

Description and information about Administrative Regulations filed on February 14, 2024:
This Amended After Comments - Statement of Consideration was filed on February 14, 2024

1. 907 KAR 15:005 Definitions for 907 KAR Chapter 15.

A. This statement of consideration was filed on February 14, 2024.

B. Summary of Administrative Regulation: This administrative regulation establishes the definitions for administrative regulations located in 907 KAR Chapter 15. Chapter 15 contains Medicaid administrative regulations regarding behavioral health services. **A Statement of Consideration was filed in response to comments received.**

Amended After Comments version: The amended after comments version modifies the definition of BHA to include compliance with both supervision requirements of the collaborative educational agreement and compliance with billing supervision requirements for rendering Medicaid Services. The definition now includes that the BHA, except for a narcotic treatment program, must be in a graduate level program and be participating in an internship or practicum at an accredited educational institution. The regulation has been further amended to specify that the BHA cannot render a diagnosis for a client.

C. The administrative regulation may be accessed at the LRC website here:
<https://apps.legislature.ky.gov/law/kar/TITLE907.HTM>

D. Information about public hearing and public comment period for this administrative regulation:
A statement of consideration was filed in response to comments received. This administrative regulation will receive public hearings at the Administrative Regulations Review Subcommittee (ARRS) and the appropriate Legislative Research Commission committee of jurisdiction. The ARRS agenda can be accessed here: <https://apps.legislature.ky.gov/CommitteeDocuments/3/> .

1. 907 KAR 1:044. Coverage provisions and requirements regarding community mental health center behavioral health services.

A. This statement of consideration was filed on February 14, 2024.

B. Summary of Administrative Regulation: This administrative regulation establishes the Medicaid program coverage provisions and requirements regarding community mental health center (CMHC) behavioral health services provided to Medicaid recipients. **A Statement of Consideration was filed in response to comments received.**

Amended After Comments version: The amended after comments version modifies the definition of BHA to include compliance with both supervision requirements of the collaborative educational agreement and compliance with the billing supervision requirements for rendering Medicaid Services. The definition now includes that the BHA, with the exception of a narcotic treatment program, must be in a graduate level program and be participating in an internship or practicum at an accredited educational institution. The regulation has been further amended to

specify that BHA cannot render a diagnosis for a client.

C. The administrative regulation may be accessed at the LRC website here:

<https://apps.legislature.ky.gov/law/kar/TITLE907.HTM>

D. Information about public hearing and public comment period for this administrative regulation:

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