



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: DBHDS Licensed Providers & Applicants of Crisis & Priority Services
From: Jae Benz, Director, Office of Licensing
Date: October 2, 2024
Re: Crisis Service Applications - Information, Timeframes & Priority Services (**Memo #2**)

Purpose: The purpose of this memorandum is to provide updated information related to the processing of crisis service applications, the timeframe for submission, and updated information about priority applications. Please refer to the previous related memo which can be found on the Office of Licensing website under the Correspondence section titled [Crisis Service Applications-Information and Timeframe](#).

Background: The licensing and human rights regulatory amendments regarding implementation of the new crisis services are in direct response to the mandate in [SB569](#) to make changes to the system structure to have high-quality service, including to allow for seclusion in certain settings. A clause was added to the legislation to make it effective upon passage that speaks to the sense of urgency for the changes.

Service Modifications for existing providers of non-center-based crisis services for children, adolescents, and adults already enrolled with DMAS to provide crisis receiving center services (23-hour Crisis Receiving Center)

Under the new regulations, CRC services now require a separate license and will no longer fall under the 07-006 service license. Providers currently approved to provide 23-hour crisis receiving center /CRC services under the 07-006 license must submit a service modification to the department to transition to: 02-040: A mental health center-based crisis receiving center (23-hour crisis stabilization) service for adults or 02-041: A mental health center-based crisis receiving center (23-hour crisis receiving center) service for children and adolescents. **To best ensure the continuity of existing crisis services, DBHDS has initially focused on licensing providers who are currently providing a 23-hour crisis receiving center service to the new CRC service license (02-040 or 02-041) but will transition to licensing other providers that wish to deliver this service after October 18.**

PHASE 1: July 17 – August 30, 2024

On **July 17, 2024**, the Office of Licensing began an expedited process to prioritize and process service modifications for providers currently licensed under 07-006 who have been enrolled with the Department of Medical Assistance Services (DMAS) to provide crisis receiving center services. Providers who are

currently providing CRC services and mobile crisis response and/or community-based crisis stabilization will need to maintain their 07-006 service license so that they can continue to provide mobile crisis response and/or community-based crisis stabilization. Providers licensed to provide only CRC services under their current 07-006 license will need to submit both a service modification, to add either the 02-040/02-041 license, and an information modification to close their 07-006 license.

Providers that have been delivering 23-hour crisis receiving center services were informed to transition to the CRC license within 90 days (October 17, 2024). To ensure sufficient time to review and approve these modification requests, all providers currently licensed under the 07-006 license and enrolled with DMAS to provide crisis receiving center services, must have submitted a service modification with all required attachments to apply for the new CRC service license no later than **August 30, 2024**. Providers have until **October 17, 2024**, to be in compliance with the new crisis regulations, including having the correct license type. Providers who submitted their information after **August 30th** or who submitted incomplete or inaccurate information may risk not being licensed by the due date. This will result in an inability to provide the service until the new license is approved which may also affect a provider's ability to bill for services.

PHASE 2: September 17 – October 17, 2024

DBHDS Office of Licensing will continue to accept service modifications for any providers currently licensed for 07-006 license and who have evidence that they have enrolled/billed DMAS or a managed care organization for the CRC service (23-hour crisis receiving center), including those providers that did not submit a claim until after July 17, 2024. A DBHDS Office of Licensing staff member may reach out to a provider or the payor to request evidence of enrollment and billing as needed. Providers must be able to submit evidence of enrollment/billing when requested. Please note that providers of CRC services who are not providing services 24 hours, 7 days a week should not apply for the service. Any applicant/provider who applies without proof of appropriate staffing, including 24-hour services, will receive a deficiency letter and may be asked to withdraw their application. Note a reminder that all CRCs will receive an onsite inspection which will also include a review of appropriate staffing levels.

PHASE 3: October 18, 2024

Initial Applications for Priority Services on the Waitlist and Service Modifications for Crisis Services

Due to the new crisis regulations that became effective on July 17th, 2024, current providers of crisis services have been prioritized during this time. This initiative has slowed the processing of initial applications for our other priority applicants. Beginning October 18, 2024, initial applications for all other priority services will resume processing. If you have submitted an initial application for a priority service, please note that once your application has been reviewed, you will receive correspondence from the Department.

Location and service modifications for non-crisis services have continued to be processed during this time. On October 18, 2024, the DBHDS Office of Licensing will also begin to accept service modifications for crisis services, inclusive of MH Center-Based Crisis Receiving Centers.

Below is a chart that summarizes the phases outline above

Current License	Phase 1 – New CRC License 7/17 – 8/30/24	Phase 2 – New CRC License 9/17-10/17/24	Phase 3 -Resume normal operations 10/18/24 - ongoing
07-006 and billed DMAS for 23 hr observation prior to 7/17/24	Can apply for CRC license (02-040 or 02-041)	Can apply for CRC license (02-040 or 02-041)	Can apply for any license
07-006 and billed DMAS for 23 hr observation after 7/17/24		Can apply for CRC license (02-040 or 02-041)	Can apply for any license
All applicants			Can apply for any license Current applicants on the waitlist will resume processing..

Detailed instructions on how to submit service and information modifications, for providers **who are currently providing 23-hour CRC services**, were reviewed with providers during the Crisis Services Regulatory Training held on July 10, 2024. The PowerPoint, recorded webinar and other helpful tools may be found on the Office of Licensing Website and are listed below:

CRISIS SERVICES

- [Crisis Service Applications-Information and Timeframe](#)
- [Crisis Services Regulatory Training Q&A Submission Form for Licensed Providers](#)
- [Crisis Services Regulatory Training Recorded Webinar \(July 2024\)](#)
- [Crisis Services Regulatory Training PowerPoint \(July 2024\)](#)
- [At A Glance Crisis Chart \(July 2024\)](#)
- [DBHDS Policy & Procedure Attestation Form for CRC and CSU Services \(July 2024\) – MUST BE DOWNLOADED](#)
- [DBHDS Seclusion Attestation Form for CRC and CSU Services \(July 2024\) – MUST BE DOWNLOADED](#)
- [Compliance Requirements for Serving Individuals Under Temporary Detention Orders \(TDO\) Memo \(July 2024\)](#)
- [Crisis Services Regulatory Training Q&A \(July 2024\)](#)

What Happens After I Submit My Application?

A DBHDS representative will conduct an onsite quality review to determine a provider’s compliance with DBHDS rules and regulations incorporating the crisis criteria.

For CRC services (02-040 or 02-041), once the provider has demonstrated compliance with the regulations as part of the quality review, the provider will be granted a Conditional License. Pursuant to Code of Virginia §37.2-415, a Conditional License may be granted to a provider to operate a new service to permit the provider to demonstrate compliance with all licensing standards.

Following the issuance of the Conditional License, a representative from the Office of Licensing will conduct an unannounced onsite inspection to determine compliance with the Rules and Regulations for Licensing Providers which includes the crisis criteria as part of the inspection process. Providers will need to demonstrate substantial compliance with these regulations prior to the issuance of an annual license.

Current providers of 23-Hour Crisis Receiving Center services have 90 days from July 17, 2024 to obtain the appropriate DBHDS license for the service they are providing.

Additional Questions

For additional questions related to the crisis service amendments providers may use the link below to submit questions related to the Crisis Services regulations changes. Questions will be answered by a DBHDS Subject Matter Expert and posted on the OL webpage. [Q&A Submission Form-Crisis Services Regulatory Changes](#). For general questions relating to licensing, please reach out directly to your assigned licensing specialist.

Thank you for your continued patience and support as we implement the new crisis initiative.