



## MEDICARE NEWS

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### **Medicare proposes new standards for Community Mental Health Centers**

#### *Proposed standards will improve quality and safety of mental health care*

The Centers for Medicare & Medicaid Services (CMS) today issued a proposed rule that is designed to improve the quality and safety of treatment provided to more than 25,000 Medicare beneficiaries who receive care at Community Mental Health Centers (CMHCs) each year.

The notice of proposed rulemaking would establish conditions of participation (CoPs) for CMHCs for the first time. The proposed rule includes health and safety standards for CMHCs that participate in the Medicare program, and are an important step in CMS' commitment to assuring the delivery of safe, quality care to clients of CMHCs. In particular, the proposed new conditions focus on a client-centered, outcome-oriented approach.

“This rule proposes new provisions that will protect the tens of thousands of Medicare beneficiaries who receive care from a CMHC every year,” said CMS Administrator Donald M. Berwick. “Memorializing the best practices of behavioral healthcare in new Medicare standards gives us the unique opportunity to be sure that safe and effective client-focused care is available to all clients in all communities.”

CMHCs provide partial hospitalization services to Medicare beneficiaries -- a comprehensive program of intensive mental health care services, which includes physician services, psychiatric nursing, counseling and social services. This unique Medicare benefit offers an alternative to inpatient treatment by focusing on the medical, emotional, social, and therapeutic needs of clients with acute mental illness, using a client-centered interdisciplinary approach.

As part of the proposed rule, CMS highlights steps CMHCs would be required to take in order to protect clients while under their care, aimed at meeting the specific needs of individual clients.

In particular, CMS proposes new standards for CMHCs in the following areas:

- Establishing qualifications for CMHC employees and contractors.
- Requiring CMHCs to notify clients of their rights and to investigate and report violations of client rights. These proposed requirements also promote continuity of care by emphasizing the need for communication regarding client needs at the time of discharge or transfer.
- Convening of a treatment team, developing an active treatment plan, and coordinating services to ensure an interdisciplinary approach to individualized client care.
- Creating a Quality Assessment and Performance Improvement (QAPI) program. The QAPI program will require CMHCs to identify program needs by evaluating outcome and client satisfaction data and making changes, as necessary, to improve their quality of care.
- Setting organization, governance, administration of services, and partial hospitalization services requirements, with an emphasis on governance structure.

Today's proposed rule would add CMHCs to the list of provider and supplier types that are already subject to conditions of participation and conditions for coverage under Medicare. These conditions apply both to health care entities seeking to become Medicare providers and to those continuing to participate in the Medicare program. The health and safety standards included in the conditions are the foundation for improving quality and protecting the health and safety of beneficiaries. CMS implements these standards through State Departments of Health and private accrediting organizations recognized by CMS (through a process called "deeming"), which review provider practices to assure they meet or exceed the Medicare standards.

“This proposed rule demonstrates our commitment to quality and safety across settings and highlights the importance of effective, safe mental health care,” said Patrick Conway, MD, MSc, CMS Chief Medical Officer and Director of the Agency's Office of Clinical Standards and Quality.

CMS will accept public comments on the proposed rule until August 16, 2011, and will respond to comments in a final rule to be published in the coming months. To submit comments, please visit <http://www.regulations.gov> and search for rule “CMS-3202-P.”

The proposed rule is available online from the *Federal Register* at <http://www.ofr.gov/inspection.aspx#regular>

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