

BHCIP Eligible Facilities: DHCS LCD NTP & NTP Medication Unit Certification Webinar



**Behavioral Health Continuum
Infrastructure Program**

November 2024

BHCIP Overview

- » In 2021 [legislation](#), the California Department of Health Care Services (DHCS) was authorized to establish BHCIP and award \$2.2 billion to eligible entities to construct, acquire, and expand properties and invest in mobile crisis infrastructure to improve the quality of and access to behavioral health care across the state.
- » In March 2024, California voters passed [Proposition 1](#), a two-bill package including the Behavioral Health Services Act (BHSA) ([Senate Bill 326](#)) and the Behavioral Health Infrastructure Bond Act of 2024 (BHIBA) ([Assembly Bill 531](#)).
 - The BHIBA portion is a \$6.38 billion general obligation bond to develop an array of behavioral health treatment, residential care settings, and supportive housing to help provide appropriate care facilities for Californians experiencing mental health conditions and substance use disorders.
 - DHCS was authorized to award up to \$4.4 billion in BHIBA funds for BHCIP competitive grants for behavioral health treatment.
 - In addition, DHCS will enact changes resulting from Proposition 1 through the Behavioral Health Transformation (BHT) project, which aims to modernize the behavioral health delivery system, improve accountability, increase transparency, and expand capacity of behavioral health care facilities for California residents.

LCD NTP Introductions

- Today's meeting materials will be available following the session.
- There will be a Q&A session at the end of today's presentation.
- We will provide a high-level overview of the State licensure process.








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Housekeeping

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Agenda

- Introductions & Housekeeping
- DHCS Narcotic Treatment Programs Overview
- Substance Abuse and Mental Health Services Administration (SAMHSA Opioid Treatment Program
- Drug Enforcement Administration (DEA)
- BHCIP Eligible Programs
- NTP & NTP MU Application Forms
- Initial NTP and MU Protocol Requirements
- Application Submission & Fees
- Preliminary Approvals
- Common Initial Application Deficiencies
- Onsite Inspections and State Licensure
- Helpful Links and Contacts
- Questions

DHCS Narcotic Treatment Programs Overview

- » DHCS, Licensing and Certification Division, Counselor and Medication Assisted Treatment Section (CMATS) is responsible for carrying out applicable statutory ([Health and Safety Code \(HSC\), Chapter 10, 11839](#)) and regulatory ([California Code of Regulations \(CCR\), Title 9, Chapter 4](#)) requirements for licensure and compliance monitoring of all public and private NTPs in the State of California.
- » California's NTPs provide opioid medication assisted treatment to those persons diagnosed with an opioid use disorder. NTPs also provide withdrawal management and/or maintenance treatment services which include medical evaluations, treatment planning, and behavioral therapies to help the patient achieve a sustainable recovery and become and/or remain productive members of society.
- » DHCS oversees NTPs in conjunction with SAMSHA, Center for Substance Abuse Treatment (CSAT) and the DEA.

Substance Abuse and Mental Health Services Administration (SAMHSA) Opioid Treatment Program

- » SAMHSA is the agency within the U.S. Department of Health and Human Services that leads public health efforts to advance the behavioral health of the nation.
- » NTPs must also adhere to the all federal laws: [Certification of Opioid Treatment Programs, 42 Code of Federal Regulations \(CFR\) 8, statutes, regulations, and guidelines](#) that apply to NTPs and medications for opioid use disorder.
- » To apply for provisional NTP certification visit SAMSHA's website:
 - [NTP/Opioid Treatment Program \(OTP\) - How to Become Certified?](#)
 - For provisional certification of a new NTP a form [SMA-162](#) and supporting documents must be submitted to SAMHSA.
 - Federal regulations require programs to become accredited by an approved accrediting body. Form [SMA-163](#) and supporting documents must be submitted.
- » Medication units must follow the same federal and state laws as NTPs. MUs must apply and renew for certification. To receive SAMHSA certification for a MU, the NTP program sponsor must complete the online application in the [SAMHSA OTP Extranet](#).

Drug Enforcement Administration (DEA)

- » The mission of DEA's Diversion Control Division is to prevent, detect, and investigate the diversion of controlled pharmaceuticals and listed chemicals from legitimate sources while ensuring an adequate and uninterrupted supply for legitimate medical, commercial, and scientific needs.
- » To obtain DEA registration visit DEA's website:
 - Federal registration by DEA is required in accordance with [Title 21, Code of Federal Regulations \(CFR\) Chapter 2](#).
 - New NTP programs need to be registered with the DEA, by completing [form 363](#) and supporting documents.
 - [A Guide to DEA Narcotic Treatment Program Regulations](#) pages 3-5 provides more information on the DEA initial registration process.

BHCIP Eligible Programs

Facility Type	State License	Federal Certification	Federal Registration
Narcotic Treatment Program-(NTP)	Mandatory	SAMHSA Opioid Treatment Program also know as Narcotic Treatment Program Certification (Mandatory)	Drug Enforcement Agency (DEA) Registration (Mandatory)
NTP Medication Unit			

*To expedite the process DHCS encourages NTP applicants to submit their DEA, SAMHSA, and DHCS applications simultaneously.



