

WAC 182-538C-040 Behavioral health services. (1) This chapter governs crisis-related and other behavioral health services provided under the medicaid agency's behavioral health administrative services organization (BH-ASO) contract. See also chapter 182-538D WAC for rules applicable to nonmedicaid behavioral health services.

(2) The BH-ASO contracts with the agency to provide behavioral health services within an integrated managed care (IMC) regional service area.

(a) The BH-ASO provides the following services to all people, regardless of insurance status, income level, ability to pay, and county of residence:

- (i) Mental health crisis services;
- (ii) Operation of a behavioral health ombuds (ombudsman); and
- (iii) Implementation of the Involuntary Treatment Act for both mental health and substance use disorders.

(b) The BH-ASO may provide substance use disorder crisis services within available resources to all people, regardless of the person's insurance status, income level, ability to pay, and county of residence.

(c) The BH-ASO provides the following services to people who are not eligible for medicaid coverage and are involuntarily or voluntarily detained under chapter 71.05, 71.24, or 71.34 RCW, or a less restrictive alternative (LRA) court order:

- (i) Evaluation and treatment services;
 - (ii) Substance use disorder residential treatment services; and
 - (iii) Outpatient behavioral services, under an LRA court order.
- (d) To be eligible to contract with the agency, the BH-ASO must:
- (i) Accept the terms and conditions of the agency's contracts; and
 - (ii) Be able to meet the network and quality standards established by the agency.

(e) Services related to the administration of chapters 71.05, 71.24, and 71.34 RCW.

(3) The BH-ASO may provide contracted noncrisis behavioral health services to people in an IMC regional service area:

- (a) Within available resources;
- (b) Based on medical necessity; and
- (c) In order of priority to populations as identified by state and federal authorities.

(4) Within an IMC regional service area, the BH-ASO is a subcontractor with all IMC managed care organizations (MCOs) to provide crisis services for medicaid enrollees and the administration of involuntary treatment acts under chapter 71.05, 71.24, or 71.34 RCW.

(5) For medicaid-funded services subcontracted for by IMC managed care organizations (MCOs) to the BH-ASO:

- (a) Grievances and appeals must be filed with the IMC MCO; and
- (b) The grievance and appeal system and the agency's administrative hearing rules in chapter 182-538 WAC apply instead of the grievance and appeal system and hearing rules in this chapter.

[Statutory Authority: RCW 41.05.021, 41.05.160, 2019 c 325, 2014 c 225, and 2018 c 201. WSR 19-24-063, § 182-538C-040, filed 11/27/19, effective 1/1/20. Statutory Authority: RCW 41.05.021, 41.05.160. WSR 17-23-200, § 182-538C-040, filed 11/22/17, effective 12/23/17; WSR 16-05-051, § 182-538C-040, filed 2/11/16, effective 4/1/16.]