

## Assertive Community Treatment (ACT)

(Adult ACT services)

Policy Number: SC14P0021A3

Effective Date: May 1, 2018

Last Update: March 16, 2023

### PAYMENT POLICY HISTORY

DATE	SUMMARY OF CHANGE
March 16, 2023	Annual policy review is completed. Updates made to enrollee & provider eligibility sections. Policy definitions were also updated.
September 19, 2022	Information regarding code-specific procedure CPT® or HCPCS was removed.
November 23, 2021	Annual policy review completed. Grammatical changes were made to the document. These changes did not impact the technical requirements within the document
September 24, 2020	Annual policy review. No technical changes were made to the policy. Information was moved to the new UCare template, and as a result some information was reformatted.
July 23, 2020	Annual policy review completed. Added H0040 HA as an eligible ACT service. Previously only the modifier was listed to indicate it could be added to H0040. The policy was moved to the new UCare format, and as a result some information was reformatted.
February 25, 2020	Annual policy review. No changes were made to the policy.
June 24, 2019	Provider eligibility requirements for Level I and Level II Certified Peer Specialists were updated based on DHS requirements.
January 1, 2019	Annual policy review. Other than updating the UCare logo no changes were made to this policy.
May 1, 2018	The ACT policy is published by UCare.

**APPLICABLE PRODUCTS**

This policy applies to the products listed below:

UCARE PRODUCT	APPLIES TO
UCare MinnesotaCare	✓
UCare Minnesota Senior Care Plus (MSC+)	✓
UCare Prepaid Medical Assistance (PMAP)	✓
UCare Connect	✓
UCare Connect +Medicare (When MHCP is the primary payer)	✓
UCare Minnesota Senior Health Options (MSHO) (When MHCP is the primary payer)	✓

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**PAYMENT POLICY INSTRUCTIONS**

A payment policy assists in determining provider reimbursement for specific covered services. To receive payment, the provider must be in a contractual relationship with UCare and provide services to a member enrolled in one of UCare’s products. This payment policy is intended to provide a foundation for system configuration, work instructions, call scripts, and provider communications. A payment policy describes the rules for payment, which include applicable fee schedules, additional payment rules by regulatory bodies, and contractual terms. This policy is a general guideline and may be superseded by specific provider contract language.

**PAYMENT POLICY OVERVIEW**

Assertive community treatment (ACT) provides a single, fixed point of responsibility for treatment, rehabilitation, and support needs for clients. Services are offered 24 hours per day, seven days per week, in a community-based setting. This policy provides information regarding the billing and payment of ACT services.

**POLICY DEFINITIONS**

TERM	NARRATIVE DESCRIPTION
Assertive Community Treatment (ACT)	<p>Means is an intensive, comprehensive, non-residential rehabilitative mental health service team model. Services are consistent with Adult Rehabilitative Mental Health Services (ARMHS), except ACT services are:</p> <ul style="list-style-type: none"> <li>• Provided by multidisciplinary, qualified staff who have the capacity to provide most mental health services necessary to meet the patient’s needs, using a total team approach</li> <li>• Directed to patients with a serious mental illness who require intensive services</li> <li>• Offered on a time-unlimited basis and are available to patients 24 hours per day, 7 days per week, and 365 days per year.</li> </ul>
Benefits and Finance Support	<p>Means assisting patients in capably managing financial affairs. Services include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Assisting client’s in applying for benefits;</li> <li>• Assisting with redetermination of benefits; and</li> <li>• Providing financial crisis management.</li> <li>• Teaching and supporting budgeting skills and asset development; and coordinating with a patient’s representative payee, if applicable.</li> </ul>

