907 KAR 15:005. Definitions for 907 KAR Chapter 15.

RELATES TO: KRS 194A.025(3), 205.510(11), 205.8451, 309.080, 309.130(2), (3), 311.840(3), 314.011(5), (7), 319.053, 319.056, 319.064, 319C.010(6), (7), 335.080, 335.100, 335.300(2), (3), 335.500(3), (4), 42 C.F.R. 400.203, 438.2, 441.540, 29 U.S.C. 794

STATUTORY AUTHORITY: KRS 194A.010(1), 194A.030(2), 194A.050(1), 205.520(3), 205.6311, 42 U.S.C. 1396a

NECESSITY, FUNCTION, AND CONFORMITY: The Cabinet for Health and Family Services, Department for Medicaid Services, has responsibility to administer the Medicaid Program. KRS 205.520(3) authorizes the cabinet, by administrative regulation, to comply with a requirement that may be imposed or opportunity presented by federal law to qualify for federal Medicaid funds. This administrative regulation establishes the definitions for 907 KAR Chapter 15.

Section 1. Definitions.

(1) "Adult peer support specialist" means an individual who meets the requirements for an adult peer support specialist established in 908 KAR 2:220.

(2) "Advanced practice registered nurse" or "APRN" is defined by KRS 314.011(7).

(3) "Approved behavioral health practitioner" means an independently licensed practitioner who is:

(a) A physician;

(b) A psychiatrist;

(c) An advanced practice registered nurse;

(d) A physician assistant;

(e) A licensed psychologist;

(f) A licensed psychological practitioner;

(g) A certified psychologist with autonomous functioning;

(h) A licensed clinical social worker;

(i) A licensed professional clinical counselor;

(j) A licensed marriage and family therapist;

(k) A licensed professional art therapist;

(l) A licensed clinical alcohol and drug counselor; or

(m) A licensed behavior analyst.

(4) "Approved behavioral health practitioner under supervision" means an individual under billing supervision of an approved behavioral health practitioner who is:

(a)

1. A licensed psychological associate working under the supervision of a board-approved licensed psychologist;

2. A certified psychologist working under the supervision of a board-approved licensed psychologist;

3. A marriage and family therapy associate;

4. A certified social worker;

5. A licensed professional counselor associate;

6. A licensed professional art therapist associate;

7. A licensed clinical alcohol and drug counselor associate;

8. A certified alcohol and drug counselor; or

9. A licensed assistant behavior analyst; and

(b) Employed by or under contract with the same billing provider as the billing supervisor.

(5) "ASAM Criteria" means the most recent edition of "The ASAM Criteria, Treatment Criteria for Addictive, Substance-Related, and Co-Occurring Conditions" published by the American Society of Addiction Medicine.

(6) "Behavioral health multi-specialty group" means a group of more than one (1) individually licensed behavioral health practitioners of varying practitioner types who form a business entity to:

(a) Render behavioral health services; and

(b) Bill the Medicaid Program for services rendered to Medicaid recipients.

(7) "Behavioral health provider group" means a group of more than one (1) individually licensed behavioral health practitioners of the same practitioner type who form a business entity to:

(a) Render behavioral health services; and

(b) Bill the Medicaid Program for services rendered to Medicaid recipients.

(8) "Behavioral health services organization" means an entity that is licensed as a behavioral health services organization pursuant to:

(a) 902 KAR 20:430 for a behavioral health services organization tier I (BHSO I);

(b) 908 KAR 1:370 and 908 KAR 1:374 for a behavioral health services organization tier II (BHSO II); or

(c) 908 KAR 1:370 and 908 KAR 1:372 for a behavioral health services organization tier III (BHSO III).

(9) "Billing provider" means the individual, group of individual providers, or organization that:

(a) Is authorized to bill the department or a managed care organization for a service; and

(b) Is eligible to be reimbursed by the department or a managed care organization for a service.

(10) "Billing supervisor" means an individual who is:

(a)

1. A physician;
2. A psychiatrist;
3. An advanced practice registered nurse;
4. A physician assistant;
5. A licensed clinical alcohol and drug counselor;
6. A licensed psychologist;
7. A licensed clinical social worker;
8. A licensed professional clinical counselor;
9. A licensed psychological practitioner;
10. A certified psychologist with autonomous functioning;
11. A licensed marriage and family therapist;
12. A licensed professional art therapist; or
13. A licensed behavior analyst; and

(b) Employed by or under contract with the same billing provider as the behavioral health practitioner under supervision who renders services under the supervision of the billing supervisor.

(11) "Certified alcohol and drug counselor" is defined by KRS 309.080(2).

(12) "Certified psychologist" means an individual who is a certified psychologist pursuant to KRS 319.056.

(13) "Certified psychologist with autonomous functioning" means an individual who is a certified psychologist with autonomous functioning pursuant to KRS 319.056.

(14) "Certified social worker" means an individual who meets the requirements established in KRS 335.080.

(15) "Chemical dependency treatment center" means an entity that is licensed as a chemical dependency treatment center pursuant to 902 KAR 20:160.

(16) "Community support associate" means a paraprofessional who meets the application, training, and supervision requirements of 908 KAR 2:250.

