



CCBHC FEE SCHEDULE AND SLIDING FEE DISCOUNT SCHEDULE: OVERVIEW OF LEGAL REQUIREMENTS AND CHECKLIST OF RECOMMENDED TERMS

According to guidance issued by the Substance Abuse and Mental Health Services Administration (SAMHSA), Certified Community Behavioral Health Clinics (CCBHCs) must maintain a written schedule of fees for CCBHC services⁸⁰ that conforms to state statutory or administrative requirements or to federal statutory or administrative requirements that may be applicable to existing clinics. Absent applicable state or federal requirements, the fee schedule should be based on locally prevailing rates or charges and should take into account the CCBHC's reasonable costs of operation.⁸¹

Under the federal law governing the CCBHC demonstration, CCBHCs must ensure that no individuals are denied CCBHC services due to their inability to pay.⁸² Accordingly, CCBHCs are required to reduce or waive fees or payments for CCBHC services if such fee or payment presents a barrier to care.⁸³ The schedule of discounts on otherwise applicable fees to make services more affordable to consumers is referred to as a "sliding fee discount schedule." CCBHCs are required to publish a written sliding fee discount schedule.⁸⁴

CCBHCs must establish and maintain written policies and procedures describing eligibility for and implementation of the sliding fee discount schedule.⁸⁵ These

⁸⁰ Please see the [Introduction to the Toolkit](#) for a discussion of the nine (9) required CCBHC services.

⁸¹ RFA for SAMHSA Planning Grants for CCBHC, Appendix II – Criteria for the Demonstration Program to Improve Community Mental Health Centers and to Establish Certified Community Behavioral Health Clinics (RFA), Criterion 2.d.3.

⁸² Protecting Access to Medicare Act (PAMA) § 223(b)(2)(B), Pub. L. No. 113-93 (Apr. 1, 2014); RFA, Appendix II, Criterion 2.d.1.

⁸³ *Id.*

⁸⁴ *Id.* Criterion 2.d.2.

⁸⁵ *Id.* Criterion 2.d.4.



policies and procedures must be applied equally to all individuals seeking CCBHC services.⁸⁶

If a CCBHC service is furnished through a designated collaborating organization (DCO), then the DCO must provide such CCBHC service in accordance with the CCBHC's schedule of fees, schedule of discounts and corresponding written policies and procedures. Accordingly, CCBHCs should provide each DCO with a copy of such documents. While not required by SAMHSA, it is generally recommended that the CCBHC provide each DCO with training to support the DCO in its implementation of the schedule of fees, schedule of discounts and corresponding written policies and procedures.

The DCO is not required to conduct its own discount eligibility screening. Rather, the CCBHC should inform the DCO, prior to its provision of a CCBHC service if the CCBHC has determined that the consumer is eligible for a fee discount.

Key terms that should be included in sliding fee discount policies and procedures include the following:

- The CCBHC's fee schedule has been established according to relevant state or federal statutory or administrative requirements or the fees are based on locally prevailing rates or charges and are consistent with the CCBHC's reasonable costs of operation.⁸⁷
- The CCBHC has established a sliding fee discount schedule that is designed to assure that the CCBHC's consumers have access to all CCBHC services. Consumers will not be denied services on the basis of inability to pay or place of residence, nor will the availability of CCBHC Services be limited on these grounds.⁸⁸
- CCBHC services furnished through a DCO will be furnished in accordance with the CCBHC's fee schedule and sliding fee discount schedule.⁸⁹

⁸⁶ *Id.* Criterion 2.d.4.

⁸⁷ *Id.* Criterion 2.d.3.

⁸⁸ PAMA § 223(b)(2)(B); RFA, Criterion 2.d.1.

⁸⁹ RFA, Appendix II, Criteria 2.a.3 and 4.a.5.



- Consumer fees and cost-sharing for CCBHC services rendered by a DCO will be collected. The CCBHC is legally responsible for the collection of consumer fees and cost-sharing (as applicable) for CCBHC services furnished via DCO, but the CCBHC may choose to delegate this duty to the DCO through the contract.⁹⁰
- The CCBHC (and its DCOs, as applicable) will provide consumers with information regarding the sliding fee discount schedule. Specifically, the sliding fee discount schedule will be communicated in languages and formats appropriate for individuals seeking services who have limited English proficiency or disabilities.⁹¹ In addition, the sliding fee discount schedule will be posted on the CCBHC website and in the CCBHC waiting room.⁹² If a CCBHC service is furnished through a DCO, then the DCO will post the sliding fee discount schedule on the DCO website and in the DCO waiting room.
- The CCBHC will assess a consumer's eligibility for the sliding fee discount schedule in accordance with the following process: [INSERT]⁹³
- The CCBHC will inform the DCO if a consumer is eligible for a fee discount under the CCBHC's sliding fee discount schedule.

⁹⁰ SAMHSA has stated in guidance that a CCBHC may contractually delegate the collection of consumer fees to the DCO, without compromising its financial responsibility for the service rendered by the DCO. See Project 223 Clarification to Guidance – Set 1 Distributed to Project Directors on March 21, 2016, at 4.

⁹¹ *Id.* Criterion 2.d.2.

⁹² *Id.*

⁹³ Neither CMS nor SAMHSHA guidance specifies how CCBHCs must assess discount eligibility. Instead, the guidance specifies only that the CCBHC must have policies and procedures describing eligibility for the discounts. See RFA Appendix II, Criterion 2.d.3. Accordingly, CCBHCs have significant discretion in structuring their eligibility processes. At minimum, however, the policy should provide that the CCBHC will screen consumers for sliding fee discount eligibility as a preliminary measure before the consumer accesses CCBHC Services. This administrative intake process may be conducted in tandem with, or sequentially with, the preliminary screening and risk assessment that is a required CCBHC service. See RFA, Appendix II, Criterion 4.d.2.



- The sliding fee discount schedule policies and procedures will be applied equally to all individuals seeking services.⁹⁴

Although the following terms are not required, the CCBHC may also wish to include them in its sliding fee discount policies and procedures:

- Frequency (e.g., annually) the CCBHC will review the fee schedule and discount schedule to identify whether the discounts present barriers to care based on inability to pay.
- Frequency (e.g., annually) with which the CCBHC will reassess a consumer's eligibility to obtain a fee discount under the sliding fee discount schedule.
- Alternative mechanisms to determine a consumer's eligibility for the sliding fee discount if he/she is unable to provide the necessary documentation/verification, such as through allowing for self-declaration.
- Provisions related to billing and collections including, but not limited to, payment incentives, grace periods, payment plans and refusal to pay guidelines.

Sliding Fee Discount Schedule Checklist

- Has the CCBHC's fee schedule been established according to relevant state or federal statutory or administrative requirements, or are the fees based on locally prevailing rates or charges and consistent with the CCBHC's reasonable costs of operation?
- Is the sliding fee discount schedule posted on the CCBHC's website?
- Is the sliding fee discount schedule posted in the CCBHC's waiting room?
- Is the sliding fee discount schedule readily accessible to consumers and families?
- Are the sliding fee discount schedule policies and procedures being equally applied to all individuals seeking services, such as through any new patient registration?

⁹⁴ *Id.* Criterion 2.d.4.



- Is the sliding fee discount schedule communicated in languages/formats appropriate for individuals seeking services who have limited English proficiency or disabilities?
- Is the sliding fee discount schedule being incorporated into contracts with DCOs such that the discounts are available for any CCBHC services rendered in a DCO?
- Has the CCBHC provided the DCO with its schedule of fees, schedule of discounts and corresponding written policies and procedures? Has the CCBHC provided the DCO with training, as is necessary?