

Memorandum

To: Association of Oregon Community Health Programs (AOCMHP), CCO Behavioral Health Directors, Community Mental Health Programs (CMHPs), Oregon Council for Behavioral Health (OCBH), Tribal Mental Health Programs

From: Ebony Clarke, Director of Behavioral Health Division
Emma Sandoe, Director of Medicaid Division

Date: January 16, 2025

Subject: Board Registered Behavioral Health Associates and Mental Health Interns

This memo is to inform you that OHA will begin the rule process in Spring of 2025 and will finalize rules by December 31, 2025. The purpose of the rule making process is to require behavioral health providers registered as mental health interns or pre-licensed providers, such as Board Registered Associates per the Mental Health Regulatory Agency, to no longer be able to enroll as Oregon Health Plan (OHP) as a billing provider or a rendering provider, unless working as part of an organization with a certification or license to practice behavioral health, such as a hospital, or a certificate of approval (COA) from OHA to provide behavioral health services. The rules will allow Existing Board Registered Associates and Mental Health Interns to continue to bill OHP directly under fee for service or render behavioral health services under the supervision of a board approved licensed supervisor until June 2026 at which point they must either become fully licensed or must work for a COA agency.

Previously, a Board Registered Associate or mental health intern could enroll as a rendering provider for OHP services, if they were employed or supervised by a behavioral health treatment services provider(s) licensed to render behavioral health care services in accordance with applicable statutes by their licensing board or under agreement with the sponsoring educational institution. Licensed supervisors are

responsible for ensuring appropriate, medically necessary care that meets Medicaid documentation standards.

If a provider wants to continue to utilize a Board Associate or mental health intern to render OHP behavioral health services after the new rules are in place, the provider will need to seek a COA from OHA. The COA ensures quality and safety standards associated with behavioral health services are met and reviewed regularly. The quality assurance is the reason for the change. OHA wants to ensure all behavioral health services meet the same standards across the state when public funds are being utilized.

OHA, with the Oregon Department of Education (ODE), will continue to develop policies to increase access to mental health professionals in Local Education Agencies (LEAs). LEAs are currently not COA eligible settings, however, both OHA and ODE are engaging with LEAs to explore the most appropriate pathway to ensure that LEAs are not adversely impacted by this policy change. The School Medicaid Advisory Committee is currently developing a recommendation for OHA.

If you have additional questions or feedback about this proposed rule, please email Feedback@odhsoha.oregon.gov. If you are a provider interested in obtaining a COA, please send request to LCApplications@oha.oregon.gov.