



TEXAS DEPARTMENT OF STATE HEALTH SERVICES

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TO: Executive Director, Texas Council of Community MHMR Centers
Executive Directors, Local Mental Health Authorities
Executive Director, Disability Rights Texas
Members of the Local Area Network Advisory Committee (LANAC)
Members of the Mental Health Planning and Advisory Council (MHPAC)

FROM: Ross Robinson, Director
Community Mental Health and Substance Abuse, Program Services

SUBJECT: Adoption of New Chapter 412, Subchapter I, concerning Mental Health Case Management

Effective February 14, 2013, the Department of State Health Services has adopted a new Chapter 412, Subchapter I concerning Mental Health Case Management Services.

Notice of the proposed new Chapter 412, Subchapter I, was published in the August 3, 2012, issue of the *Texas Register* for public review and comment. Comments were received from Texas Council of Community Mental Health and Mental Retardation Centers of Austin. In January 2013, the Commissioner of the Health and Human Commission approved the adoption of the amendments to the subchapter with changes to the text as proposed. Notice of the adoption was published in the February 8, 2013, issue of the *Texas Register* and is available electronically at the following Internet address:
[http://info.sos.state.tx.us/pls/pub/readtac\\$ext.ViewTAC?tac_view=5&ti=25&pt=1&ch=412&sch=I&rl=Y](http://info.sos.state.tx.us/pls/pub/readtac$ext.ViewTAC?tac_view=5&ti=25&pt=1&ch=412&sch=I&rl=Y).

What's different?

The attached preamble and final rule text describe the amendments and repeals concerning the subchapter.

Reason for the New Subchapter

The new rules describe the requirements for providing mental health case management services funded by or through DSHS. The current rules were reviewed in accordance with Government Code, Section 2001.039, and new federal Medicaid requirements that required a revision to the Medicaid State Plan. The requirements in the subchapter promote the uniform provision of

services that are based on clinical evidence and recognized best practices. In addition, the rules promote effective mental health case management services by utilizing individual-specific information that identifies an individual's mental health care needs, matches those needs to a particular type of case management service, and evaluates the effectiveness of the service provided.

Revisions in the new rules primarily relate to requirements in the following areas:

- credentialing of case management staff;
- frequency of monitoring, assessment, and documentation;
- conflict of interest when a case manager is also a service provider;
- duplication of case management service during discharge planning; and
- justification for the restricted provider base.

Questions

Please direct questions concerning the subchapter by mail to Janet Fletcher, Program Services Unit, P.O. Box 149347, MC 2018, Austin, TX 78714-9347, by telephoning 512/206-5044, or by emailing MHSARules@dshs.state.tx.us.