TERM	NARRATIVE DESCRIPTION
<p>Certified Peer Specialist</p>	<p>Means a trained individual who uses a non-clinical approach that helps patients discover their strengths and develop their own unique recovery goals. The CPS models wellness, personal responsibility, self-advocacy, and hopefulness through appropriate sharing of his or her story based on lived experience. UCare recognizes two levels of certified peer specialists: Level I and Level II.</p> <p><b>Qualifications</b></p> <p><b>Certified Peer Specialist Level I</b></p> <p>Level I peer specialists must meet the following criteria:</p> <ul style="list-style-type: none"> <li>• Be at least 21 years old</li> <li>• Have or have had a primary diagnosis of mental illness</li> <li>• Is a current or former recipient of mental health services</li> <li>• Be willing to share their experience of recovery</li> <li>• Successfully completes the DHS approved Certified Peer Specialist training and certification exam</li> <li>• Be certified by the Department of Human Services.</li> </ul> <p><b>Certified Peer Specialist Level II</b></p> <p>Level II peer specialists must meet all requirement of a Level I CPS and one or more of the following criteria:</p> <ul style="list-style-type: none"> <li>• Is qualified at the Mental Health Practitioner level as defined by Minnesota Statute 245.462, subdivision 17</li> <li>• Has at least 6,000 hours of supervised experience in the delivery of peer services to persons with mental illness</li> <li>• Has at least 4000 hours of supervised experience in the delivery of services to persons with mental illness and an additional 2000 hours of supervised experience in the delivery of peer services to persons with mental illness.</li> </ul>
<p>Co-Occurring Disorder Treatment</p>	<p>Means the treatment of co-occurring mental illness and substance use disorders and is characterized by assertive outreach, stage-wise comprehensive treatment, treatment goal setting, and flexibility to work within each stage of treatment. Services include, but are not limited to, assessing, and tracking patients’ stages of change readiness and treatment; applying the appropriate treatment based on stages of change, such as outreach and motivational interviewing techniques to work with patients in earlier stages of change readiness and cognitive behavioral approaches and</p>

TERM	NARRATIVE DESCRIPTION
	relapse prevention to work with patients in later stages of change; and facilitating access to community supports.
Diagnostic Assessment	Means functional face-to-face evaluation resulting in a complete written assessment that includes clinical considerations and severity of the client's general physical, developmental, family, social, psychiatric, and psychological history, and current condition. The Diagnostic Assessment will also note strengths, vulnerabilities, and needed mental health services.
Employment Services	Means assisting clients to work at jobs of their choosing. Services must follow the principles of the individual placement and support (IPS) employment model, including focusing on competitive employment; emphasizing individual client preferences and strengths; ensuring employment services are integrated with mental health services; conducting rapid job searches and systematic job development according to client preferences and choices; providing benefits counseling; and offering all services in an individualized and time-unlimited manner. Services shall also include educating clients about opportunities and benefits of work and school and assisting the client in learning job skills, navigating the workplace, and managing working relationships.
Family Psychoeducation and Support	Means services provided to the patient family and other natural supports to restore and strengthen the patient's unique social and family relationships. Services include, but are not limited to, individualized psychoeducation about the patient's illness and the role of the family and other significant people in the therapeutic process; family intervention to restore contact, resolve conflict, and maintain relationships with family and other significant people in the client's life; ongoing communication and collaboration between the ACT team and family; introduction and referral to family self-help programs and advocacy organizations that promote recovery and family engagement, individual supportive counseling, parenting training, and service coordination to help patients fulfill parenting responsibilities; coordinating services for the child and restoring relationships with children who are in the patient's custody; and coordinating with child and welfare and family agencies, if applicable. These services must be provided with the patient's agreement and consent.
Housing Access Support	Means assisting patients to find, obtain, and move to safe and adequate housing of their choice. Housing access support includes, but is not limited to, locating housing options with a focus on integrated independent settings; applying for housing subsidies, programs, or resources; assisting the patient in developing relationships with local landlords; providing tenancy support and advocacy for the individual's tenancy rights at the patient's home; and assisting with relocation.
Individual Treatment Plan	Means the person-centered process that focuses on developing a written plan that defines the course of treatment for the patient. The plan is focused on collaboratively determining real-life outcomes with a patient and

