MENTAL HEALTH ELECTRONIC RESOURCE MANUAL
For “Seniors” age 60 and older and other adults¹

How do I get coverage for mental health services?

If you have Medicaid coverage, you have the best access to our state’s public mental health system services.

Here is how adults age 60 and older and other adults can get coverage for mental health services:

- **All Washington residents have access to certain mental health crisis services.**
  See “What services are available...” below.

- **Medicaid – “Washington Apple Health.”** If you are eligible for Medicaid, this gives you the best access to services in Washington’s public mental health system. Services covered by Medicaid are free to clients.

In Washington, “Washington Apple Health” is the name for the state’s public health insurance programs. Some of those are Medicaid programs, which are partially funded by the federal government and provide broad access to public mental health services. Some are state-funded programs that are not Medicaid and have more limited access to public mental health services.

Most people on “Washington Apple Health” programs have Medicaid. However, some are on non-Medicaid programs with more limited benefits. Those include certain state-funded programs with limited benefits (example: kidney disease program) and the state-funded “Medical Care Services” program. The Medical Care Services program is for very low-income adults who are aged or have disabilities and cannot qualify for federal (Medicaid) programs, usually due to immigration status.

¹There is more information about mental health services for children and youth at www.washingtonlawhelp.org. Search for “Medical and Mental Health for children”. There is more information about 2013 changes to mental health service access for children needing intensive services at http://tinyurl.com/jel9rz8. There is more state agency information about these topics at http://tinyurl.com/hznyrq5 and http://tinyurl.com/znb7hds.
• **Medicare** also covers some mental health services, both inpatient and outpatient. Coverage for outpatient services especially is limited in the licensed provider types covered. In some areas, many providers do not accept Medicare coverage.

• **Private health insurance.** Health plans that meet the coverage standards required by “Obamacare” (Affordable Care Act, or ACA) cover behavioral health treatment such as psychotherapy and counseling, mental and behavioral health inpatient services, and substance abuse treatment. Usually you must pay part of the cost. Health plans that do not meet ACA standards also may cover mental health services. Contact your plan for details.

• **Local programs (county, Area Agency on Aging).** Some counties have special mental health programs for seniors or other special populations to address gaps in the system. These programs can serve people ineligible for other services. Many local Area Agencies on Aging (AAA’s) fund special mental health services for seniors. **Some examples:** In Snohomish County, the “Hope Options” program helps help seniors with mental illness and housing problems. A Peer Support program serves seniors. An Older Adult Access line (425-290-1260) helps clients find mental health providers who accept their Medicare coverage or other insurance.

beros

| How to find local programs: Contact your local Senior Information and Assistance program (some now called “Aging and Disability Resources” programs). Find contact info for your local program at [http://www.aasa.dshs.wa.gov/Resources/clickmap.htm](http://www.aasa.dshs.wa.gov/Resources/clickmap.htm). You can also call 211 for help finding local programs. |

---

## Can I get Medicaid?

| Check for your Medicaid eligibility status: If you have a Provider One card, you may be eligible for Medicaid. To find out, use the ProviderOne client portal at [https://www.waproviderone.org/client](https://www.waproviderone.org/client) or call the Customer Service Center at 1-800-562-3022. |

---

You can get Medicaid if you are one of these:

• **Under age 65 and do not qualify for Medicare,** whether disabled or working. Income must be under 138% of the Federal Poverty Level. There is no limit on resources. The Affordable Care Act expanded Medicaid to cover these adults.

• **Aged/Blind/disabled (“SSI-related”) adult** - over age 65 or you have been determined unable to work due to disability or blindness (the SSI standard of disability). Must also have limited income and limited resources.
• Seniors and people with disabilities who need and get long-term care services in a nursing home, assisted living, adult family home, or their own homes. This group can qualify for Medicaid with income higher than the usual limits. Income limits are much higher for married people. Resource limits apply, and also are much higher for married people.

| The 2014 expansion of Medicaid eligibility did NOT include seniors over age 65 or people under age 65 who already get Medicare. These groups can qualify for Medicaid only under the programs that existed before. |

**Where can I get more information about Medicaid eligibility?**


For details about qualifying for Medicaid long-term-care services, visit [www.washingtonlawhelp.org](http://www.washingtonlawhelp.org). Click on Seniors, and then “long-term care assistance”.

