

## **Master’s Level Therapist (MLT) Pilot—Frequently Asked Questions**

### **1. What is the MLT Pilot?**

- The Master’s Level Therapist (MLT) pilot goal is to expand access to behavioral health interventions and deliver care using qualified MLTs. These behavioral health interventions are intended to enhance workers’ ability to heal and return to work, and aid attending providers to address barriers that impede recovery from work-related injury or illness.
- In addition, the MLT pilot will provide opportunities to expand access to appropriate mental health services on accepted mental health conditions. Pilot MLTs will be able to provide treatment on an accepted mental health condition on a claim. MLTs will not be able to diagnose conditions in the pilot, but can potentially provide more information prior to AP requests for mental health evaluation. This will potentially address the shortage of available mental health providers in the workers’ compensation system.
- The MLT pilot utilizes pilot rulemaking ([RCW 34.05.313](#)<sup>1</sup>) allowing for a more structured integration of this new provider type. No changes are proposed to the current mental health authorization process, and MLTs will only be eligible to treat mental health conditions after a department-approved mental health evaluation has determined appropriateness.

### **2. Why is L&I conducting a Pilot?**

- Current department rules state the department or self-insurer won’t allow or pay Licensed Independent Clinical Social Workers (LICSWs), Licensed Marriage and Family Therapists (LMFTs), and Licensed Mental Health Counselors (LMHCs) to treat and bill workers. These providers (hereafter referred to as Master’s Level Therapists, or MLTs) and other stakeholders have requested the Department of Labor & Industries (L&I) change its rules and policy (e.g., [WAC 296-21-270](#)<sup>2</sup>) to allow treatment of workers for accepted conditions within their scope of practice. Pilot rulemaking provides a structured environment for care delivery and capture of data.

Under this pilot, L&I’s current rules related to treatment by Master’s Level Therapists will be waived for pilot participants only. The exceptions granted are effective throughout the pilot period. While underway, L&I will utilize qualified providers participating in the pilot to deliver appropriate behavioral and mental health interventions to workers with an open workers’ compensation claim. Pilot results, including billing patterns, submission of required documentation, and referrals for further services will be considered in developing final rule language, medical coverage decisions, and/or payment policy.

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<sup>1</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=34.05.313>

<sup>2</sup> <https://apps.leg.wa.gov/WAC/default.aspx?cite=296-21-270>

### 3. How can I participate in the pilot?

- Interested MLTs can apply with L&I. Up to 300 MLTs may be enrolled initially, on a first-come first-served basis, with geographic distribution accounted for to address equitable access to pilot providers. To apply, you must complete all of the following:
  1. [L&I's MLT Pilot Training](#)<sup>3</sup>
  2. [L&I's Non-Network Provider application](#)<sup>4</sup>
  3. [L&I's MLT Pilot Supplement Application](#)<sup>5</sup>

All documentation must be together, complete (including all pages), and mailed **OR** faxed:

- Mail: Provider Credentialing  
PO Box 44261  
Olympia, WA 98504-4261
- Fax: (360) 902-4563

### 4. How long will the pilot run?

- The pilot will run for up to four years, beginning on January 1, 2020.

### 5. How can I stay informed about the pilot?

- Visit L&I's MLT Pilot webpage at [lni.wa.gov/MLT](http://lni.wa.gov/MLT)
- Subscribe to the "Master's Level Therapist Updates" EGov Bulletin at [lni.wa.gov/listserv](http://lni.wa.gov/listserv)
- Email [MLT@LNI.wa.gov](mailto:MLT@LNI.wa.gov) with questions

### 6. Are all workers eligible to receive treatment from an MLT pilot provider?

- All workers with an open claim are potentially eligible, but the following conditions must be met in order for a worker to see an MLT pilot provider for treatment:
  1. The Attending Provider (AP) on the claim refers the worker for behavioral health interventions which are voluntary for the worker, **OR**
  2. The Attending Provider (AP) on the claim refers the worker for psychotherapy treatment for an already accepted mental health condition on the claim.

Please note, **self-insured employers are not required to participate in the pilot or cover treatment delivered by MLTs during the pilot.** However, they can choose to cover MLTs and behavioral health interventions under the terms of the pilot. The patient and provider must ensure participation of the self-insured employer prior to initiating treatment.

<sup>3</sup> <https://lni.articulate-online.com/0850527386>

<sup>4</sup> <https://lni.wa.gov/patient-care/provider-accounts/become-a-provider/#provider-account-application>

<sup>5</sup> [https://lni.wa.gov/patient-care/\\_docs/MLTPilotSupplementtoProviderApplication.pdf](https://lni.wa.gov/patient-care/_docs/MLTPilotSupplementtoProviderApplication.pdf)

Claim contact information for self-insured employers is available here: [Find Self-Insured Employers](#)<sup>6</sup>

**7. I have a current vocational provider number with L&I and am enrolled in the MLT pilot. Can I be assigned as both the vocational provider and MLT on the claim?**

- No. If you were/are assigned to the claim as the vocational provider, you may not also provide services as an MLT. If the worker is referred for behavioral or mental health treatment, a different participating MLT must provide treatment to the worker. Likewise, if you are the assigned MLT for a worker, you may not also provide vocational services.

**8. How do you identify if a claim is for a self-insured employer?**

- Self-insured claim numbers begin with an S, T, or W. State-fund claims begin with A, B, or Z.

**Note:** if the claimant works for a self-insured employer you must contact the employer to verify participation in the MLT pilot. **For a list of self-insured employers and their contact information please visit:** [Find Self-Insured Employers](#).

