



*"People
helping people
help
themselves"*

Mitchell E. Daniels, Jr., Governor
State of Indiana

Office of General Counsel
MS27, 402 W. WASHINGTON STREET, ROOM W451
INDIANAPOLIS, IN 46204-2744

To: FSSA Advisory Committee

From: Mason W. Pike, Staff Attorney

Re: LSA Document #09-87 Psychological and Neuropsychological Testing
Rule Amendment to 405 IAC 5-20-8 & 405 IAC 5-3-13

Date: April 30, 2010

This attached rule amends 405 IAC 5-20-8 for purposes of adding practitioners who may be reimbursed for neuropsychological and psychological testing. It also amends 405 IAC 5-3-13 by requiring prior authorization for these services. This Medicaid rule amendment will allow for IHCP reimbursement of psychological and neuropsychological testing performed by mid-level mental health practitioners that are directly supervised by an HSPP or physician. It will also make a technical correction to bring the rule into conformity with current practices pursuant to 405 IAC 5-20-8.

This rule amendment is necessary for the agency to be in compliance with the Indiana Administrative Code, Code of Professional Conduct-Psychological Testing, 868 IAC 1.1-11-6 (c). It states, "[e]xcept as otherwise provided by law, psychological testing may be administered and interpreted only by a licensed psychologist who is endorsed as a health service provider in psychology or by a person under the direct supervision of a health service provider in psychology, provided that such supervision is in compliance with this article." An HSPP is defined as a doctorate level Indiana psychologist who meets training and experience criteria outlined in IC 25-33-1-5.1. Currently, Medicaid will only reimburse for neuropsychological and psychological testing when provided by a physician or an HSPP and subject to prior authorization. (405 IAC 5-20-8(5))

The primary benefit of this rule is that it will allow Medicaid members to have more access to testing which will help in the treatment planning of the member. The increase in the number of providers that are able to perform the testing would help insure proper diagnosis and access to the appropriate services. It would also decrease the time a member would have to wait to have the testing completed.

Since psychological and neuropsychological testing performed by a mid-level practitioner is not currently covered, it is anticipated that there will be an increase in the number of members receiving the services, but a decrease in the cost due to the difference in the allowed amount for



the mid-level practitioners doing the testing. Consequently, OMPP does not anticipate an increase in state expenditures as result of this rule amendment.

The proposed rule was presented to the Medicaid Advisory Committee on August 11, 2009. A public hearing was held on March 11, 2010. No one attended the hearing and the agency has only received two written comments during the promulgation process. The proposed rule was presented to the FSSA Advisory Committee on June 9, 2009. The rule is scheduled for final review by the FSSA committee on Monday, May 24, 2010.

No substantive changes to the proposed rule as published were made.

I recommend that you approve it.