(17) "Co-occurring disorder" means a mental health and substance use disorder.
(18) "Department" means the Department for Medicaid Services or its designee.
(19) "Electronic signature" is defined by KRS 369.102(8).
(20) "Enrollee" means a recipient who is enrolled with a managed care organization.
(21) "Face-to-face" means occurring in person.
(22) "Family peer support specialist" means an individual who meets the requirements for a Kentucky family peer support specialist established in 908 KAR 2:230.
(23) "Federal financial participation" is defined by 42 C.F.R. 400.203.
(24) "Healthcare common procedure coding system" or "HCPCS" means a collection of codes acknowledged by the Centers for Medicare and Medicaid Services (CMS) that represents procedures or items.
(25) "Kentucky-specific Medicare Physician Fee Schedule" means the list or process by which current reimbursement rates for physician services are established or published by the department.
(26) "Level I psychiatric residential treatment facility" means an entity that is licensed as a Level I psychiatric residential treatment facility pursuant to 902 KAR 20:320.
(27) "Level II psychiatric residential treatment facility" means an entity that is licensed as a Level II psychiatric residential treatment facility pursuant to 902 KAR 20:320.
(28) "Licensed assistant behavior analyst" is defined by KRS 319C.010(7).
(29) "Licensed behavior analyst" is defined by KRS 319C.010(6).
(30) "Licensed clinical alcohol and drug counselor" is defined by KRS 309.080(4).
(31) "Licensed clinical alcohol and drug counselor associate" is defined by KRS 309.080(5).
(32) "Licensed clinical social worker" means an individual who meets the licensed clinical social worker requirements established in KRS 335.100.
(33) "Licensed marriage and family therapist" is defined by KRS 335.300(2).
(34) "Licensed professional art therapist" is defined by KRS 309.130(2).
(35) "Licensed professional art therapist associate" is defined by KRS 309.130(3).
(36) "Licensed professional clinical counselor" is defined by KRS 335.500(3).
(37) "Licensed professional counselor associate" is defined by KRS 335.500(4).
(38) "Licensed psychological associate" means an individual who meets the requirements established in KRS 319.064.
(39) "Licensed psychological practitioner" means an individual who meets the requirements established in KRS 319.053.
(40) "Licensed psychologist" means an individual who currently possesses a licensed psychologist license in accordance with KRS 319.010(6).
(41) "Managed care organization" means an entity for which the Department for Medicaid Services has contracted to serve as a managed care organization as defined by 42 C.F.R. 438.2.
(42) "Marriage and family therapy associate" is defined by KRS 335.300(3).
(43) "Medicaid-covered service" means a service covered by the department as established in Title 907 of the Kentucky Administrative Regulations.
(44) "Medically necessary" or "medical necessity" means that a covered benefit is determined to be needed in accordance with 907 KAR 3:130.
(45) "Medication assisted treatment" means the treatment of a substance use disorder with approved medications in combination with counseling, behavioral therapies, and other supports.
(46) "Physician" is defined by KRS 205.510(11).
(47) "Physician assistant" is defined by KRS 311.840(3).
(48) "Practitioner working under supervision" means:
(a) An approved behavioral health practitioner under supervision;
(b) A registered behavior technician;

(c) A community support associate; or

(d) A peer support specialist.

(49) "Provider" is defined by KRS 205.8451(7).

(50) "Provider abuse" is defined by KRS 205.8451(8).

(51) "Psychiatric hospital" means an entity licensed as a psychiatric hospital pursuant to 902 KAR 20:180.

(52) "Recipient" is defined by KRS 205.8451(9).

(53) "Recipient abuse" is defined by KRS 205.8451(10).

(54) "Recipient's representative" means:

(a) For a recipient who is authorized by Kentucky law to provide written consent, an individual acting on behalf of, and with written consent from, the recipient; or

(b) A legal guardian.

(55) "Registered alcohol and drug peer support specialist" is defined by KRS 309.080(8).

(56) "Registered behavior technician" means an individual who meets the following requirements provided by the Behavior Analyst Certification Board:

(a) Be at least eighteen (18) years of age;

(b) Have a high school diploma or its equivalent; and

(c) Within six (6) months of hire for a new employee or within six (6) months of the effective date of this administrative regulation for an existing employee:

1. Complete a training program that is:

a. Approved by the Behavior Analyst Certification Board;

b. Based on the current edition of the RBT Task List endorsed by the Behavior Analyst Certification Board; and

c. Conducted by Behavior Analyst Certification Board certificants;

2. Pass the Registered Behavior Technician Competency Assessment administered by a Behavior Analyst Certification Board certificant or by an assistant assessor overseen by a Behavior Analyst Certification Board certificant; and

3. Pass the Registered Behavior Technician exam provided by the Behavior Analyst Certification Board.

(57) "Registered nurse" is defined by KRS 314.011(5).

(58) "Residential crisis stabilization unit" means an entity that is licensed as a residential crisis stabilization unit pursuant to 902 KAR 20:440.

(59) "Section 504 plan" means a plan developed:

(a) Under the auspices of Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794 (Section 504); and

(b) To ensure that a child who has a disability identified under the law and is attending an elementary or secondary educational institution receives accommodations to ensure the child's academic success and access to the learning environment.

(60) "Telehealth" is defined by KRS 205.510(15).

(61) "Withdrawal management" means a set of interventions aimed at managing acute intoxication and withdrawal based on the severity of the illness and co-occurring conditions identified through a comprehensive biopsychosocial assessment with linkage to addiction management services, and incorporated into a recipient's care as needed throughout the appropriate levels of care.

(62) "Youth peer support specialist" means an individual who meets the requirements established for a Kentucky youth peer support specialist established in 908 KAR 2:240.

(40 Ky.R. 2064; 2564; 2778; eff. 7-7-2014; 41 Ky.R. 639; 1385; 1647; eff. 2-6-2015; 43 Ky.R. 1082; 1603; 1958; eff. 6-2-2017; 46 Ky.R. 733, 1875; eff. 1-3-2020; 50 Ky.R. 1419; 1925; Amendment found deficient by ARRS, 10-15-2024; 51 Ky.R. 920; Amendment Withdrawn by Agency, 3-7-2025.)