

The Department of Vermont Health Access (DVHA) has heard from providers that the Supervised Billing Rule (HCAR 9.103) and the included five-year Medicaid billing provision are no longer appropriately serving Vermont Medicaid providers and members. It has become clear that HCAR 9.103 is not achieving the goal of supporting a strong behavioral health workforce and providing high-quality care to Vermonters.

In response to this feedback, DVHA is undertaking a revision of HCAR 9.103, which will be a time-consuming and intensive process. To allow for providers to continue to work towards licensure and to serve Medicaid members during this revision, the Department of Vermont Health Access (DVHA) is granting an extension for non-licensed providers, who are otherwise eligible to provide billable services to Vermont Medicaid recipients but have met their five-year billing restriction outlined in HCAR 9.103.3(c), to continue to bill Vermont Medicaid under HCAR 9.103.

**This extension will be made retroactive from 7/1/22 until 12/31/25.** This means that any non-licensed non-certified (NLNC) individual providing clinical services adherent to HCAR 9.103 will be eligible for Medicaid reimbursement until 12/31/25.

### **What does this retroactive extension mean for providers?**

**NLNC providers who complied with the five-year Medicaid billing provision and who stopped seeing Vermont Medicaid members,** you are eligible for the extension and may begin submitting claims for clinical services provided under Supervised Billing. All claims submitted must comply with timely filing requirements and remain subject to all other requirements as outlined in HCAR 9.103.

**NLNC providers who complied with the five-year Medicaid billing provision and who continued to see Medicaid patients pro-bono,** you may now submit claims for services provided to Medicaid beneficiaries under Supervised Billing in accordance with timely filing requirements and all other requirements as outlined in HCAR 9.103.

**Providers who were subject to a Special Investigations Unit (SIU) audit and were found in violation of the five-year Medicaid billing provision (HCAR 9.103.3.(c)),** please do not take any action at this time. Each case is unique, and if you are eligible to be refunded monies paid to Vermont Medicaid because of an audit, SIU will be in touch with further instruction. Our goal is to work with each provider to make this process as easy as possible and this means the process may vary case by case.

**NLNC providers who billed Vermont Medicaid for services provided under Supervised Billing, in violation of the five-year billing provision, but have not yet been subject to an SIU audit,** Vermont Medicaid will not recoup any monies related exclusively to the violation HCAR 9.103.3(c). You may still be subject to an SIU audit for all other violations of HCAR 9.103 and violation of any other Medicaid requirements.