



Pascua Yaqui TRBHA
CENTERED SPIRIT PROGRAM
Provider Manual - 2023



Section 3.10 SMI Eligibility Determination

- I. Statement of Purpose
- II. References
- III. Standards
- IV. Procedures
 - A. General requirements
 - B. Criteria for SMI eligibility determination
 - C. Process for completion of initial SMI eligibility determination
 - D. Issues preventing timely completion of SMI eligibility determination
 - E. Process for completion of final SMI eligibility determination
 - F. Notification of SMI eligibility determination
 - G. Review of SMI eligibility determination

I. STATEMENT OF PURPOSE:

A critical component of the service delivery system is the effective and efficient identification of persons who have special needs due to the serious nature of their behavioral health disorder. One such group is persons with Serious Mental Illness (SMI). Without receipt of appropriate care, these persons are at high risk for further deterioration of their physical and mental condition, increased hospitalizations and potential homelessness and incarceration.

To ensure that persons with SMI are promptly identified and enrolled for services, the Arizona Health Care Cost Containment System (AHCCCS) has developed a standardized process for the referral, evaluation, and determination for SMI eligibility. The requirements associated with making an SMI determination are set forth in this section.

II. REFERENCES:

The following Pascua Yaqui (PY) Centered Spirit Program (CSP) Provider Manual Sections can serve as additional resources for this content area:

- Section 3.9, Assessment and Service Planning*
- Section 4.1, Disclosure of Behavioral Health Information*
- Section 3.20, Credentialing and Re-Credentialing*
- Section 3.21, Service Prioritization for Non-Title XIX/XXI Funding*
- Section 7.5, Enrollment, Disenrollment, and Other Data Submission*
- Section 5.3, Grievance and Requests for Investigation for Persons Determined to have a Serious Mental Illness*
- Section 5.2, Member Complaints*
- Section 3.8, Outreach, Engagement, Re-Engagement and Ending an Episode of Care and Disenrollment*
- Section 5.1, Notice Requirements and Appeal Process for Title XIX and Title XXI Eligible Persons Section*
- Section 5.5, Notice and Appeal Requirements (SMI and General)*



The following citations also serve as resources for this content area:

42 CFR 435.911
A.R.S. Title 36, Chapter 5
9 A.A.C. 21

III. **STANDARDS:**

The objective of this section is to ensure the prompt and accurate identification of persons with serious mental illness.

- Persons who are referred for, request or have been determined to need an eligibility determination for serious mental illness; or
- Persons who have been determined to be seriously mentally ill and are enrolled in the AHCCCS behavioral health system.
- SMI is defined as a condition of persons who are eighteen years of age or older and who, with a mental disorder as defined in A.R.S. 36-501, exhibit emotional or behavioral functioning which is so impaired as to interfere substantially with their capacity to remain in the community without supportive treatment or services of a long-term or indefinite duration. In these persons mental disability is severe and persistent, resulting in a long-term limitation of their functional capacities for primary activities of daily living such as interpersonal relationships, homemaking, self-care, employment, and recreation.

IV. **PROCEDURES:**

A. General requirements:

The PY TRBHA is responsible for identifying and conducting an SMI determination for persons who may have a serious mental illness. All persons must be evaluated by, or have their records reviewed by, a qualified assessor, such as a licensed psychiatrist, psychologist, or nurse practitioner designated by the TRBHA to have an eligibility determination made when the person requests an SMI determination; or

The SMI eligibility determination record must include relevant current and/or historical treatment records and all documents reviewed in consideration of the determination and may be maintained in hardcopy or electronic format.

All Title XIX and Title XXI eligible persons must receive all necessary Title XIX or Title XXI covered services, including case management, throughout the SMI eligibility determination process.



B. Criteria for SMI eligibility determination:

The determination of SMI requires both a qualifying SMI diagnosis and functional impairment because of the qualifying diagnosis (see [PM Attachment 3.10.1](#) for a list of qualifying diagnoses).

