



Lessons from California: Covering Behavioral Health Treatment in Medi-Cal

October 2014

THE ISSUE:

In July 2012, [a California law](#) required private health coverage to provide Behavioral Health Treatment (BHT) to children with Autism Spectrum Disorders (ASD). The state law specifically exempted Medi-Cal plans from providing these services. But in June, 2014, [a new California law](#) required the state to cover BHT in Medi-Cal when required to by federal law. Then, in July, 2014, the Centers for Medicare and Medicaid Services (CMS) issued [guidance](#) clarifying that state Medicaid programs must cover evidence-based treatments for children with ASD. CMS explained that states are obligated to cover these services for children under age 21, even if they are not covered for adults. On September 30, 2014, California submitted the first post-guidance [proposed State Plan Amendment](#) to CMS to cover BHT in Medi-Cal.

STRATEGY AND ACTIONS:

Historically, California only provided BHT to a limited group of Medi-Cal recipients who qualified for a special waiver program. California advocates had pushed the state to ensure that BHT services were covered for all children with ASD for many years, in accordance with federal Medicaid law that requires states to provide [broad coverage of medically necessary services](#) for children under age 21. [Over the last few years](#), advocates in Ohio and Florida were successful in getting their states to cover certain BHT services for children in Medicaid through litigation. Earlier this year, CMS approved Medicaid State Plan Amendments in [Washington](#) and [Louisiana](#) when those states agreed to provide certain BHT services for children in Medicaid after being sued.

California advocates sharply criticized the state's refusal to cover BHT in Medi-Cal when California moved over 800,000 children from a separate CHIP program into Medi-Cal in 2013. The move resulted in many children losing access to BHT who were receiving BHT through their CHIP plan. Advocates worked with the legislature to attempt to pass a law to require coverage of BHT in Medi-Cal in spring 2014, but the resulting law was watered down to only require coverage if required by federal law. Advocates were [heartened](#) when, soon after CMS released its guidance in July, California moved quickly to cover BHT in Medi-Cal. The new BHT benefit became effective on [September 15, 2014](#).

ADDITIONAL RESOURCES

- [NHeLP's factsheet on CMS Guidance on EPSDT Services for Children with ASD](#)
- [CMS's September 2014 FAQ on services to address autism](#)
- [California's website on BHT in Medi-Cal](#)