

Comments and Responses on ARC 2061C
Human Service Department Rule 441—77.22(249A)
Received July 22, 2015 – August 13, 2015

The following person/organization provided written comments, which are included in the summary below:

1. Jesse J. Logue, Ph.D., BCBA-D
Title: Post-Doctoral Fellow, Neurobehavioral Unit – Outpatient, Kennedy Krieger Institute
2. George S. Eichhorn, JD, CPCO
General Counsel/Director of Compliance, ChildServe

COMMENT:

In the notice of intended action in the Human Service Department [441] ARC 2061C, the National Register of Health Service Psychologists and current credentialing requirements for Medicaid provider eligibility is highlighted. Clarification is requested regarding whether a licensed psychologist is required to be a listed member on the National Register of Health Service Psychologists registry or if meeting the credentialing requirements outlined by the Register without being listed on the registry is acceptable to attain Medicaid eligibility.

RESPONSE:

If the licensed psychologist is listed on the registry of individuals certified by the National Register of Health Service Psychologists, they do not need to submit supporting documents. Medicaid enrollment staff verifies this on the National Register of Health Service Psychologists registry: <http://www.findapsychologist.org/> website.
If the licensed psychologist is not listed on the registry of individuals certified by the National Register of Health Service Psychologists, submission of one of the below listed documents is required in order to meet credentialing requirements:

- a. **Doctoral level psychologists** are considered to meet the National Register of Health Service Psychologist standards. A copy of the diploma is acceptable.
- b. **Iowa Health Service certification** requirements are the same as the National Register of Health Service Psychologists certification requirements. A copy of the Iowa Health Service certification document is acceptable.
- c. **A written statement explaining how the licensed psychologist met credentialing qualifications through healthcare service experience.** The statement must include the psychologist's name, national provider identification (NPI), date, signature and be written on office letter head to be acceptable.

The Department will not amend the proposed rule to address the concern noted, as the proposed rule states: "All psychologists licensed to practice in the state of Iowa and meeting the current credentialing requirements of the National Register of Health Service Psychologists are eligible to participate..." There is no requirement outlined in this proposed amendment related to being listed on the registry of individuals certified by the National Register of Health Service Psychologists.

COMMENT:

The respondent expressed concern about the provision under the proposed amendment to 441—77.22(249A) regarding credentialing psychologists by current National Register of Health Service credentialing requirements. The respondent's fear is that this provision will disqualify several Iowa licensed masters-level psychologists from being reimbursed by Medicaid.

The respondent provided history related to there previously being both masters and doctoral level clinical psychologists. In the 1970s and 1980s, the profession led a movement to require clinical psychologists to have a doctoral degree. Recognizing that there were still some qualified (and licensed) masters-level psychologists, both the Iowa Board of Psychology Examiners and the national credentialing associations permitted masters-level clinical psychologists to apply to be grandfathered in. In about 1985, the State of Iowa told masters-level psychologists they could still become licensed if they applied for licensure and then demonstrated their experience, took the tests and passed the oral exams. The masters-level psychologists did not have to complete that in 1985, but they had to at least start that process. The respondent believed that the National Register was also following a similar process in the late 70s, though was unsure how long they permitted masters-level psychologists to apply for "grandfathered" status. The respondent noted that now all (new) applicants would need to be doctoral degree applicants. The commenter noted that there are still several licensed and/or credentialed masters-level psychologists practicing and that they would have been practicing as such for the past 30 plus years.

The respondent noted that ChildServe has an Iowa licensed masters-level psychologist who could have met the grandfathered criteria to be on National Register. He applied in 1985 for an Iowa license and subsequently received his Iowa license. He has been duly credentialed by Medicaid and been doing assessments for children for years. The respondent noted his concern that he would not like this proposed change to disqualify this masters-level psychologist, as such would affect the children served by the agency. In that regard, the respondent noted the additional concern that it is very difficult to recruit psychologists and that the last time such recruitment was undertaken, it took 18 months to find a qualified applicant.

RESPONSE:

Beyond the technical corrections being made to the Iowa Medicaid psychologist enrollment rule under 441—77.22(249A) this rule packet also makes technical corrections to two other rules to update references to claim forms and entities mentioned in those rules. The change to 441—77.22 (i.e., under Item 1 of ARC 2061C), updates references to the "National Register of Health Service Psychologists" (the new/current name for this entity) and changes a reference to "standards" to "current credentialing requirements" of the "National Register."

Relative to the concern about the provision regarding credentialing psychologists by current National Register of Health Service credentialing requirements potentially disqualifying several currently licensed masters-level psychologists from being reimbursed by Medicaid, the Department does not believe such will be the case.

In reviewing current and historical versions of Iowa Code and Iowa Administrative Code provisions under the Department's purview, no provisions are found thereunder which

specifically addresses the “grandfathering” of masters-level psychologists, for the purposes of enrolling as providers under Iowa Medicaid. It appears that the Department would have followed the lead of the Board of Psychology Examiners, along with then-currently applicable provisions governing that body, as well as other national psychology credentialing organizations on how they approached the grandfathering issue. In that regard, it is noted that Code 154B.6 addressing “requirements for licensure” for psychologists and originally effective July 1, 1985 does appear to contemplate “grandfathering” of masters level psychologists, as reflected under 154B.6(1), which provides as follows: “Except as provided in this section, **after July 1, 1985** a new applicant for licensure as a psychologist shall possess a doctoral degree in psychology from an institution approved by the board...” (**emphasis** added)

With respect to the concerns regarding masters level psychologists and the technical corrections being made to 441—77.22(249A) under ARC 2061C (Item 1), it needs to be noted that even before these current proposed technical corrections, the same concerns would be present regarding the standards under the current (non-technically corrected) version that rule. This is because the standard under the current rule language (i.e., “meeting the standards of the National Register of Health Service Providers in Psychology, 1981 edition, published by the council for the National Register of Health Service Providers in Psychology”) still would have required psychologists to be at the doctoral level. The Department reads both the current and proposed rule language to only apply to new applicants, not those currently enrolled, including those who were grandfathered in back in 1985.

So in light of the foregoing rationale, the Department does not believe any additional changes need to be made to the proposed rule.