**How do I apply for Medicaid?**

- through Washington’s Exchange, online at [www.wahealthplanfinder.org](http://www.wahealthplanfinder.org) or by calling 1-855-923-4633.

- Medicaid long-term care services - through your area’s DSHS Home and Community Services (HCS) office. A directory of these offices is at [https://www.dshs.wa.gov/ALTSA/resources](https://www.dshs.wa.gov/ALTSA/resources).

**What services are available from Washington’s public mental health system?**

**Crisis and involuntary treatment services:** Someone who is gravely disabled or likely to harm themselves or others receives inpatient psychiatric treatment in a community hospital or a certified evaluation and treatment facility to stabilize acute symptoms. All state residents have access to these services. If you are ineligible for Medicaid, you may have to pay for some services. **Example:** Regulations address patient share of costs for involuntary treatment in [WAC Chapter 388-855](http://www.wa.gov/health/publications/medi/eligibility/eligibility-standards/eligibility-standards-section-9c.aspx).

Nonemergency services: Medicaid clients with a serious mental health condition can get services from a “Regional Support Network” serving their region. You apply to the RSN directly or through one of the community mental health agencies that contract with your RSN to provide care. RSN and contact information are at http://www.dshs.wa.gov/dbhr/rsn.shtml. (Example: Snohomish County Seniors and seniors in counties north of Snohomish get services through the North Sound Mental Health Administration. Read more about NSMHA at http://www.nsmha.org.) Your first visit with a mental health service provider usually involves an intake evaluation. This is used to determine whether you meet the “Access to Care” standards (see below), which mental health services are “medically necessary” for you, and to develop a Treatment Plan. Covered services may include intake/assessment, crisis intervention, in-patient services, interpretive services as needed, and community support services such as individual therapy, group therapy, family support, case management, in-home services, housing/residential services, and pre-vocational or vocational services.

In spring 2016, “RSN” agencies will become “Behavioral Health Organizations” (BHOs). These organizations will provide services for substance abuse problems as well as mental health services through a managed-care structure.

How does the public mental health agency (RSN, soon to be a “BHO”) decide what services a client can get?

The type and level of services Medicaid clients can get through the RSN is determined under the “Access to Care” standards. These standards focus on serious conditions. People with less serious conditions may be denied care through the RSN system. You can appeal these decisions. People ineligible under Access to Care standards can still receive certain mental health services through their Medicaid benefit from their medical providers. (See below.)

The Access to Care standards were revised in 2015. Some advocates believe the new standards give more access to care.

Access to Care standards: http://tinyurl.com/h4mtng6
Information about the 2015 changes: http://tinyurl.com/z59m4l6

Even if you are ineligible for Medicaid, if you have a serious or long-term mental illness you may get some services through the RSN system as limited state resources allow.
What if you get Medicaid but do not meet the RSN “Access to Care” standards?

Clients on Medicaid with less serious conditions who cannot meet the RSN “Access to Care” standards can get mental health treatment through their **Apple Health managed care plan**. Most Medicaid clients who do not also receive Medicare have coverage through an “Apple Health” managed care health plan. Apple Health plans provide some mental health services apart from the RSN system, including:

- medication management and medications
- psychological testing, evaluation and diagnosis
- up to twelve hours of treatment per calendar year for adults

Some clients with Medicaid do not get care through an Apple Health managed care plan. Most of these clients get Medicare in addition to Medicaid, or reside in institutions such as nursing homes. To get information about mental health services Medicaid can cover for you, contact your primary care provider or the state Medicaid agency (Health Care Authority) for information: 1-800-562-3022.