NTP & NTP MU Application Forms

Forms	NTP Program Required?	NTP Medication Unit Required?
Initial Application Coversheet Form (DHCS 5014)	Y	Y
Facility and Geographical Area Form (DHCS 5025)	Y	Y
County Certification Form (DHCS 5027)	Y	Y
Organizational Responsibility Form (DHCS 5031)	Y	Y
Staff Information Form (DHCS 5026)	Y	Y
Guarantor Agreement Form (DHCS 5020)	Y	N
Affiliated and Associated Acknowledgment Form (DHCS 5134)	N	Y
Fictitious Business Name Statement, if appropriate	If Applicable	If Applicable
Business Legal Documents	Y	Y
Copy of SAMHSA's provisional certification application Form SMA-162	Y	N
Copy of MU online application in the SAMHSA OTP Extranet	N	Y
Copy of Drug Enforcement Agency registration application Form 363	Y	Y
NTP/MU Protocols	Y	Y

Initial NTP and MU Protocol Requirements

CCR, Title 9, Section 10030:

- I. REQUIRED FORMS**
- II. PROGRAM ADMINISTRATION**
- III. PERSONNEL POLICIES AND STAFFING**
- IV. PATIENT RECORDS**
- V. MULTIPLE REGISTRATION AND DIVERSION PREVENTION (not required for MU Protocols)**
- VI. HANDLING AND SECURITY OF MEDICATION**
- VII. PATIENT TREATMENT**

Protocol Requirements Continued

VIII. TAKE-HOME PRIVILEGES

IX. TREATMENT PLANS (not required for MUs)

X. BODY SPECIMEN COLLECTION AND STORAGE

XI. DOSAGE LEVELS

XII. TREATMENT TERMINATION PROCEDURES

[NTP Initial Application FAQ](#)

[MU Application FAQ](#)

Application Submission & Fees

» [NARCOTIC TREATMENT PROGRAM LICENSURE FEES \(ca.gov\)](https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/NarcoticTreatmentProgramLicensureFees.aspx)

- Fee may be paid online or by check.
- Visit the DHCS website for current fees.

» How to Apply for Licensure:

- Mail application to:
 - Department of Health Care Services
Counselor & Medication Assisted Treatment Section
PO BOX 997413, MS2603
Sacramento, CA 95899-7413
- Email application to: DHCSNTP@dhcs.ca.gov

Application Submission & Fees, Cont.

» Current Fees:

Type of License Fee	2023 – 2024 Licensing Fees
Initial Application for Licensure Fees (including Medication Units, Mobile Narcotic Treatment Programs and Office-Based Narcotic Treatment Network)	\$4,052
Base Annual License Fee	\$1,126
Patient Slot Fee	\$35
Program Relocation Fee	\$1,437

Note: A MU is a component of a primary NTP that is geographically separate from the NTP. MUs can provide the same services as an OTP, where space allows for quality patient care. Required NTP services not provided in MUs must be conducted at the primary NTP. Therefore, MUs do not pay a patient slot fee. The slot fee is covered by the primary NTP as the MU patients are the same patients receiving services at the primary NTP.

Preliminary Approvals



- » DHCS shall notify the NTP, within 60 calendar days of receipt of an NTP or MU application whether the application is complete and accepted for review, or incomplete.
- » Only complete applications will be eligible to receive approval from DHCS. Incomplete applications will require remediation prior to approval.

Common Initial Application Deficiencies

- » Missing Protocol requirements: ([CCR, Title 9, Section 10030](#))
 - [Guarantor Agreement Form \(DHCS 5020\)](#) (CCR, Title 9, Sections 10030(42) and 10095(b))
 - Copies of all forms developed and to be used by the proposed program. (CCR, Title 9, Section 10030(a)(36))
 - Procedures for scheduled termination, voluntary termination, and involuntary termination for cause, including reasons for termination for cause. ((CCR, Title 9, Section 10030(a)(34))
 - Testing or analysis procedures for illicit drug use which utilize random selection or unannounced collection. ((CCR, Title 9, Section 10030(a)(33)).
 - Procedures, which provide for cooperation with local jails for either detoxification or maintenance treatment while in custody, in the event of patient hospitalization or incarceration. (CCR, Title 9, Section 10030(a)(31)).

Common Initial Application Deficiencies

Live Scans are required ([HSC Section 11839.8](#)) for any partner, officer, director, 10 percent or greater shareholder.

- The NTP must conduct a background check/live scan at the time of an initial application:
 - Complete the DHCS prefilled form BCII8016 (Request for Live Scan)
 - Provide the form to a Live Scan Operator at a Live Scan Location to have fingerprints scanned and processed for clearance
 - Pay live scan fees to process live scan request
 - Email DHCS at NTPDHCS@DHCS.CA.GOV to request the proper forms.

Onsite Inspections and State Licensure

- » It is recommended that an NTP works to schedule on-site inspections with the DEA and DHCS around the same time so that delays in starting the MNTP are avoided.
- » Once onsite inspections are done, DEA and DHCS will independently notify SAMHSA of their recommendations. SAMHSA may take a few weeks to issue provisional certification (NTPs)/ certification approval (MUs). Once approved, DHCS will issue a State license, so the NTP may commence operations.



Helpful Links and Contacts

- » DHCS Narcotic Treatment Programs Website and FAQs :
 - [Narcotic Treatment Program \(NTP\) \(ca.gov\)](#)
 - [NTP Initial Application FAQ 3-23-21](#)
 - [MU Application FAQ 5-4-21](#)
- » [Federal Guidelines for Opioid Treatment Programs \(samhsa.gov\)](#)
- » [DEA Narcotic Treatment Program Manual](#)
- » [Title 9, California Code of Regulations \(CCR\), Division 4, Chapter 4, Subchapter 1 commencing with Section 1000 for NTP & Medication Units](#)
- » Contact Information:
 - DHCS phone number: (916) 322-6682 and email: DHCSNTP@dhcs.ca.gov
 - Diversion Field Office phone number: (800) 882-9539 and email: DEA.Registration.Help@usdoj.
 - SAMHSA Compliance Officer phone number: (240) 276-2700 and email: DPT@samhsa.hhs.gov.

Questions?

