

BEFORE THE DEPARTMENT OF PUBLIC HEALTH  
AND HUMAN SERVICES  
OF THE STATE OF MONTANA

In the matter of the amendment of ) CORRECTED NOTICE OF  
ARM 37.27.902, 37.85.104, ) AMENDMENT  
37.85.105, 37.85.106, and 37.88.101 )  
pertaining to Medicaid rates, services, )  
and benefit changes )

TO: All Concerned Persons

1. On May 24, 2019, the Department of Public Health and Human Services published MAR Notice No. 37-878 pertaining to the public hearing on the proposed amendment of the above-stated rules at page 618 of the 2019 Montana Administrative Register, Issue Number 10. On July 5, 2019, the department published the notice of amendment at page 964 of the 2019 Montana Administrative Register, Issue Number 13.

2. The department would like to clarify two responses made to two comments.

COMMENT #9: Multiple commenters opposed the Medicaid requirement for member information (such as name, social security number, etc.) to be required for Medicaid reimbursement. Opposition was based on difficulty of gathering information and the need for outreach, engagement, and crisis services as part of the peer model.

RESPONSE #9: The 2019 Legislature passed SB 30 and appropriated funds for peer support services. By doing so, the Legislature directed the department to make peer support services a Medicaid covered service. The Legislature appropriated funding from both the mental health services special revenue account and federal special revenue account for the purposes of paying for behavioral peer support specialists services. Previously, providers for peer support services were reimbursed solely from federal block grants, and the requirement for obtaining member information and demographics was not as stringent as Medicaid requirements. Due to the change in funding source, the department has made peer support services a Medicaid covered service, and providers seeking reimbursement from Montana Medicaid must follow federal Medicaid rules and regulations. Medicaid billing requires name, date of birth, address, phone number, and Medicaid number, much like other kinds of insurance.

COMMENT #10: Multiple commenters opposed the medical necessity criteria of a Severe and Disabling Mental Illness (SDMI) diagnosis or a Substance Use Disorder (SUD) diagnosis for peer support services.

RESPONSE #10: As stated in the response to Comment #9, the 2019 Legislature appropriated funds for peer support and in so doing directed the department to make peer support services a Medicaid covered service. Providers seeking reimbursement from Montana Medicaid must follow federal Medicaid rules and regulations. The department cannot remove the requirement of a diagnosis, as that is a federal Medicaid requirement. The department cannot expand its coverage to diagnoses that are not mental health and/or substance use disorder related without an appropriation to do so.

/s/ Brenda K. Elias  
Brenda K. Elias  
Rule Reviewer

/s/ Marie Matthews for  
Sheila Hogan, Director  
Public Health and Human Services

Certified to the Secretary of State July 16, 2019.