**9. What behavioral health interventions are covered in the MLT pilot?**

- With referral from the Attending Provider, a pilot provider may deliver up to a maximum of 16 visits of a brief course of care with a focus on addressing psychosocial barriers that impede a worker's recovery and ability to return to work, utilizing CPT<sup>®</sup> codes 96156, 96158, and 96159. No more than one hour may be billed on a single date of service.
  - i. Documentation utilizing L&I's [MLT pilot forms](#)<sup>7</sup> is required to show progress and improvement toward treatment goals.
  - ii. Participation in behavioral health interventions is voluntary.

**10. What mental health interventions are covered in the MLT pilot?**

- When referred for by the Attending Provider, a pilot provider may request authorization to provide appropriate psychotherapy treatment for an already accepted mental health condition on the claim, under L&I's current mental health authorization process. Refer to [lni.wa.gov/mentalhealth](http://lni.wa.gov/mentalhealth) for more information on what treatment is available, and the process for prior authorization of care.
  - i. An MLT may not diagnose a mental health condition in the pilot. If a mental health condition is contended, it would go through L&I's current [mental health evaluation and authorization process](#).<sup>8</sup>

<sup>6</sup> <https://lni.wa.gov/insurance/self-insurance/look-up-self-insured-employers-tpas/find-a-self-insured-employer>

<sup>7</sup> <https://lni.wa.gov/patient-care/treating-patients/by-specialty/masters-level-therapists-mlt-pilot#documentation-and-payment-policy>

<sup>8</sup> <https://lni.wa.gov/patient-care/treating-patients/by-specialty/mental-health-services>

### 11. Am I required to get pre-authorization for behavioral health interventions?

- Prior authorization<sup>9</sup> is not required for up to 16 behavioral health intervention visits, though appropriate documentation of the referral and the treatment provided is mandatory.
- No more than 16 visits will be authorized.

### 12. Can we collect any co-pays or fees from the patient at time of service or later on?

- No. Health care providers who treat workers with an allowed claim are not permitted to balance bill or charge any other fees to workers for treatment of the workplace injury/illness. Refer to WAC 296-20-020 and WAC 296-20-022 (2). You must accept L&I's payment as sole and complete payment for services provided to the worker as required by Washington State law.

### 13. Are there any HIPAA rules when working with L&I?

- [HIPAA's privacy rules are different for workers' compensation programs](#)<sup>10</sup>, and the minimum necessary standard does not apply to any disclosure you are required to make.
- State law [RCW 51.36.060] requires you to disclose a worker's health information regarding work-related illnesses or injuries, when requested by L&I or the self-insured employer (SIE).
- When L&I or a self-insurer requests the personal health information of a patient being treated under a workers' compensation claim, you must send everything requested, including information that may appear unrelated to your patient's claim.
- It is appropriate to disclose a worker's protected health information related to a claim to L&I or a self-insured employer (SIE) without obtaining authorizations from your patient.
- HIPAA also allows you to disclose a worker's personal health information to an employer regarding work-related illnesses or injuries without the worker's authorization.
- More information about [HIPAA and L&I](#)<sup>11</sup>

### 14. If I am accepted into the pilot, when can I start treating injured workers?

- After you receive your letter from L&I indicating your application is accepted and approved, you may begin treating workers after Attending Provider referral under the pilot's terms and conditions on or after January 1<sup>st</sup>, 2020.

### 15. Who can refer injured workers for MLT treatment?

- The referring provider **must** be the claimant's Attending Provider.
  - i. Per [WAC 296-20-01002](#), members of the provider network include Physicians, Chiropractors, Naturopathic physicians, Podiatric physicians, Advanced Registered Nurse Practitioners (ARNP), Physician Assistants, Dentists, and Optometrists.

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<sup>9</sup> Effective 1/10/2022

<sup>10</sup> <https://www.hhs.gov/hipaa/for-professionals/privacy/guidance/disclosures-workers-compensation/index.html>

<sup>11</sup> <https://lni.wa.gov/claims/for-medical-providers/hipaa-and-lni>

## 16. What kind of documentation is required for the pilot?

- For the MLT pilot, L&I has developed pilot forms that are **required** to be filled out at each visit. These include:
  - [Behavioral Health Assessment Form](#)<sup>12</sup>
    - To be used at the initial visit
  - [Behavioral Health Intervention/Re-assessment Form](#)<sup>13</sup>
    - Intervention/treatment summary to be used at each follow-up visit
    - Re-assessment to be used when there are flare-ups
- Required psychometric measures listed on the forms include:
  - [The Patient Health Questionnaire 4 \(PHQ-4\)](#)
  - [Two-item Graded Chronic Pain Scale \(2-item GCPS\)](#)

L&I requires documentation of each clinical encounter to support claim adjudication and payment. After each treatment, all supporting clinical documentation must be sent to L&I via:

- Fax : 360-902-4567  
**OR**
- Mail: Department of Labor & Industries  
PO Box 44291  
Olympia, WA 98504-4291

**Please Note: Reports and chart notes must be sent separately from bills.**

## 17. How do I bill L&I?

For information on billing L&I, please visit our website at <https://www.lni.wa.gov/patient-care/billing-payments/billing-li/>

## 18. If I have any questions not answered here, who can I contact?

- For questions related to the MLT pilot, please email [MLT@LNI.wa.gov](mailto:MLT@LNI.wa.gov)
- For information on the pilot, or to locate needed forms, visit [LNI.wa.gov/MLT](http://LNI.wa.gov/MLT)
- For questions related to your provider account, contact Provider Accounts and Credentialing at [pacmail@lni.wa.gov](mailto:pacmail@lni.wa.gov).
- Please contact the Provider Hotline at (800) 848-0811 for any other assistance.

<sup>12</sup> <https://lni.wa.gov/forms-publications/F245-461-000.pdf>

<sup>13</sup> <https://lni.wa.gov/forms-publications/F245-462-000.pdf>