

## Frequently Asked Questions About Eligibility Determinations for Individuals who may have a Serious Emotional Disturbance

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### **Q1: How is a designation of Serious Emotional Disturbance (SED) determined?**

A1: The SED assessment and eligibility determination process varies among providers, , though the majority of the SED determination is based on having an applicable diagnosis and a provider-determined functional limitation.

### **Q2: How will SED eligibility determinations change effective October 1, 2023?**

A2: Effective October 1, 2023, to be eligible for an SED determination an individual must have a qualifying diagnosis and functional impairment caused by the qualifying diagnosis. The process will include the following steps:

1. Member calls their established behavioral health provider or their health plan to request an SED eligibility determination,
2. An evaluation with a qualified assessor occurs no later than seven business days after a request is made, unless there is a current (less than 6 months old) evaluation that supports the qualifying diagnosis and functional impairment,
3. The assessor sends the required paperwork (assessment) to vendor,
4. The vendor completes the determination within three, 20, or 60 days, depending on each individual case.
5. The vendor will send notice, in writing, to the individual with the results of the eligibility determination and information on how to receive services (when applicable). The vendor will also notify Arizona Health Care Cost Containment System (AHCCCS), the Tribal Regional Health Authority (TRBHA), Tribal ALTCS Case Manager, ACC-RBHA, and the member's provider.

**Q3: How will functional limitations be assessed as a component of the SED determination process?**

**A3:** To meet the SED functional impairment criteria, an individual shall have, as a result of a qualifying SED diagnosis, dysfunction in at least one of the four domains listed below for most of the past six months, or for most of the past three months with an expected continued duration of at least three months.

1. Seriously disruptive to family and/or community. Pervasively or imminently dangerous to self or others' bodily safety. Regularly engages in assaultive behavior. Has been arrested, incarcerated, hospitalized or is at risk of confinement because of dangerous behavior. Persistently neglectful or abusive towards others. Severe disruption of daily life due to frequent thoughts of death, suicide, or self-harm, often with behavioral intent and/or plan. Affective disruption causes significant damage to the individual's education or personal relationships.
2. Dysfunction in role performance. Frequently disruptive or in trouble at home or at school. Frequently suspended/expelled from school. Major disruption of role functioning. Requires structured or supervised school setting. Performance significantly below expectation for cognitive/developmental level. Unable to attend school or meet other developmentally appropriate responsibilities.
3. Child and Adolescent Level of Care Utilization System (CALOCUS) recommended level of care 4, 5, or 6.
4. Risk of deterioration. A qualifying diagnosis with probable chronic, relapsing, and remitting course, comorbidities (e.g., developmental/intellectual disability, substance use disorder, personality disorders), persistent or chronic factors such as social isolation, poverty, extreme chronic stressors (e.g., life-threatening or debilitating medical illnesses, victimization), or other (e.g., past psychiatric history, gains in functioning have not solidified or are a result of current compliance only, court-committed, care is complicated and requires multiple providers).

**Q4: Once the determination process moves under a contracted vendor, what will happen to children who were previously identified (i.e., flagged) as SED in the AHCCCS system?**

**A4:** AHCCCS has historically identified individuals who have an SED diagnosis by adding a flag indicator to the member's record in the AHCCCS system, though this did not include any assessment of functional limitations. AHCCCS will discontinue assigning the SED flag indicator as of September 30, 2023 and will instead move to utilizing an SED Behavioral Health Category through the determination process.

Beginning October 1, 2023, AHCCCS encourages providers to refer children who may have SED, including those children with an SED flag indicator in the AHCCCS System and functional impairment secondary to a mental health or emotional disorder, for referral to the Contractor for an SED Eligibility Determination. Providers will be encouraged to refer these individuals at the time of their initial assessment or annual reassessment over the course of FFY 2024, as children who are not determined SED as of October 1, 2024, will no longer have access to Mental Health Block Grant (MHBG) SED funding. The current SED flag process will be transitioned to use of a Behavioral Health Category to capture SED designations. There will be a one-year period by which child members who are currently accessing SED funding through the MHBG can continue to receive MHBG-funded services in order to permit time for referral to the new determination entity (i.e., Contractor). The Contractor is required to deliver technical assistance to these providers to assist with implementing a smooth transition and the continuation of services for these members.

**Q5: If I disagree with the outcome of the eligibility determination what can I do?**

A5: Each applicant has the right to appeal their SED eligibility determination. If there is an appeal, the vendor will make the second decision within three, 20, or 60 days, depending on the need for more information. The vendor will send a notice, in writing, to the individual with the final decision of the appeal. If the individual wishes to appeal the second decision, they have the right to ask for an administrative hearing.

**Q6 Use of the CALOCUS for TRBHAs and Tribal ALTCS programs?**

A6: The Tribal ALTCS and TRBHA programs that choose to use the contractor to render SED Eligibility Determinations on their behalf may use the CALOCUS assessment (or other assessment, as approved by AHCCCS) as part of the SED assessment and evaluation that is then submitted to the contractor. Tribal ALTCS and TRBHAs are not required to use the CALOCUS.

**Q7 Who will provide Technical Assistance?**

A7: The SED Eligibility Determination Vendor will regularly conduct technical assistance to support education regarding performing an SED Eligibility Determination. SED Determination technical assistance will support both general and clinical assessment focuses which include, and are not limited to, Eligibility Determination practices/education and splitting out SUD from the diagnosis. The SED Eligibility Determination Vendor will also be available to address any questions and/or provide technical assistance to members and providers as needed.