



It has been brought to our attention that there is some confusion regarding an insurer or managed care companies obligation to pay an OASAS certified program for care provided in part by a Credentialed Alcohol and Substance Abuse Counselor (CASAC). This letter is intended to clarify both the law regarding coverage requirements for services provided by a CASAC and the importance of a CASAC in the OASAS treatment model.

Pursuant to Article 19 of the Mental Hygiene law OASAS must implement laws and standards for effective and high quality care and treatment of alcoholism and substance abuse. Toward that end, OASAS certifies and regulates both the alcohol and substance abuse treatment program and the individual CASAC.

Certification of an alcohol and or substance abuse treatment program requires the approval of the OASAS Commissioner, and programs are held to strict programmatic, staffing and physical plant requirements that are dependent upon the type of treatment services provided. The staffing requirements specify the numbers and competency level of the staff members who must be present during a programs operation in order for a treatment program to be in compliance with its statutory and regulatory obligations.

The OASAS regulations establish staffing requirements that stress the importance of a CASAC in the treatment setting. At least one CASAC is required as part of a multi-disciplinary treatment team in both residential and outpatient treatment programs, as well as in adolescent treatment programs. As part of the multi-disciplinary team, the CASAC is capable of providing services including but not limited to “screening, intake, orientation, assessment, evaluation and intervention, referral, treatment planning, counseling, crisis intervention, patient education, case management, reporting and record keeping, and consultation with other professionals.” The broad scope of a CASAC’s responsibilities in a treatment program when coupled with the rigorous CASAC certification standards indicate that a CASAC as a provider, is a necessary component of alcohol and substance abuse treatment.

In determining a CASAC applicant’s fitness for certification, applicants are required to be competent in, and to have a broad range of knowledge of the methods and modalities of treatment for alcoholism and substance abuse. Credentialed individuals are held to the highest ethical standards as adapted from the National Association of Alcoholism and Drug Abuse Counselors Ethical Standards of Alcoholism and Drug Abuse Counselors. This highly specialized certification, once received, permits a CASAC to provide services only within an OASAS certified facility, except in very limited circumstances. In addition, CASAC’s are subjected to a recertification every three years requiring continuing education on the “philosophies, practices and policies” of alcohol and substance abuse treatment models.

Applicable New York State Insurance regulations definitively states that coverage must include care rendered in an OASAS certified facility, “*even if rendered by a provider who would not otherwise be reimbursed under the policy.*” **See Title 11 NYCRR Part 52.24.** A CASAC is an OASAS credentialed provider, providing OASAS regulated services, within an OASAS certified facility. Thus, the provision of services by a CASAC in an OASAS certified program must be reimbursed by insurers and managed care companies.

Sincerely,

Robert A. Kent  
General Counsel