

**DEPARTMENT OF MENTAL HEALTH**

**NOTICE OF PROPOSED RULEMAKING**

The Director of the Department of Mental Health (Department), pursuant to the authority set forth in Sections 104 and 105 of the Department of Mental Health Establishment Amendment Act of 2001, effective December 18, 2001 (D.C. Law 14-56; D.C. Official Code §§ 7-1131.04 and 7-1131.05 (2008 Repl.)), hereby gives notice of his intent to amend Chapter 51, “Supported Employment Program — Reimbursement,” of Subtitle A, “Mental Health”, of Title 22, “Health” of the District of Columbia Municipal Regulations.

The Department provides an evidence-based supported employment program designed for consumers with significant mental health diagnoses for whom competitive employment has been interrupted or intermittent as a result of a significant mental health problem. The Department has previously published certification standards for certified Mental Health Rehabilitation Services (MHRS) providers to also be qualified to provide supported employment services, and these rules are being amended to reflect that change. Additionally, a rate for a Supported Employment - Group is being added because one of the specific supported employment services - “Supported Employment Job Club” - is often provided in a group, rather than on an individual basis.

The Director gives notice of his intent to take final rulemaking action to adopt the proposed rules in not less than thirty (30) days after the date of publication of this notice in the *D.C. Register*.

**Subtitle A, “Mental Health”, of Title 22 of the District of Columbia Municipal Regulations is amended by deleting the current Chapter 51 and substituting the following:**

**CHAPTER 51 SUPPORTED EMPLOYMENT PROGRAM —REIMBURSEMENT**

**5100 PURPOSE**

5100.1 This chapter establishes the reimbursement rate for the Supported Employment Program. Establishment of a reimbursement rate allows the Department of Mental Health (“Department”) to reimburse certified mental health providers who are qualified to provide supported employment services pursuant to Chapter A37 of this title to Department consumers.

5100.2 Nothing in this chapter grants to a supported employment provider the right to reimbursement for costs of providing supported employment services. Eligibility for reimbursement for supported employment services is determined solely by the contract between the Department and the supported employment provider and is subject to the availability of appropriated funds.

**5101 REIMBURSEMENT RATE**

5101.1 The Supported Employment Program rate is as set forth below:

SERVICE	RATE	UNIT	CODE
Supported Employment (non-MHRS)	\$16.25	15 minutes	H2025
Supported Employment - Group (non-MHRS Job Club)	\$4.06	15 minutes	H2025HQ

**5102 ELIGIBILITY**

5102.1 Only a qualified Mental Health Rehabilitation Services (MHRS) provider who has been certified as a Supported Employment Provider by the Department pursuant to Chapter A37 Mental Health Supported Employment Certification Standards of this title, and has incurred expenses eligible for reimbursement in accordance with its contract with the Department, may bill the Department under this chapter.

**5103 SUBMISSION OF CLAIM; PAYMENT OF VOUCHER**

5103.1 The supported employment provider shall submit all supported employment (non-MHRS) claims under the contract through the Department’s electronic billing system pursuant to this chapter and the terms of the contract between the Department and the supported employment provider.

5103.2 The supported employment provider shall submit appropriate documentation to support all claims under its contract with the Department.

5103.3 The Department will reimburse a supported employment provider for a claim that is determined by the Department to be eligible for reimbursement pursuant to the terms of the contract between the Department and the supported employment provider, subject to the availability of appropriated funds.

**5104 AUDITS**

5104.1 A supported employment provider shall, upon the request of the Department, cooperate in any audit or investigation concerning the Supported Employment Program.

**5199 DEFINITIONS**

5199.1 When used in this chapter, the following terms shall have the meaning ascribed:

**Supported employment** – non-Medicaid services and support provided by a supported employment provider pursuant to a contract with the Department, consisting of services designed for consumers with significant mental health diagnoses for whom competitive employment has been interrupted or intermittent as a result of a significant mental health problem. Supported employment involves obtaining a part-time or full-time job in which the consumer earns at least minimum wage.

**Supported employment job club** - a service which assists consumers in understanding how to complete job applications, effective interviewing techniques, resume writing, appropriate grooming, hygiene, and dress for work situations. Supported Employment Job Club is the only supported employment service that may be provided in a group setting.

**Supported employment provider** – a Mental Health Rehabilitation Service (MHRS) certified provider that has been certified to provide supported employment services pursuant to 22 DCMR A37, and has a contract with the Department to provide these services.

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing not later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with Suzanne Fenzel, Deputy Director, Office of Strategic Planning, Policy and Evaluation, Department of Mental Health at 64 New York Avenue, N.E., 3rd Floor, Washington, D.C. 20002, 202-671-4074, or e-mailed to Suzanne Fenzel at [Suzanne.Fenzel@dc.gov](mailto:Suzanne.Fenzel@dc.gov). Copies of the proposed rules may be obtained from [www.dmh.dc.gov](http://www.dmh.dc.gov) or from the Department of Mental Health at the address above.