

California Code of Regulations
Title 9. Rehabilitative and Developmental Services
Division 1. Department of Mental Health
Chapter 11. Medi-Cal Specialty Mental Health Services
Subchapter 1. General Provisions

Article 2. Definitions, Abbreviations and Program Terms

Text of Modified Regulations

First modification: Changes are illustrated by double underline for proposed additions and by double strikeout for proposed deletions.

Second modification: Changes are illustrated by italicized double underline for proposed addition and by italicized double strikeout for proposed deletions.

1810.207.5. County of Origin.

“County of Origin” means, for the purposes of out-of-plan Services under Section 1830.220, the county where legal jurisdiction has been established and/or that has financial responsibility for the child or youth. “County of Origin” is synonymous with the terms “County of Adjudication” and “County of Responsibility.” ~~for mental health services is the county in which the parent of the child or youth resides. If the child or youth is a ward or dependent of the court, an adoptee receiving adoption assistance, or a conservatee, the county of origin is the county where this status currently exists. For the purposes of this program the county of origin shall not change for children or youth who are between the ages of 18 and 22.~~

NOTE: Authority: Sections 5777.6, 14680 and 14684, Welfare and Institutions Code, Section 7576, Government Code. Reference: Section 56331, Education Code, and Sections 14680 and 14684, Welfare and Institutions Code.

1810.220.5. Host County.

“Host County” means the county where the child or youth is living when the child or youth is not living in the county of origin.

NOTE: Authority: Sections 5777.6, 14680 and 14684, Welfare and Institutions Code, Section 7576, Government Code. Reference: Section 56331, Education Code, and Sections 14680 and 14684, Welfare and Institutions Code.

Subchapter 3. Specialty Mental Health Services Other Than Psychiatric Inpatient Hospital Services

Article 2. Provision of Services

Section 1830.220. Authorization of Out-of-Plan Services.

(a) NO CHANGE.

(b) The MHP shall be required to provide out-of-plan services, when the services are also available through the MHP of the beneficiary or a provider contracting with the MHP of the beneficiary, only under the following circumstances:

(1)- (3) NO CHANGE.

(4) When there are no providers contracting with the MHP reasonably available to the beneficiary based on the MHP's evaluation of the needs of the beneficiary, the geographic availability of providers, and community standards for the availability of providers in the county in which the beneficiary is placed and the beneficiary is placed out of county by:

(A) The Foster Care Program as described in Article 5 (commencing with Section 11400), Chapter 2, Part 3, Division 9 of the Welfare and Institutions Code, the Adoption Assistance Program as described in Chapter 2.1 (commencing with Section 16115), Part 4, Division 9 of the Welfare and Institutions Code, or other foster care arrangement.

(1) If the beneficiary is a child or youth of either the Foster Care Program, ~~or the~~ Adoption Assistance Program, or other type of foster care arrangement such as Kin-GAP, and is placed outside his/her county of origin, the MHP of the county of origin must make an authorization decision and notify the host county and the requesting provider, if applicable, of that decision within three-working days following the date of receipt of the request for service by the MHP of origin. If the MHP of the county of origin documents a need for additional information to evaluate the beneficiary's need for the service, an extension may be granted up to three-working days from the date the additional information is received, or 14 calendar days from the receipt of the original Treatment Authorization Request, whichever is less.

(2) Within 30 days of the date of authorization of service, the MHP of the county of origin shall arrange for reimbursement for the service provided to the child or youth through the host county *or the requesting provider.*

(3) If there is a disagreement between the MHP of the county of origin and the MHP of the host county, the MHP shall resolve their difference through the arbitration process provided in Section 1850.405.

(B) NO CHANGE

Note: Authority: Sections 14680 and 14684, Welfare and Institutions Code.
Reference: Sections 5777, 5777.6, 11400, 14684, and 16115, Welfare and Institutions Code, ~~and~~ Section 438.210, Title 42, Code of Federal Regulations.