**Compliance Guide for New Regulations for Small Businesses**

* What does this regulation do?

The purpose of this action is to clarify that the Program covers ASAM Level 1 services for individuals who are simultaneously receiving clinically managed low-intensity residential services. Additionally, this action implements a 3.5 percent rate increase effective July 1, 2019 for residential substance use disorder services levels of care 3.3, 3.5, 3.7, and 3.7-WM as provided in the Fiscal Year 2020 budget.

* Who is subject to the new regulation?

Adult residential substance use disorder service providers

* Why were the new regulations proposed?

 The Program covers ASAM Level 1 for individuals in a residential, low-intensity program. Presently, its regulations prohibit these services from co-existing. The proposed change is necessary to correct a drafting error and align combination of service limitations with current policy and practice.

Additionally, these regulations were promulgated to implement a 3.5 percent rate increase for residential substance use disorder services levels of care 3.3, 3.5, 3.7, and 3.7-WM as provided in the Fiscal Year 2020 budget.

* When are the regulations effective?

The regulation will take effect 10 days after publication of Final Notice in the *Maryland Register.*

* Is funding available to implement new requirements established by the regulation?

The 3.5 percent rate increase is included in the Fiscal Year 2020 budget.

* Are there other resources available for implementing the requirements of the regulation?

N/A

* Is there assistance available to help understand the requirements of the regulation?

Please direct Medicaid Behavioral Health policy questions to mdh.mabehavioralhealth@maryland.gov.

Key Terms and Definitions

ASAM Level 1: Called Outpatient Services for adolescents and adults, this level of care typically consists of less than 9 hours of service/week for adults, or less than 6 hours a week for adolescents for recovery or motivational enhancement therapies and strategies. Level 1 encompasses organized services that may be delivered in a wide variety of settings.

ASAM Level 3.1: Called Clinically Managed Low-Intensity Residential Services, this adolescent and adult level of care typically provides a 24 hour living support and structure with available trained personnel, and offers at least 5 hours of clinical service a week. Level 3 encompasses residential services that are described as co-occurring capable, co-occurring enhanced, and complexity capable services, which are staffed by designated addiction treatment, mental health, and general medical personnel who provide a range of services in a 24-hour living support setting.

American Society of Addiction Medicine. (July 20, 2018). What are the ASAM Levels of Care? Retrieved August 12, 2019, from https://www.asamcontinuum.org/knowledgebase/what-are-the-asam-levels-of-care/