Functional criteria for SMI determination

To meet the functional criteria for SMI, a person must have, because of a qualifying SMI diagnosis, dysfunction in at least one of the following four domains, as described below, for most of the past twelve months or for most of the past six months with an expected continued duration of at least six months:

- **Inability to live in an independent or family setting without supervision.** Neglect or disruption of ability to attend to basic needs. Needs assistance in caring for self. Unable to care for self in safe or sanitary manner. Housing, food and clothing must be provided or arranged for by others. Unable to attend to most basic needs of hygiene, grooming, nutrition, medical and dental care. Unwilling to seek prenatal care or necessary medical/dental care for serious medical or dental conditions. Refuses treatment for life threatening illnesses because of behavioral health disorder.
- **A risk of serious harm to self or others.** Seriously disruptive to family and/or community. Pervasively or imminently dangerous to self or others' bodily safety. Regularly engages in assaultive behavior. Has been arrested, incarcerated, hospitalized or at risk of confinement because of dangerous behavior. Persistently neglectful or abusive towards others in the person's care. Severe disruption of daily life due to frequent thoughts of death, suicide, or self-harm, often with behavioral intent and/or plan. Affective disruption causes significant damage to the person's education, livelihood, career, or personal relationships.
- **Dysfunction in role performance.** Frequently disruptive or in trouble at work or at school. Frequently terminated from work or suspended or expelled from school. Major disruption of role functioning. Requires structured or supervised work or school setting. Performance significantly below expectation for cognitive/developmental level. Unable to work, attend school, or meet other developmentally appropriate responsibilities; or
- **Risk of deterioration.** A qualifying diagnosis with probable chronic, relapsing and remitting course. Co-morbidities (like mental retardation, substance dependence, personality disorders, etc.). Persistent or chronic factors such as social isolation, poverty, extreme chronic stressors (life-threatening or debilitating medical illnesses, victimization, etc.). Other (past psychiatric history; gains in functioning have not solidified or are a



result of current compliance only; court-committed; care is complicated and requires multiple providers; etc.).

The following reasons shall not be sufficient in and of themselves for denial of SMI eligibility:

- An inability to obtain existing records or information; or
- Lack of a face-to-face psychiatric or psychological evaluation.

Person with co-occurring substance abuse

For persons with co-occurring substance abuse without an established psychiatric diagnosis, the diagnostic assessment must be completed.

For persons who have a qualifying SMI diagnosis and co-occurring substance abuse, for purposes of SMI determination, presumption of functional impairment is as follows:

- For psychotic diagnoses (bipolar I disorder with psychotic features, delusional disorder, major depression, recurrent, severe, with psychotic features, schizophrenia, schizoaffective disorder and psychotic disorder NOS) functional impairment is presumed to be due to the qualifying psychiatric diagnosis;
- For other major mental disorders (bipolar disorders, major depression and obsessive-compulsive disorder), functional impairment is presumed to be due to the psychiatric diagnosis, unless:
 1. The severity, frequency, duration, or characteristics of symptoms contributing to the functional impairment cannot be attributed to the qualifying mental health diagnosis, or;
 2. The assessor can demonstrate, based on a historical or prospective period of treatment, that the functional impairment is present only when the person is abusing substances or experiencing symptoms of withdrawal from substances.
- For all other mental disorders not covered above, functional impairment is presumed to be due to the co-occurring substance use unless:
 1. The symptoms contributing to the functional impairment cannot be attributed to the substance abuse disorder (see PM Attachment 3.10.2, Substance Use/Psychiatric Symptomatology Table); or
 2. The functional impairment is present during a period of cessation of the co-occurring substance use of at least 30 days; or



3. The functional impairment is present during a period of at least 90 days reduced use unlikely to cause the symptoms or level of dysfunction of.

