**American Indian Health Plan (AIHP) Court Order Treatment (COT) -**

**Frequently Asked Questions (FAQ)**

Arizona law allows an individual to be involuntarily ordered by the court to undergo a mental health evaluation and receive treatment in certain instances. This legal and clinical process is called Court Ordered Evaluation (COE) and Court Ordered Treatment (COT). For further information see [AMPM 320-U](https://www.azahcccs.gov/shared/MedicalPolicyManual/).

**Q1:** Is a Tribal Court Order enforceable off of the reservation?

**A1:** Under A.R.S. §12-136, the process for establishing a Tribal court order for treatment under the jurisdiction of the state is a process of recognition. Once this process occurs, and if the recognition is approved by the Superior Court, the state recognized tribal court order is enforceable off the reservation.

Care and clinical coordination must run concurrently with the recognition process to assure continuity of care and to avoid delays in admission to an appropriate facility for treatment upon state/county court recognition of the tribal court order.

For more information see A.R.S. §12-136.

**Q2:** Which providers are able to provide Court Order Treatment (COT) oversight for Fee-For-Service (FFS) members?

**A2:** Any AHCCCS registered provider licensed to provide COT by the Arizona Department of Health Services (ADHS). For more information see [AHCCCS Medical Policy Manual (AMPM) 320-U](https://www.azahcccs.gov/shared/Downloads/MedicalPolicyManual/300/320-U.pdf).

**Q3:** Do providers need a contract to provide services to Fee-For-Service (FFS) members?

**A3:** Any AHCCCS registered provider that accepts FFS may provide services to FFS members, as specified in the AHCCCS Provider Participation Agreement (PPA). The AHCCCS FFS Program does not contract with individual providers. FFS providers do not need to contract with AHCCCS American Indian Health Program (AIHP) or a Tribal Regional Behavioral Health Authority (TRBHA).

FFS providers must follow the guidelines as outlined in the AMPM and DFSM billing guidelines in order to serve AIHP and TRBHA members.

**Q4:** Do FFS members require referrals to see an AHCCCS registered provider?

**A4:** No, FFS members do not require a referral to see an AHCCCS registered provider.

**Q5**: Do FFS members have health program representation in mental health (Title 36) court hearings?

**A5:** No, FFS does not provide representation during court hearings. In the event assistance is needed prior to the hearings, such as obtaining information regarding the member’s behavioral health status or information related to the member’s past utilization, you may contact AIHP or the TRBHA Case Manager to request assistance.

**Q6:** Who is responsible for coordinating the transition of care between facilities for AIHP members?

**A6:** FFS providers shall identify and facilitate movement and coordinate care for AIHP members transitioning to other providers ensuring necessary court forms are filed with the court. In the event the need for a change in oversight of the COT occurs, causing the member to require a change in placement, the relinquishing provider shall work with the admitting provider to ensure a smooth transition for the member. For members enrolled with a TRBHA, this includes identifying an alternative placement with the assistance of the TRBHA case manager.

For Tribal ALTCS members, contact the Tribal Case Manager for additional assistance.

For more information see [AMPM 830](https://www.azahcccs.gov/shared/Downloads/MedicalPolicyManual/800/830.pdf) for Quality of Care and FFS Provider Requirements.

**Q7:** For recognized court orders, in what timeframe must the provider notify the Tribal Courts of the intended discharge or release of the member?

**A7:** Within ten days before discharge or release, the provider shall notify the Tribal Court that issued the recognized court order of the provider's intention to discharge or release the member as specified in A.R.S. §12-136(B).

**Tribal Regional Behavioral Health Authority Contacts (as of January, 2021)**

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**Q8:** Who do I contact for assistance with FFS members on a COT?

**A8:** For AIHP members please contact: [COT\_AIHP@azahcccs.gov](mailto:COT_AIHP@azahcccs.gov) with a CC to the [CaseManagers@azahcccs.gov](mailto:CaseManagers@azahcccs.gov).

For members assigned to a TRBHA, please contact the TRBHA directly to connect with the member’s assigned case manager.

**Q9:** What are some additional resources for questions on FFS eligibility, services, and provider billing rates?

**A9:**   
• [The AIHP Webpage](https://www.azahcccs.gov/AmericanIndians/AIHP/)

• [FFS Provider Billing Manual](https://www.azahcccs.gov/PlansProviders/RatesAndBilling/FFS/providermanual.html)

• [The IHS/Tribal Provider Billing Manual](https://www.azahcccs.gov/PlansProviders/RatesAndBilling/ProviderManuals/IHStribalbillingManual.html)

• [AHCCCS Medical Policy Manual (AMPM)](https://www.azahcccs.gov/shared/MedicalPolicyManual/)

• [Provider Billing Rates](https://www.azahcccs.gov/AmericanIndians/HealthPlans/FeeForService/FFS_Rates_Billing.html)

• [Prior Authorization](https://www.azahcccs.gov/PlansProviders/RatesAndBilling/FFS/priorauthorizationforms.html)

• [Crisis Services](https://www.azahcccs.gov/AHCCCS/Downloads/ACC/View_Crisis_System_FAQs.pdf)

If you have further billing questions, please call Claims Customer Service at (602) 417-7670 and select option 4. Additional FAQs regarding Fee-For-Service programs and populations can be found on the [FFS webpage](https://www.azahcccs.gov/PlansProviders/FeeForServiceHealthPlans/FAQsForFFSPrograms.html).