

New York State Department of Health Guidance on Qualifications for Completing Mental Health Evaluations

Under 18 NYCRR 487.4(g),

Each mental health evaluation shall be a written and signed report, from a psychiatrist, physician, registered nurse, certified psychologist or certified social worker who is approved by the department in consultation with the Office of Mental Health, and who has experience in the assessment and treatment of mental illness.

The Department has consulted with the Office of Mental Health to develop this guidance. The Department will not require approval of mental health evaluators on a person-by-person basis. Rather, each individual conducting mental health evaluations must meet the criteria set forth below. The operator of an adult home shall maintain proof of such qualifications for each individual conducting mental health examinations in the form of a curriculum vitae that includes the individual's name, educational background, current employment, professional licenses, professional experience, past positions held, and current contact information for the individual. Resumes must be updated annually.

1. No individual will be authorized to complete a mental health evaluation unless:
 - a. he or she is a professional authorized to practice in NYS under one of the professional titles set forth in 18 NYCRR 487.4(g) (psychiatrist, physician, registered nurse, certified psychologist or certified social worker);
 - b. he or she holds a valid and current professional license, and his or her license or authority is not prohibited from conducting such evaluations by any current order of the Commissioner of Health or Education, the Offices of Professional Discipline or Board for Professional Medical Conduct or the New York State Board of Regents. A further requirement for good standing is that the provider is not excluded from participation in the Medicare or Medicaid programs by the United States Department of Health and Human Services (see website for the Office of the Inspector General at <http://www.oig.hhs.gov/fraud/exclusions.asp>) or by the NYS Office of the Medicaid Inspector General (see website at <http://www.omig.ny.gov/data/content/view/72/52>); and
 - c. he or she has at least three years of direct professional experience, and/or supervisory experience, assessing and treating persons with mental illnesses within the last ten years.