Re-enrollment or transfer

If the person's status is SMI at disenrollment, at the end of an episode of care, or upon transfer from another TRBHA, the person's status shall continue as SMI upon re-enrollment, opening of a new episode of care, or transfer.

C. Process for completion of initial SMI eligibility determination:

Upon receipt of a referral for, a request, or identification of the need for an SMI determination, the PY TRBHA shall schedule an appointment for an initial meeting with the person and a qualified assessor (see *Section 3.20, Credentialing and Re-Credentialing*). This shall occur no later than seven (7) days after receiving the request or referral.

During the initial meeting with the person by a qualified assessor, the assessor must:

- Make a clinical assessment whether the person is competent enough to participate in an assessment;
- Obtain general consent from the person or, if applicable, the person's guardian to conduct an assessment;
- Provide to the person and, if applicable, the person's guardian, the information required in R9-21-301(D)(2), a client rights brochure, and the appeal notice required by R9-21-401(B); and
- If, during the initial meeting with the person, the assessor is unable to obtain sufficient information to determine whether the applicant is SMI, the assessor must:
 1. Request the additional information to make a determination of whether the person is SMI and obtain an authorization for the release of information, if applicable (see *Section 4.1, Disclosure of Behavioral Health Information*); and
 2. Initiate an assessment including completion of the Serious Mentally Ill Determination Addendum (see PM Form 3.9.1) that is part of the standardized AHCCCS assessment tool.



D. Process for completion of final SMI eligibility determination:

The licensed psychiatrist, psychologist, or nurse practitioner designated by the TRBHA must make a final determination as to whether the person meets the eligibility requirements for SMI status based on:

- A face-to-face assessment or reviewing a face-to-face assessment by a qualified assessor (see *Section 3.20, Credentialing and Re-Credentialing*); and
- A review of current and historical information, if any, obtained orally or in writing by the assessor from collateral sources, and/or present or previous treating clinicians.

The following must occur if the designated reviewing psychiatrist, psychologist, or nurse practitioner has not conducted a face-to-face assessment and has a disagreement with the current evaluating or treating qualified behavioral health professional or behavioral health technician (that cannot be resolved by oral or written communication):

Disagreement regarding diagnosis: Determination that the person does not meet eligibility requirements for SMI status must be based on a face-to-face diagnostic evaluation conducted by a designated psychiatrist, psychologist, or nurse practitioner. The resolution of (specific reasons for) the disagreement shall be documented in the person's comprehensive clinical record.

Disagreement regarding functional impairment: Determination that the person does not meet eligibility requirements must be based upon a face-to-face functional evaluation conducted by a designated psychiatrist, psychologist, or nurse practitioner. The psychiatrist, psychologist, or nurse practitioner shall document the specific reason(s) for the disagreement in the person's comprehensive clinical record.

If there is sufficient information to determine SMI eligibility, the person shall be provided written notice of the SMI eligibility determination within three (3) business days of the initial meeting with the qualified assessor in accordance with Subsection E. below.

E. Issues preventing timely completion of SMI eligibility determination:

The time to initiate or complete the SMI eligibility determination may be extended no more than 20 days if the person agrees to the extension and:

- There is substantial difficulty in scheduling a meeting at which all necessary participants can attend;



- The person fails to keep an appointment for assessment, evaluation or any other necessary meeting (see *Section 3.8, Outreach, Engagement, Re-Engagement and Ending an Episode of Care and Disenrollment*);
- The person is capable of, but temporarily refuses to cooperate in the preparation of the completion of an assessment or evaluation;
- The person or the person's guardian and/or designated representative requests an extension of time;
- Additional documentation has been requested, but has not yet been received; or
- There is insufficient functional or diagnostic information¹ to determine SMI eligibility within the required time periods.

The TRBHA or their designee must:

- Document the reasons for the delay in the person's comprehensive clinical record when there is an administrative or other emergency that will delay the determination of SMI status; and
- Not use the delay as a waiting period before determining SMI status or as a reason for determining that the person does not meet the criteria for SMI eligibility (because the determination was not made within the time standards).