TERM	NARRATIVE DESCRIPTION
	<p>developing a strategy to achieve those outcomes. The plan establishes goals, measurable objectives, target dates for achieving specific goals, identifies key participants in the process, and the responsible party for each treatment component. In addition, the plan outlines the recommended services based on the patient’s diagnostic assessment and other patient specific data needed to aid the patient in their recovery and enhance resiliency. An individual treatment plan should be completed before mental health service delivery begins.</p>
<p>Mental Health Practitioner</p>	<p>Means a provider who are not eligible for enrollment, must be under clinical supervision of a mental health professional and must be qualified in <i>at least one</i> of the following five ways:</p> <ol style="list-style-type: none"> <li>1. Practitioner is qualified through relevant coursework by completing at least 30 semester hours or 45 quarter hours in Behavioral Sciences or related fields and:             <ol style="list-style-type: none"> <li>a. Has at least 2,000 hours of supervised experience in the delivery of services to adults or children with:                 <ol style="list-style-type: none"> <li>i. Mental illness, substance use disorder,</li> <li>ii. Traumatic brain injury or developmental disabilities and completes 30 hours of additional training on mental illness, recovery and resiliency, mental health de-escalation techniques, co-occurring mental illness and substance abuse, and psychotropic medications and side effects; or</li> <li>iii. Is fluent in the non-English language of the ethnic group to which at least 50 percent of the practitioner's clients belong, and completes 30 hours of additional training on mental illness, recovery and resiliency, mental health de-escalation techniques, co-occurring mental illness and substance abuse, and psychotropic medications and side effects; or</li> <li>iv. Has completed a practicum or internship that required direct interaction with adults or children served, and was focused on behavioral sciences or related fields; or</li> <li>v. Is working in a MHCP-enrolled adult or children’s day treatment program.</li> </ol> </li> </ol> </li> <li>2. Practitioner is qualified through work experience if the practitioner has either:             <ol style="list-style-type: none"> <li>a. At least 4,000 hours of experience in the delivery of services to adults or children with:                 <ol style="list-style-type: none"> <li>i. Mental illness, substance use disorder, or</li> </ol> </li> </ol> </li> </ol>

TERM	NARRATIVE DESCRIPTION
	<ul style="list-style-type: none"> <li>ii. Traumatic brain injury or developmental disabilities and completes 30 hours of additional training on mental illness, recovery and resiliency, mental health de-escalation techniques, co-occurring mental illness and substance abuse, and psychotropic medications and side effects;</li> <li>b. At least 2,000 hours of work experience and receives treatment supervision at least once per week until meeting the requirement of 4,000 hours in the delivery of services to adults or children with:               <ul style="list-style-type: none"> <li>i. Mental illness, or substance use disorder; or</li> <li>ii. Traumatic brain injury or developmental disabilities and completes 30 hours of additional training on mental illness, recovery and resiliency, mental health de-escalation techniques, co-occurring mental illness and substance abuse, and psychotropic medications and side effects;</li> </ul> </li> <li>3. Practitioner is qualified if they hold a master’s or other graduate degree in behavioral sciences or related fields.</li> <li>4. Practitioner is qualified as a vendor of medical care if the practitioner meets the definition of vendor of medical care in <a href="#">Minnesota Statutes, 256B.02</a>, subdivision 7, paragraphs (b) and (c), and is serving a federally recognized tribe.</li> </ul> <p>In addition to the above criteria:</p> <ul style="list-style-type: none"> <li>• A mental health practitioner for a child member must have training working with children.</li> <li>• A mental health practitioner for an adult member must have training working with adults.</li> </ul>
Mental Health Professional	<p>Means one of the following:</p> <ul style="list-style-type: none"> <li>• Clinical nurse specialist (CNS)</li> <li>• Licensed independent clinical social worker (LICSW)</li> <li>• Licensed marriage and family therapist (LMFT)</li> <li>• Licensed professional clinical counselor (LPCC)</li> <li>• Licensed psychologist (LP)</li> <li>• Mental health rehabilitative professional</li> <li>• Psychiatric nurse practitioner (NP)</li> <li>• Psychiatry or an osteopathic physician</li> <li>• Tribal-Certified Professional</li> </ul>

