

CHAPTER 1

Rules and Regulations of the Behavioral Health Division Mental Health and Substance Abuse Services

General Provisions

Section 1. Authority. This Chapter is promulgated by the Wyoming Department of Health pursuant to W.S. §§ 7-13-1601 through 1615; W.S. § 9-2-102; W.S. § 9-2-2701; W.S. §§ 35- 1 - 611 through 627; 2013 Wyoming Session Laws 206; and the Wyoming Administrative Procedure Act at W.S. § 16-3-101 through 115.

Section 2. Purpose and Applicability. These rules have been adopted to establish definitions applicable to Chapters 2 through 8, Rules and Regulations of the Behavioral Health Division, Mental Health and Substance Abuse Services.

Section 3. General Provisions.

(a) Terminology. Except as otherwise specified, the terminology used in these rules is the standard terminology used in the industry, and has the standard meaning used in accounting, healthcare, Medicaid, and Medicare.

(b) The incorporation by reference of any external standard is intended to be the incorporation of that standard as it is in effect on the effective date of this Chapter of these rules and regulations, and does not include any later amendments or editions of the incorporated matter. The incorporated external standard may be viewed at (???) or may be obtained at cost from the Department.

Section 4. Definitions.

(a) “Administrator” means the Senior Administrator of the Behavioral Health Division and/or Division staff designated by the Senior Administrator.

(b) “ASAM” means the American Society of Addiction Medicine Patient Placement Criteria for substance ~~abuse~~ use clients published by the American Society of Addiction Medicine.

(c) “Behavioral health services” means mental health and substance ~~abuse~~ use services and supports provided to persons with mental illness and/or substance use disorder.

(d) “Bio-psychosocial spiritual needs” means the biological, psychological, social and spiritual needs which play a significant role in behavioral health disorders and which contribute to a client’s current functioning.

(e) “Case management” means activities guided by a client’s treatment plan which bring services, agencies, resources, and people together within a planned framework of action toward the achievement of established treatment goals, including wrap around services. Activities include linkage, monitoring/follow-up, referral, advocacy and crisis intervention.

(f) “Certification” means the Division formally recognizes the program/provider as having met the requirements of these rules that pertain to the behavioral health services provided.

(g) “Clinical screening and assessment” means an evaluation of the client’s ~~substance abuse disorders and~~ treatment needs, including psychometric testing and functional assessment if either is indicated, and establishing a DSM diagnosis.

(h) “Community mental health or substance abuse center” means an organization which: is licensed to conduct business in the State of Wyoming; is governed by a citizen board; provides affordable, accessible and effective services that address individual needs and that are available to all persons who need services, regardless of the ability to pay for services; provides a comprehensive range of services for persons with the ~~most severe~~ behavioral health disorders; and is responsive to community needs.

(i) “Competing application” means two or more applicants requesting funding for the same services in the same service area.

(j) “Corrective actions” means changes in policy and/or practice that result in compliance with a quality improvement plan.

(k) “Court supervised treatment program panel” means the panel authorized by W.S. § 7-13-1605 (d) which is responsible for determining the funding of court supervised treatment programs.

~~(l) “Day treatment services” means intensive clinical services that include, but are not limited to: individual, group, and family therapy as indicated by client needs, medication education and management, access to medical and laboratory services, educational groups, occupational groups and recreational therapy.~~

(m) “Department” means the Wyoming Department of Health.

(n) “Detoxification” means an organized residential service delivered by appropriately trained staff that provides 24-hour supervision, observation and support for clients who are intoxicated or experiencing withdrawal. Services are characterized by their emphasis on peer and social support.

(o) “Division” means the Behavioral Health Division within the Wyoming Department of Health.

(p) “Diagnostic and Statistical Manual of Mental Disorders (DSM)” means the Diagnostic and Statistical Manual of the American Psychiatric Association which is incorporated by this reference.

(q) “DUI/MIP services” means services for persons arrested for driving under the influence or minor in possession of illegal substances.

(r) “Engagement services” means in person staff contact with an individual who is waiting to be admitted into treatment for the purpose of maintaining the individual’s motivation and to help prepare them for treatment.

(s) “Evidence based practice” means behavioral health interventions as identified by the Substance Abuse and Mental Health Services Administration’s National Registry of Evidence-based Programs, for which systematic empirical research has provided evidence of statistically significant effectiveness in treating specific problems and populations.