In situations in which the extension is due to insufficient information:

- The TRBHA or responsible provider shall request and obtain the additional documentation needed (e.g., current and/or past medical records) and/or perform or obtain any necessary psychiatric or psychological evaluations;
- The designated reviewing psychiatrist, psychologist, or nurse practitioner must communicate with the person's current treating practitioner, if any, prior to the determination of SMI, if there is insufficient information to determine the person's level of functioning; and

¹ Insufficient diagnostic information shall be understood to mean that the information available to the reviewer is suggestive of two or more equally likely working diagnoses, only one of which qualifies as SMI, and an additional piece of existing historical information or a face-to-face psychiatric evaluation is likely to support one diagnosis more than the other(s).



- SMI eligibility must be determined within three days of obtaining sufficient information, but no later than the end date of the extension.

If the person refuses to grant an extension, SMI eligibility must be determined based on the available information. If SMI eligibility is denied, the person will be notified of his/her appeal rights and the option to reapply (see *Subsection E.* below).

If the evaluation or information cannot be obtained within the required time period because of the need for a period of observation or abstinence from substance use in order to establish a qualifying mental health diagnosis, (in accordance with PM Attachment 3.10.2, Substance Use/Psychiatric Symptomatology Table), the person shall be notified that the determination may, with the agreement of the person, be extended for up to 90 (calendar) days.²

F. Notification of SMI eligibility determination:

If the eligibility determination results in approval of SMI status, the SMI status must be reported to the person in writing, including notice of his/her right to appeal the decision (see *Section 5.5, Notice and Appeal Requirements (SMI and Non-SMI/Non-Title XIX/XXI)*).

If the eligibility determination results in approval of SMI status, the SMI status must be reported to the Arizona Health Care Cost Containment System's (AHCCCS) Technical Coordination Unit (TCU) at tcuinquiry@azahcccs.gov immediately.

If the eligibility determination results in a denial of SMI status, the TRBHA shall notify the person in writing of:

- The reason for denial of SMI eligibility (see PM Form 3.10.1, SMI Determination);
- The right to appeal (see *Section 5.1, Notice Requirements and Appeal Process for Title XIX and Title XXI Eligible Persons*, and *Section 5.5, Notice and Appeal Requirements (SMI and General)*); and
- The statement that Title XIX/XXI eligible persons will continue to receive needed Title XIX/XXI covered services. In such cases, the person's

² This extension may be considered a technical re-application to ensure compliance with the intent of Rule. However, the person does not need to actually reapply. Alternatively, the determination process may be suspended and a new application initiated upon receipt of necessary information.



behavioral health category assignment must be assigned based on criteria in *Section 7.5, Enrollment, Disenrollment and Other Data Submission*.

G. Review of SMI eligibility determination:

A review of SMI eligibility made by the TRBHA for individuals currently enrolled as a person with a SMI may be initiated by a TRBHA or behavioral health provider:

- As part of an instituted, periodic review of all persons determined to have a SMI;
- When there has been a clinical assessment that supports that the person no longer meets the functional and/or diagnostic criteria; or
- As requested by an individual currently enrolled as a person with a SMI, or their legally authorized representative.

A review of the determination may not be requested by the TRBHA or behavioral health provider within six months from the date an individual has been determined SMI eligible.

If, because of such review, the person is determined to no longer meet the diagnosis and functional requirements for SMI status, the TRBHA must ensure that:

- Services are continued depending on Title XIX/XXI eligibility, TRBHA service priorities and any other requirements as described in *Section 3.13, Covered Behavioral Health Services, Section 3.17, Transition of Persons, and Section 3.19, Special Populations*.
- Written notice of the determination made on review with the right to appeal is provided to the affected person (consistent with *Subsection E* above) with an effective date of 30 days after the date the written notice is issued