrolled in Medicaid.
Emily Q. v. Bonta	Emily Q. v. Bonta (C.D. Cal. 2001) reaffirmed that EPSDT provisions confer enforceable rights upon Medicaid beneficiaries, and it maintains that courts have inherent authority to establish appropriate injunctive relief for violations of EPSDT provisions.
Emily Q Class	The Emily Q Class are, all current and future beneficiaries of the Medicaid (Medi-Cal) program below age 21 in California (after November 2004) who <ul style="list-style-type: none"> • Are placed in a Rate Classification Level (RCL) facility of 12 or above and/or a locked treatment facility for the treatment of mental health needs, or • Are being considered for placement in these facilities, or • Have undergone at least one emergency psychiatric hospitalization related to their current presenting disability within the preceding 24 months, or • Are at risk of admission to a hospital for acute psychiatric inpatient hospital services or to a psychiatric facility for acute care.
Notice of Adverse Benefit Determination (NOABD)	Written notification by Mental Health Plan to beneficiary of an adverse action, such as denial or limitation of service or payment for a service, and informs the beneficiary of their right to request an appeal.
Specialty Mental Health Services (SMHS)	Medi-Cal mental health services provided under county Mental Health Plans (MHPs) by mental health specialists, both licensed and unlicensed, such as psychiatrists, psychologists, licensed clinical social workers, licensed marriage and family therapists, licensed professional clinical counselors, and peer support providers.

Short Term Residential Treatment Program (STRTP)	Short Term Residential Treatment Program is a residential facility operated by a public agency or private organization that provides the following services: <ul style="list-style-type: none">- Integrated program of specialized and intensive care and supervision, services and supports, and treatment- Short term 24-hour care and supervision to children and non-minor dependents
Therapeutic Behavioral Services (TBS)	Therapeutic Behavioral Services are short term, intensive, individualized behavioral mental health services available to children and young adults with serious emotional challenges and their families, who are under 21 years old, have full scope MediCal and meet criteria SMHS. TBS supports children and young adults, and their parents or caregivers, by managing behaviors that put clients at risk of losing their placement or support them in transitioning to a lower level of care.