TERM	NARRATIVE DESCRIPTION
Physical Health Services	Means any service or treatment to meet the physical and physical health needs of the patient to support the patient’s mental health recovery. Services, include, but are not limited to, education on primary health issues, including wellness education; medication administration and monitoring; providing and coordinating medical screen and follow-up; scheduling routine and acute medical and dental are visits; tobacco cessation strategies; assisting clients in attend appointments; communicating with other providers; and integrating all physical mental health treatment.
Rehabilitation Mental Health Services	Means mental health services that are rehabilitative, and end enable the patient to develop and enhance p psychiatric stability, social competencies, personal and emotional adjustment, independent living, parenting skills, and community skills, when these abilities are impaired by the symptoms of mental illness.
Therapeutic Interventions	Means empirically supported techniques to address specific symptoms and behaviors such as anxiety, psychotic symptoms, emotional dysregulations, and trauma symptoms. Interventions include empirically supported psychotherapies including, but not limited to, cognitive behavioral therapy, exposure therapy, acceptance and commitment therapy, interpersonal therapy, and motivational interviewing.
Wellness and Self-Management and Prevention	Means a combination of approaches to working with the client to build and apply skills related to recovery, and to support the patient in participating leisure and recreational activities, civic participation, and meaningful structure.

**ENROLLEE ELIGIBILITY CRITERIA**

**THIS SECTION OF THE POLICY PROVIDES INFORMATION THAT IS SPECIFIC TO THE UCARE MEMBER, INCLUDING INFORMATION ABOUT THE CRITERIA THE MEMBER MUST MEET IN ORDER FOR THE SERVICE(S) IN THE POLICY TO BE ELIGIBLE FOR PAYMENT**

Minnesota Health Care Programs (MHCP) members eligible to receive ACT services must meet the criteria as assessed by an ACT team:

- 18 years old or older
- Have a primary diagnosis of schizophrenia, schizoaffective disorder, major depressive disorder with psychotic features or other psychotic disorders or bipolar disorder
- Have a significant functional impairment demonstrated by at least one of the following:
  - Consistently performing the range of routine tasks required for basic adult functioning in the community or persistent difficulty performing daily living tasks without significant support or assistance

- Maintaining employment at a self-sustaining level or significant difficulty carrying out the head-of-household responsibilities
  - Maintaining a safe living situation
- Have a need for continuous high-intensity services as evidence by at least two of the following:
  - Two or more psychiatric hospitalizations or residential crisis stabilization services in the previous 12 months
  - Frequent utilization of mental health crisis services in the previous six months
  - 30 or more consecutive days of psychiatric hospitalization in the previous 24 months
  - Intractable, persistent, or prolonged severe psychiatric symptoms
  - Coexisting mental health and substance use disorders lasting at least six months
  - Recent history of involvement with the criminal justice system or demonstrated risk of future involvement
  - Significant difficulty meeting basic survival needs
  - Residing in standard housing, experiencing homelessness, or facing imminent risk of homelessness
  - Significant impairment with social and interpersonal functioning
  - Coexisting mental health and physical health disorders lasting at least six months
  - Residing in an inpatient or supervised community residence but clinically assessed to be able to live in a more independent living situation if intensive services are provided
  - Requiring a residential placement if more intensive services are not available
  - Difficulty effectively using office-based outpatient services
- No indication that other available community-based services would be equally or more effective as evidenced by consistent and extensive efforts to treat the member
- Have the written opinion of a licensed mental health professional that the member has the need for mental health services that cannot be met with other available community-based services or is likely to experience a mental health crisis or require more restrictive setting if assertive community treatment is not provided.

Individuals who are 16 or 17 years old and transitioning to adult mental health services may be considered for ACT if the service is determined to best meet the member's needs and the ACT provider receives approval by the commissioner.

**ELIGIBLE PROVIDERS OR FACILITIES****OUTLINED BELOW IS THE SPECIFIC CRITERIA A PROVIDER MUST MEET IN ORDER FOR THE SERVICE(S) IN THIS POLICY TO BE ELIGIBLE FOR PAYMENT. THE SERVICE(S) IN THE POLICY TO BE ELIGIBLE FOR PAYMENT****Provider**

An eligible ACT program must:

- Have a contract with a host county
- Be certified by DHS
- Be an enrolled Minnesota Health Care Provider (MHCP)

An ACT team must include the following:

- A Team Leader who is a licensed Mental Health Professional
- Psychiatric care provider
- Registered or Advanced Practice Nurse
- Co-occurring Disorder Specialist
- Vocational specialist
- Mental Health Certified Peer Specialist
- Program administrative assistant

ACT teams must offer and have the capacity to provide the following services:

- Assertive engagement
- Benefits and finance support
- Co-occurring disorder treatment
- Crisis assessment and intervention
- Employment services
- Family psychoeducation and support
- Housing access support
- Medication assistance and support
- Medication education
- Mental health certified peer specialist services
- Physical health services
- Rehabilitative mental health services
- Symptom management
- Therapeutic interventions

- Wellness self-management and prevention
- Other services based on client needs as identified in a client’s needs as identified in the patient’s individual treatment plan.

