



ADMINISTRATIVE POLICY STATEMENT

Marketplace

Policy Name & Number	Date Effective
Court Mandated Health Services-MP-AD-1236	01/01/2024
Policy Type	
ADMINISTRATIVE	

Administrative Policy Statement prepared by CareSource and its affiliates are derived from literature based on and supported by clinical guidelines, nationally recognized utilization and technology assessment guidelines, other medical management industry standards, and published MCO clinical policy guidelines. Medically necessary services include, but are not limited to, those health care services or supplies that are proper and necessary for the diagnosis or treatment of disease, illness, or injury and without which the patient can be expected to suffer prolonged, increased or new morbidity, impairment of function, dysfunction of a body organ or part, or significant pain and discomfort. These services meet the standards of good medical practice in the local area, are the lowest cost alternative, and are not provided mainly for the convenience of the member or provider. Medically necessary services also include those services defined in any Evidence of Coverage documents, Medical Policy Statements, Provider Manuals, Member Handbooks, and/or other policies and procedures.

Administrative Policy Statements prepared by CareSource and its affiliates do not ensure an authorization or payment of services. Please refer to the plan contract (often referred to as the Evidence of Coverage) for the service(s) referenced in the Administrative Policy Statement. If there is a conflict between the Administrative Policy Statement and the plan contract (i.e., Evidence of Coverage), then the plan contract (i.e., Evidence of Coverage) will be the controlling document used to make the determination.

According to the rules of Mental Health Parity Addiction Equity Act (MHPAEA), coverage for the diagnosis and treatment of a behavioral health disorder will not be subject to any limitations that are less favorable than the limitations that apply to medical conditions as covered under this policy.

This policy applies to the following Marketplace(s):

<input checked="" type="checkbox"/> Georgia	<input checked="" type="checkbox"/> Indiana	<input checked="" type="checkbox"/> Kentucky	<input checked="" type="checkbox"/> Ohio	<input checked="" type="checkbox"/> West Virginia
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A. Subject

Court Mandated Health Services

B. Background

Court mandated health services are treatments ordered as a result of criminal, civil, or custodial judicial proceedings. Services may include withdrawal management, medication assisted treatment, community based services, behavioral health inpatient or outpatient treatment, medical inpatient or outpatient treatment, and/or other treatment related to one’s overall health.

C. Definitions

- **Court Mandated Health Services** - Court order issued upon the decision of a judge or the result of a judicial proceeding for health-related services.
- **Emergency Detention** - A person detained under reasonable grounds to be believed to have a mental illness, is either dangerous or gravely disabled, and is in immediate need of hospitalization and treatment.

D. Policy

- I. Court mandated health services are subject to all existing CareSource policies and procedures, including medical necessity determination and prior authorization as necessary.
- II. If court ordered health services are determined as not meeting medical necessity criteria, the member will be referred to care management to ensure access to the proper treatment and services and assist in coordination of necessary care.

E. State-Specific Information

Indiana

If a member is subject to an emergency detention, the services provided will be considered medically necessary when provided in accordance with generally accepted clinical care guidelines. Medical necessity may thereafter be reviewed for additional treatment.

F. Conditions of Coverage

NA

G. Related Policies/Rules

Medical Necessity Determinations

H. Review/Revision History

DATE		ACTION
Date Issued	02/19/2020	
Date Revised	08/31/2022	Annual revision. Combined individual MP LOBs (IN 0801, GA 0804, OH 0800, KY 0802, WV 0803).

The ADMINISTRATIVE Policy Statement detailed above has received due consideration as defined in the ADMINISTRATIVE Policy Statement Policy and is approved.

	10/11/2023	Annual Review: Added Indiana to E, updated references. Approved at Committee
Date Effective	01/01/2024	
Date Archived		

I. References

1. Authority of a Court to Order Detention, IND. CODE § 12-26-5-0.5(c) (2023).
2. *Georgia Evidence of Coverage*. CareSource; 2024. Accessed September 12, 2023. www.caresource.com
3. *Indiana Evidence of Coverage*. CareSource; 2024. Accessed September 12, 2023. www.caresource.com
4. *Kentucky Evidence of Coverage*. CareSource; 2024. Accessed September 12, 2023. www.caresource.com
5. Medically Necessary, IND. CODE § 12-15-5-13.5 (2023).
6. Mental Health Detention as Medically Necessary, IND. CODE § 27-8-5-15.9 (2023).
7. *Ohio Evidence of Coverage*. CareSource; 2024. Accessed September 12, 2023. www.caresource.com
8. *West Virginia Evidence of Coverage*. CareSource; 2024. Accessed September 12, 2023. www.caresource.com

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