

LEGAL NOTICE

NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES

Community-Based Mobile Crisis Intervention Services

3/14/24 public notice posted to:

<https://www.dhhs.nh.gov/programs-services/medicaid/medicaid-state-plan-public-notice>

Notice is hereby given that the New Hampshire (NH) Department of Health and Human Services (the Department) is proposing to amend the Title XIX State Plan and the Alternative Benefit Plan, to demonstrate and ensure that community-based mobile crisis intervention services provided to New Hampshire Medicaid beneficiaries support the provisions and meet the statutory requirements of qualifying for the community-based mobile crisis intervention services programs outlined in section 9813 of the American Rescue Plan Act of 2021 (ARPA) (Pub. L. 117-2). The proposed amendment is being submitted with an April 1, 2024, effective date.

Section 9813 of the ARPA amends Title XIX of the Social Security Act (the Act) to add a new section 1947. Section 1947(d) provides the opportunity for an increased Federal Medical Assistance Percentage (FMAP) of 85 percent for 12 fiscal quarters in which the state's community-based mobile crisis intervention services program complies with the statutory requirements in section 1947(d). This enhanced FMAP is estimated to result in an increase in federal expenditures in the amount of \$303,676 for federal fiscal year 2024 and \$607,351 in federal fiscal year 2025.

This service is also available to beneficiaries in the Medicaid Alternative Benefit Plan (ABP; is for Medicaid's Adult Group described in 42 CFR 435.119). The state will update the ABP to assure compliance with 42 CFR 440.345 to provide full access to Early and Periodic Screening, Diagnosis and Treatment (EPSDT) services for individuals in the expansion population who are under age 21 as required by law and regulation, and consistent with current state policy regarding the delivery of these services. Any EPSDT services not included in the Medicaid managed care plan benefit package will be provided through the State's fee-for-service Medicaid program. Other covered services will include medically necessary services as prior authorized, as well as other services required to be covered pursuant to state or federal law, regulation, or policy. The State will describe the process to access these benefits in notices sent to all individuals receiving the ABP benefit package.

The State also assures compliance with the provisions of Section 5006 (e) of the American Recovery and Reinvestment Act of 2009 regarding certain protections for American Indian/Alaskan Native (AI/AN) populations. This includes sending notice to individuals who are AI/AN and informing them that they are exempt from co-payments if they are eligible for or have ever received services from an Indian Health Care Provider. Notice shall also include information about the continuing ability to receive care from Indian Health Care providers in or out of state and/or the managed care provider network.

Copies of draft State Plan pages will be available by April 15, 2024. Please contact Jody Farwell at (603) 271-9421, or via e-mail at jody.l.farwell@dhhs.nh.gov, to request copies. The amendments to the State Plan pages may undergo further revisions before and after submittal to the Centers for Medicare and Medicaid Services (CMS) based upon public comment or CMS feedback. Comments will be due by April 29, 2024, and should be e-mailed to jody.l.farwell@dhhs.nh.gov or mailed to the Department of Health and Human Services, Division of Medicaid Services, 129 Pleasant Street–Brown Building, Concord, NH 03301-3857, ATTN: Jody Farwell.