(t) “Executive director” means the individual responsible for the overall management of a program. The term encompasses other titles including but not limited to chief executive officer, sole proprietor, president, and program administrator.

(u) “Governing board” means the board of directors of a private nonprofit corporation or a community board or a public agency as defined in W.S. § 35-1-613(a)(i).

(v) “Integrated care” means directly, through partnerships or through other arrangements, addressing the whole health of a person seeking behavioral health services.

(w) “Intensive outpatient program (IOP)” means structured treatment programming consisting primarily of counseling and education about substance-related and mental health problems. IOP is considered to be more intensive than outpatient counseling and can function as a step-down from a higher level of care.

(x) “Intervention services” means skilled treatment services, which include but are not limited to individual and group counseling, family counseling, educational groups, skills training, occupational and recreational therapy, medication assisted treatment, and psychotherapy or other therapies, as indicated by client need.

(y) “Multi-county consortium” means a formal agreement between two or more providers in different counties to share funding, administrative support, clinical staff or other resources to ensure a continuum of service availability and increase cost effectiveness.

(z) “National accreditation” means accreditation issued by the Joint Commission on Accreditation of Healthcare (JCAHO), the Commission on Accreditation

of Rehabilitation Facilities (CARF), National Integrated Accreditation for Healthcare Organizations (NIAHO), or a national accreditation organization approved by the Division.

(aa) “Needs assessment” means a systematic process to assess and document specific needs among a population, the results of which guide future planning activities.

(bb) “Ombudsman program” means a program which advocates for the rights of individuals by investigating and resolving problems and grievances, providing information and working with institutions, organizations and agencies to increase the effective provision of services to the people they serve.

(cc) “Outpatient substance ~~abuse~~ use treatment services” means clinical treatment services provided to persons diagnosed with a substance use ~~or abuse~~ disorder which are delivered in the community or in a non-inpatient setting.

(dd) “Peer specialist” means a person who is or has been a recipient of mental health services for severe and persistent mental illness and/or substance use ~~abuse~~/addiction treatment, who is credentialed by the Division and employed by a provider to assist a client to direct their own recovery and to maximize available community resources and to provide expertise and consultation to the entire treatment team to promote a culture in which each client's point of view and preferences are recognized, understood, respected, and integrated.

(ee) “Promising practice” means an administrative or clinical practice that has some scientific research or data showing positive outcomes but does not have enough evidence to support generalizable conclusions.

(ff) “Provider” means any individual, organization or community board or other governmental entity providing behavioral health services, including but not limited to: (a) an administrative program; (b) a coalition program; (c) a prevention program; (d) an early intervention program; (e) a drug court program; (f) an evaluation center program; (g) a treatment program; and (f) a recovery support service.

(gg) “Qualified clinical staff” means persons who are credentialed through the Wyoming Mental Health Professions Licensing Board established under the provisions of W.S. § 33-38-101, et. seq., a psychologist who is licensed to practice psychology pursuant to W.S. § 33-27-113(a)(v), a physician who is licensed by the Wyoming State Board of Medicine pursuant to W.S. §§ 33-26-301 through 305, and a Wyoming Advanced Practice Registered Nurse who is licensed pursuant to W.S. § 33-21-120(a)(i).

(hh) “Quality improvement plan” means a written plan to achieve measureable improvements in efficiency, effectiveness, performance, accountability, outcomes and/or other indicators identified as a result of a complaint and/or investigation process.

(ii) “Quality of care reviews” means review by the client’s treatment team of clinical documentation for the purpose of reviewing the client’s progress in treatment and the services provided to ensure the most appropriate level of care is provided, to coordinate needed services outside the agency, and for internal quality assurance.

(jj) “Recovery supports” means consumer driven activities and services which complement and support treatment, increase treatment engagement, improve outcomes and enhance recovery. Services Recovery supports may be conducted by peer specialists, consumers of behavioral health services or non-clinical staff. Examples of substance use recovery supports include peer specialist services, life coaches, and non-clinical individual rehabilitation services.

(kk) “Renewal application” means an application for funding received by the Division from a provider which received Division funding the previous year and which is not a competing application.

(ll) “Service area” means a single county, multiple counties or a region as determined by the Division.

Section 5. Severability. If any portion of this Chapter is found to be invalid or unenforceable, the remainder shall continue in full force and effect.