ACT teams must ensure the provision of all services necessary to meet a member's needs as identified in the member’s individual treatment plan.

ACT teams must ensure services meet the applicable standards of Minnesota Statutes 245I, Mental Health Uniform Service Standards Act.

**Facility**

Not applicable.

**Other and/or Additional Information**

Not applicable.

**EXCLUDED PROVIDER TYPES**  
**OUTLINED BELOW IS INFORMATION REGARDING PROVIDERS WHO ARE NOT ELIGIBLE TO FURNISH THE SERVICE(S) LISTED IN THIS POLICY.**

Not applicable.

**MODIFIERS, CPT, HCPCS, AND REVENUE CODES**

**General Information**

The Current Procedural Terminology (CPT®) HCPCS, and Revenue codes listed in this policy are for reference purposes only. Including information in this policy does not imply that the service described by a code is a covered or non-covered health service. The inclusion of a code does not imply any right to reimbursement or guarantee of claim payment.

**Modifiers**

The modifiers listed below are not intended to be a comprehensive list of all modifiers. Instead, the modifiers that are listed are those that must be appended to the CPT® / HCPCS codes listed below. Based on the service(s) provided, and the circumstances surrounding those services it may, based on correct coding, be appropriate to append an additional modifier(s) to the CPT® / HCPCS code.

When a service requires multiple modifiers, the modifiers must be submitted in the order listed below. If it is necessary to add additional modifiers, they should be added after the modifiers listed below.

MODIFIER(S)	NARRATIVE DESCRIPTION
HK	Specialized mental health programs for high-risk populations

**CPT and/or HCPCS Code(s)**

CPT AND/OR HCPCS CODE(S)	MODIFIER(S)	NARRATIVE DESCRIPTION
H0040		Assertive Community Treatment Program
H0040	HK	Assertive Community Treatment – Forensic

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**Revenue Codes**

Not applicable

**PAYMENT INFORMATION**

**Payment – General Information**

- Payment for ACT services is:
  - Based on one all-inclusive daily rate
  - Made to one provider per day
- Each claim must be for a face-to-face contact (ACT team member and patient).
- Only one agency may bill when team members are from more than one agency. The billing provider reimburses other contributing agencies.

**Payment - Increases and Reductions**

Based on MHCP guidelines when certain mental services are furnished by a master’s prepared provider a twenty percent (20%) reduction is applied to the allowed amount. Masters prepared providers are:

- Clinical Nurse Specialist (CNS-MH)
- Licensed Independent Clinical Social Worker (LICSW)
- Licensed Marriage and Family Therapist (LMFT)
- Licensed Professional Clinical Counselor (LPCC)
- Licensed Psychologist (LP) Master’s Level

- Psychiatric Nurse Practitioner
- Master's Level enrolled provider

Masters level reductions are not applied to mental health services when they are furnished:

- In a Community Mental Health Center (CMHC)
- By a Mental Health Practitioner qualified to work as a clinical trainee.

In addition to the master's level prepared provider reduction MHCP also applies a 23.7% increase to specific mental health services. Impacted services are identified with a "b" in [the DHS MH Procedure CPT or HCPC Codes and Rates Chart](#).

