

DEPARTMENT OF MENTAL HEALTH**NOTICE OF FINAL RULEMAKING**

The Director of the Department of Mental Health (Department), pursuant to the authority set forth in sections 104 and 105 of the Department of Mental Health Establishment Amendment Act of 2001, effective December 18, 2001 (D.C. Law 14-56; D.C. Official Code §§ 7-1131.04 and 7-1131.05), hereby gives notice of his intent to adopt a new Chapter 52, to be entitled "Community-Based Intervention Level IV – Functional Family Therapy — Reimbursement", of Subtitle A, "Mental Health," of Title 22 of the District of Columbia Municipal Regulations.

The Department has changed the requirements for certification of specialty providers of community based intervention (CBI) services for children and youth by adding a CBI Level IV, Functional Family Therapy (FFT). The Department will pay a flat rate as established in these rules for the provision of FFT to District of Columbia children, youth and their families by certified providers in accordance with the terms of the Human Care Agreement the providers have with the Department.

These rules were first adopted and became effective as emergency rules on October 21, 2010, and were published as emergency and proposed rules in the *D.C. Register* on October 29, 2010 at 57 DCR 10226. No comments were received. These final rules will become effective upon publication of this notice in the *D.C. Register*.

Subtitle A, MENTAL HEALTH, of Title 22 of the District of Columbia Municipal Regulations is amended by adding a new chapter 52 to read as follows:

**CHAPTER 52 COMMUNITY-BASED INTERVENTION LEVEL IV –
FUNCTIONAL FAMILY THERAPY —REIMBURSEMENT**

5200 PURPOSE

5200.1 This chapter establishes the reimbursement rate for the Community-Based Intervention Level IV – Functional Family Therapy (FFT). Establishment of a reimbursement rate will allow the Department of Mental Health (Department) to reimburse certified mental health providers who are qualified to provide FFT to Department consumers at an established rate pursuant to a Human Care Agreement (HCA).

5200.2 Nothing in this chapter grants to an FFT provider the right to reimbursement for costs of providing FFT. Eligibility for reimbursement for FFT services is determined solely by the HCA between the Department and the FFT provider and is subject to the availability of appropriated funds.

5201 REIMBURSEMENT RATE

5201.1 The Community-Based Intervention Level IV – Functional Family Therapy rate is as set forth below:

SERVICE	CODE	RATE	UNIT
CBI Level IV - FFT	H2033HU	\$57.42	15 minutes

5202 ELIGIBILITY

5202.1 Only a qualified Mental Health Rehabilitation Services (MHRS) provider who has a Human Care Agreement (HCA) with the Department, and is certified by the Department to provide CBI Level IV – FFT services, that has incurred expenses eligible for reimbursement in accordance with the requirements of Chapter 34 of this Title may bill the Department under this chapter.

5203 SUBMISSION OF CLAIM; PAYMENT OF VOUCHER

5203.1 The FFT provider shall submit all FFT claims pursuant to this chapter and the terms of the HCA between the Department and the FFT provider.

5203.2 The FFT provider shall submit appropriate documentation to support all claims under its HCA with the Department.

5203.3 The Department will reimburse an FFT provider for a claim that is determined by the Department to be eligible for reimbursement pursuant to the terms of the HCA between the Department and the provider, subject to the availability of appropriated funds.

5204 AUDITS

5204.1 An FFT provider shall, upon the request of the Department, cooperate in any audit or investigation concerning the FFT program and FFT claims.

5299 DEFINITIONS

5299.1 When used in this chapter, the following terms shall have the meanings ascribed:

Functional Family Therapy (FFT) – an evidence-based proprietary therapeutic service for children, youth and their families to prevent children and youth who are already involved or youth at risk of juvenile justice system involvement from further penetrating the system. FFT is a trademarked therapeutic service that requires accreditation from FFT Inc.

Functional Family Therapy Provider – a Mental Health Rehabilitation Service (MHRS) provider that is certified by the Department to provide FFT.