



## Louisiana Department of Health and Hospitals Health Plan Advisory 15-23 July 29, 2015

### **Implementation of Act 390 of the 2015 Regular Legislative Session**

This advisory provides guidance relative to implementation of [Act 390](#) of the 2015 Regular Legislative Session relative to payment for inpatient/residential behavioral health services for persons admitted to treatment under an emergency certificate. Emergency certificates are inclusive of Physician's Emergency Certificates, Coroner's Emergency Certificates, and Judicial Certificates.

Effective for dates of service on or after Aug. 1, 2015, Bayou Health Managed Care Organizations (MCO) and Magellan are required to pay claims for behavioral health services provided to persons committed under an emergency certificate to an inpatient or residential facility regardless of medical necessity. This payment requirement shall be for a maximum period of 24 hours from the time of admission to the inpatient or residential facility, as long as the following conditions are met:

- The admitting physician and the evaluating psychiatrist or medical psychologist shall offer the subject of the emergency certificate the opportunity for voluntary admission; and
- Any person committed under an emergency certificate shall be evaluated by a psychiatrist or medical psychologist in the admitting facility within 24 hours of arrival at the admitting facility.

After the psychiatric evaluation has been completed, payment of claims shall be determined by medical necessity. If the subject of the emergency certificate does not receive a psychiatric evaluation within the required timeframe, Bayou Health MCOs and Magellan are only required to pay behavioral health claims within the first 24 hours of admission. Payment for any subsequent claim shall be determined by medical necessity.

Reimbursement under this Act is limited to behavioral health claims and usual and customary laboratory services necessary to monitor patient progress. Bayou Health MCOs and Magellan are not responsible for payment of non-behavioral health service claims which fail to meet medical necessity criteria.

Bayou Health MCOs and Magellan must ensure that necessary system changes and/or edits are completed so that claims for persons admitted under an emergency certificate with dates of service on or after Aug. 1, 2015, are not denied due to lack of prior authorization.

Please refer to the following links for statutory requirements for admission by emergency certificate or judicial commitment and voluntary admission:

- [Admission under emergency certificate](#)
- [Judicial commitment](#)
- [Informal voluntary admission](#)
- [Formal voluntary admission](#)

Forms for emergency certificates, judicial commitments, and voluntary admissions are promulgated through the Office of Behavioral Health as follows:

- OBH 1 – Physician’s emergency certificate
- OBH 1A – Psychologist’s emergency certificate
- OBH 2 – Coroner’s emergency certificate
- OBH 11 – Petition for judicial commitment (hospital/facility)
- OHB 143 – Physician’s certificate for minors
- OBH 7 - Formal voluntary admission

*Note: For information regarding which entity, Bayou Health MCOs or Magellan, is responsible for specific provider claims, please refer to [Informational Bulletin 15-7](#).*