### **Legislated Changes Affecting Payment**

A 23.7% increase is applied behavioral health services when services are performed by:

- Psychiatrists;
- Advance Practice Nurses;
  - Clinical Nurse Specialist;
  - Nurse Practitioner;
- Community Mental Health Centers
- Mental health clinics and centers certified under Rule 29 and designated by the Minnesota Department of Mental Health as an essential community provider;
- Hospital outpatient psychiatric departments designated by the Minnesota Department of Mental Health as an essential community provider; and
- Children's Therapeutic Services and Supports (CTSS) providers for services identified as CTSS on the DHS MH Procedure CPT or HCPC Codes and Rates List. The CPT / HCPCS codes and the increases or decreases that UCare applies to each service are listed below. This list is extracted from the DHS [MHCP Procedure CPT or HCPCS Codes and Rates List](#). When DHS updates the published list UCare will update payment requirements within forty (40) business days of receipt of the change. Claims previously paid will not be adjusted. Additional information regarding UCare fee schedule updates can be found in the [UCare Provider Manual](#).

**BILLING REQUIREMENTS AND DIRECTIONS**

Guidelines regarding how to bill UCare for Assertive Community Treatment are outlined below:

- Submit Assertive Community Treatment service using the 837-P format or the electronic equivalent.
- Bill ACT services based on one daily rate per provider, inclusive of all the services received by a member in a calendar day
- Do not enter a treating provider.

**PRIOR AUTHORIZATION, NOTIFICATION AND THRESHOLD INFORMATION**

**Prior Authorization and Notification Requirements**

UCare does update its’ authorization, notification, and threshold requirements from time-to-time. The most current prior authorization requirements can be found [here](#).

**RELATED PAYMENT POLICY INFORMATION**

**OUTLINED BELOW ARE OTHER POLICIES THAT MAY RELATE TO THIS POLICY AND/OR MAY HAVE AN IMPACT ON THIS POLICY.**

POLICY NUMBER	POLICY TITLE
SC14P0026A3	Certified Peer Specialist
SC14P0009A3	Youth Assertive Community Treatment (ACT) / Intensive Rehabilitative Mental Health Services (IRMHS)

**SOURCE DOCUMENTS AND REGULATORY REFENCES**

**LISTED BELOW ARE LINKS TO CMS, MHCP, AND STATUTORY AND REGULATORY REFERENCES USED TO CREATE THIS POLICY**

MHCP Provider Manual, Mental Health Services, [Assertive Community Treatment](#)

[Minnesota Statutes 245B.0622 Assertive Community Treatment \(ACT\) and Intensive Residential Treatment Services](#)

Minnesota Statutes 256b.0622, Subd. 2a (eligibility)

Minnesota Statutes 256b.0622, Subd. 3a (provider certification and contract requirements)

Minnesota Statutes 256B.0622, Subd. 7a (staff requirements and roles)

Minnesota Statutes 256B.0622, Subd. 7b (program size and opportunities)

Minnesota Statutes 256B.0622, Subd. 7e (team variances)

[Minnesota Statutes 245I.01 through 245I.12, Mental Health Uniform Service Standards](#)

[Minnesota Statutes 256B.81, Mental Health Provider Appeal Process](#)

[ACT Provider List](#)

[MHCP Procedure CPT or HCPCS Codes and Rates List](#)

## DISCLAIMER

“Payment Policies assist in administering payment for UCare benefits under UCare’s health benefit Plans. Payment Policies are intended to serve only as a general reference resource regarding UCare’s administration of health benefits and are not intended to address all issues related to payment for health care services provided to UCare members. When submitting claims, all providers must first identify member eligibility, federal and state legislation, or regulatory guidance regarding claims submission, UCare provider participation agreement contract terms, and the member-specific Evidence of Coverage (EOC) or other benefit document. In the event of a conflict, these sources supersede the Payment Policies. Payment Policies are provided for informational purposes and do not constitute coding or compliance advice. Providers are responsible for submission of accurate and compliant claims. In addition to Payment Policies, UCare also uses tools developed by third parties, such as the Current Procedural Terminology (CPT®\*), InterQual guidelines, Centers for Medicare, and Medicaid Services (CMS), the Minnesota Department of Human Services (DHS), or other coding guidelines, to assist in administering health benefits. References to CPT® or other sources in UCare Payment Policies are for definitional purposes only and do not imply any right to payment. Other UCare Policies and Coverage Determination Guidelines may also apply. UCare reserves the right, in its sole discretion, to modify its Policies and Guidelines as necessary and to administer payments in a manner other than as described by UCare Payment Policies when necessitated by operational considerations.”