**Note:** Clients on the “Medical Care Services” program, which is not Medicaid, have more limited access to mental health services from the public mental health system as state funding allows.

What state agency is in charge of Washington’s public mental health system?

The Division of Behavioral Health and Recovery (DBHR) manages mental health and substance abuse treatment programs. DBHR is part of the Behavioral Health Administration (BHA), which is part of DSHS (Department of Social and Health Services). These links have more information about these programs:

- **BHA:** [https://www.dshs.wa.gov/bha](https://www.dshs.wa.gov/bha)
- **DBHA:** [https://www.dshs.wa.gov/bha/division-behavioral-health-and-recovery](https://www.dshs.wa.gov/bha/division-behavioral-health-and-recovery)

DBHR provides mental health services through contracts with eleven **Regional Support Networks (RSNs)**. Each RSN serves a specific geographic region, usually more than one county. In spring 2016 the RSNs will be renamed “Behavioral Health Organizations” to reflect that their contracts will include provision of substance abuse services as well as mental health services.

A federal Medicaid “waiver” document governs the terms of the contracts. Federal Medicaid “waiver” requirements, state laws, and state regulations provide standards for programs.
for issues such as access, quality, grievances and appeals, and ombudsman services. See resources below.

**What changes are planned for the public mental health system?**

The public mental health system in 2016 will combine mental health and substance abuse treatment services into one system. The “RSN” system of agencies will become a system of “Behavioral Health Organizations.”

Further changes will occur over the next few years as Washington transitions to an “integrated” Medicaid system. Under “integration,” Managed care organizations will become financially responsible for behavioral health (mental health and substance abuse) services as well as physical health services.

The state plans to have full integration of financing and delivery of physical health services, mental health services and chemical dependency services in the Medicaid program through managed health care by 2020.

**Does the public mental health system have to be able to serve older adults’ needs?**

Yes. Many sections of state law and regulations require programs and contractors in the public mental health system to have age and cultural competency in their services. See, for example, WAC 388-865-0229; -0225; -0405; -0300. To find these requirements, go to the link for the chapter of the Washington Administrative Code (WAC) you wish to review, load the full chapter text, and search for the words “age” and “cultural.”

**What rights do seniors and other adults have in getting services from the public mental health system?**

Clients can ask mental health providers and the RSN for information about their rights. Each agency licensed by the state to provide any behavioral health service must give rights information when admitting a client to service. They also must give clients this information on request. WAC 388-877-0600(2). These rights include:

- **To be treated with respect, dignity and privacy** (note: staff may conduct reasonable searches to detect and prevent possession or use of contraband on the premises). WAC 388-877-0600(1)(d).

- **To lodge a complaint or grievance** with the agency, or RSN, if applicable, if you believe your rights have been violated; and to file a complaint with DSHS when you feel the agency has violated state regulations. WAC 388-877-0600(1)(i)-(1)(j).

- **To receive services without discrimination** regarding race, creed, national origin, religion, gender, sexual orientation, age or disability. WAC 388-877-0600(1)(a).
What are the state regulations about client rights relating to behavioral health services?

In the past, WAC 388-875-0410, which has since been repealed, summarized many client rights. Some providers still use its list when posting notices about rights. The Washington State Register, WSR 09-02-030, has the text of this repealed rule at [http://tinyurl.com/jomonmf](http://tinyurl.com/jomonmf).

