

Informational Notice to External Providers Regarding Services to Treat Severe Mental Illness (SMI) of a Person of Any Age or Serious Emotional Disturbance (SED) of a Child Under Age 18

What is Changing?

Since July 1, 2000, pursuant to the California Mental Health Parity Act (California Health and Safety Code Section 1374.72), Health Plan has covered mental health treatment for Severe Mental Illnesses (SMI) of a person of any age and Serious Emotional Disturbance of a Child Under Age 18 (SED). In connection with a recent court case (*Rea v. Blue Shield of California*), the Department of Managed Healthcare (DMHC) has directed that health plans may only deny such services based on medical necessity, rather than a benefit denial.

This notification is part of KP's ongoing communication of the DMHC directive. Kaiser Foundation Health Plan must cover services determined to be medically necessary by a Plan provider to treat SMI or SED. These services cannot be denied on the basis that they are excluded services. This change applies to Commercial, Medi-Cal and Medicare members.

Serious Emotional Disturbance of a Child under California parity law is defined as a "mental disorder" in the most recent edition of the *Diagnostic and Statistical Manual of Mental Disorders*, other than a primary substance use disorder or developmental disorder, that results in behavior inappropriate to the child's age according to expected developmental norms, if the child also meets at least one of the following three criteria:

1. As a result of the mental disorder, (a) the child has substantial impairment in at least two of the following areas: self-care, school functioning, family relationships, or ability to function in the community; and (b) either (i) the child is at risk of removal from the home or has already been removed from the home, or (ii) the mental disorder and impairments have been present for more than six months or are likely to continue for more than one year without treatment.
2. Child displays psychotic features, or risk of suicide or violence due to a mental disorder
3. Child meets special education eligibility requirements under Section 5600.3(a)(2)(C) of the Welfare and Institutions Code.

Severe Mental Illness under California parity law includes the following disorders: schizophrenia; schizoaffective disorder; bipolar disorder; major depressive disorders; panic disorder; obsessive-compulsive disorder; pervasive developmental disorder or autism; anorexia nervosa; and bulimia nervosa.

What to Expect?

You do NOT need to take any action as a result of this notice. Please continue to follow normal protocol when treating a member with an authorized referral as medically indicated for a SMI or SED condition and ensure that services rendered are properly documented and coded.

The information summarized above is provided for your convenience and represents ongoing compliance with the DMHC directive that is already in effect.

Provider Resources

KP is responsible for payment of authorized services only. Bills for covered services rendered to our KP members will be paid in accordance with the applicable terms of your KP agreement, less the member cost share if you have been directed by KP to collect such member cost share, in accordance with your agreement. Providers may verify members' eligibility, benefits, and cost share structure as you do today, either through your Online Affiliate account or by contacting the KP Member Services Call Center at (888) 576-6789.

Sincerely,

Kaiser Permanente