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June 15, 2010

Ms. Marilyn Tavenner  
Acting Administrator  
Centers for Medicare and Medicaid Services  
Department of Health and Human Services  
Hubert H. Humphrey Building  
200 Independence Avenue, SW  
Room 445-G  
Washington, DC 20201

**RE: CMS-1498-P [RIN 0938-AP80]: Medicare Program; Proposed Changes to the Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals and the Long-Term Care Hospital Prospective Payment System and Proposed Fiscal Year 2011 Rates; Effective Date of Provider Agreements and Supplier Approvals; and Hospital Conditions of Participation for Rehabilitation and Respiratory Care Services Medicaid Program: Accreditation Requirements for Providers of Inpatient Psychiatric Services for Individuals Under Age 21**

Dear Acting Administrator Tavenner,

As an association representing behavioral healthcare provider organizations and professionals, the National Association of Psychiatric Health Systems (NAPHS) appreciates the opportunity to provide comments on the provisions related to the "**Accreditation Requirements for Providers of Inpatient Psychiatric Services for Individuals Under Age 21**" contained in **CMS-1498-P** as published in the May 4, 2010, *Federal Register*.

#### **ABOUT NAPHS**

Founded in 1933, NAPHS advocates for behavioral health and represents provider systems that are committed to the delivery of responsive, accountable, and clinically effective prevention, treatment, and care for children, adolescents, adults, and older adults with mental and substance use disorders. Our members are behavioral healthcare provider organizations, including more than 600 psychiatric hospitals, general hospital psychiatric and addiction treatment units, residential treatment centers, youth services organizations, outpatient networks, and other providers of care. Our members deliver all levels of care, including residential treatment, inpatient hospital treatment, partial hospitalization services, and outpatient services.

## **NAPHS COMMENTS**

We **agree** with the Centers for Medicare and Medicaid Services (CMS) proposal to **remove** the requirement that psychiatric hospitals and hospitals with inpatient psychiatric programs providing inpatient psychiatric services to individuals under age 21 must be accredited by The Joint Commission (TJC) in order to provide these services under the Medicaid program. We think psychiatric hospitals should have the choice of meeting the requirement to participate in Medicare as a psychiatric hospital under 442 CFR 482.60 or obtaining accreditation from a national accrediting organization whose hospital accreditation program has been approved by CMS.

We also agree that any specific reference to accreditation organizations should be removed from the requirements for psychiatric residential treatment facilities (PRTFs) that wish to provide treatment to individuals under age 21 through the Medicaid program. These facilities should be permitted to seek accreditation through a national accrediting organization whose program has been approved by CMS or by any other accrediting organization with comparable standards that is recognized by the State.

These changes would bring the requirements for facilities delivering psychiatric services to individuals under the age of 21 in line with the requirements facilities must meet when delivering services to other Medicaid beneficiaries. We support the concept of maximum flexibility in the choice facilities have in demonstrating their adherence to widely recognized standards of quality performance. The changes outlined in the proposed rule would facilitate the provision of medically necessary, Medicaid-reimbursable psychiatric services to vulnerable youth while continuing to demand the high quality of care that Medicaid requires of other providers.

## **CONCLUSION**

Thank you for your consideration of our comments. We look forward to working with CMS and the Department of Health and Human Services to ensure that appropriate standards are developed and enforced for behavioral healthcare treatment providers and the millions of Americans they serve who are living with psychiatric and addictive disorders.

Sincerely,

Mark Covall  
President/ CEO