Here are some:

- **General rights of clients of the public behavioral health system (for mental health and substance abuse services):** [WAC 388-877-0600](http://wac.wa.gov/388-877-0600.html)


- **Rights of Medicaid clients in the outpatient mental health system:** [WAC 388-877A-0460(1)(a) and (1)(b)](http://wac.wa.gov/388-877A-0460.html)

- **Grievance, appeal, and administrative hearing regulations for outpatient mental health clients:** [WAC 388-877A-0400](http://wac.wa.gov/388-877A-0400.html) and so on
  - Appeal process: [WAC 388-877A-0440](http://wac.wa.gov/388-877A-0440.html)

- **Ombuds services:** [WAC 388-865-0250](http://wac.wa.gov/388-865-0250.html); [WAC 388-877A-0400(3)](http://wac.wa.gov/388-877A-0400.html)

- **Rights of clients in community or inpatient evaluation and treatment facilities and crisis stabilization units:** [WAC 388-865-0561](http://wac.wa.gov/388-865-0561.html); see also [WAC 388-865-0536](http://wac.wa.gov/388-865-0536.html); [WAC 388-865-0780](http://wac.wa.gov/388-865-0780.html); [WAC 388-865-0755](http://wac.wa.gov/388-865-0755.html)

- **Rights of clients receiving involuntary services:** [WAC 388-865-0566](http://wac.wa.gov/388-865-0566.html)
  - Rights related to antipsychotic medication: [WAC 388-865-0570](http://wac.wa.gov/388-865-0570.html); [WAC 388-865-0785](http://wac.wa.gov/388-865-0785.html)

- **DBHR complaint process** (to express concern/dissatisfaction with some aspect of a behavioral health service): [WAC 388-877-0605](http://wac.wa.gov/388-877-0605.html)

- **Rights of clients in assisted living facilities (long-term care rights):** [WAC 388-78A-2660](http://wac.wa.gov/388-78A-2660.html) (statute: [RCW 70.129](http://leg.wa.gov/laws/rcw/70.129.html))

**What about disability discrimination and reasonable accommodations?**

Federal and state laws protect people with disabilities, including mental health conditions. The Department of Social and Health Services (DSHS) must make reasonable accommodations for clients with disabilities who need them to access department services, including services from the community mental health system. Accommodations must be
provided on an on-going basis so the client can maintain eligibility and fully access program services.

The regulations on outpatient mental health services in WAC 388-877A-0460 specifically require accommodations of disability and reference general DSHS rules on this subject in WAC Chapter 388-472. These refer to these as “Necessary Supplemental Accommodation” Services, or “NSA.”

Federal and state laws allow people with disabilities, including mental health conditions, to use “reasonable accommodation” requests to address many other problems, such as in housing. For more information, visit http://www.washingtonlawhelp.org and search for “Disability Rights”, “Americans with Disabilities Act”, “ADA”, “discrimination”, and “reasonable accommodation.”

Where can I learn more about service standards, access, grievance and appeals, quality, and client rights?

Public Mental Health System Benefits Booklet: This booklet – designed for clients - may be revised in spring 2016. The current version, in multiple languages is here: http://tinyurl.com/huj2dv5. It has many details without citations to law or regulations.

Access to Care Standards: The 2015 updated document describes the mental health conditions for which the RSNs and their contractors provide services: http://tinyurl.com/h4mtng6.


State laws:

- RCW Chapter 71.05 – Mental illness: http://apps.leg.wa.gov/RCW/default.aspx?cite=71.05
- RCW Chapter 70.96A – Treatment for Alcoholism, Intoxication, and Drug Addition: http://app.leg.wa.gov/RCW/default.aspx?cite=70.96A

State regulations:

• Liability for costs for hospitalizations for mental illness:  
  http://tinyurl.com/hgksbn2

Other materials:

• “Best practices” materials for special populations:  
  https://www.dshs.wa.gov/bha/division-behavioral-health-and-recovery/resource-guides
• The subpart of this 2003 guide that addresses serving older clients:  
  http://tinyurl.com/jttnwa7
• DBHR’s mental health definitions:  http://tinyurl.com/hjugkhu
• DBHR materials on mental health for older adults:  http://tinyurl.com/goe99b2
• contracts between the North Sound Mental Health Administration (the RSN organization serving Snohomish County and counties north) and other entities (DSHS, providers, counties):  http://nsmha.org/Contracts/Default.htm