



State of Florida  
Department of Children and Families

Rick Scott  
Governor

Mike Carroll  
Secretary

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**DATE:** December 31, 2015

**TO:** SAMH Regional Directors/SAMH Contract Managers/SAMH Managing Entities

**FROM:** Ute Gazioch, Director *San Black, Deputy Director*  
Substance Abuse and Mental Health (SAMH) *for Ute Gazioch*

**SUBJECT:** Clarifying the Scope of Services Funded by Block Grant HIV EIS Funding

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**PURPOSE:**

The purpose of this policy guidance is to announce changes to the covered services associated with the HIV OCA in Pamphlet 155-2 and to clarify the circumstances under which HIV Early Intervention Services (EIS) funding from the Substance Abuse Block Grant can be used for hepatitis C testing.

**DISCUSSION:**

In response to new guidance from SAMHSA, the Department must remove "outreach" as a covered service associated with the HIV OCAs in SAMHIS. The HIV OCA is funded using HIV EIS set-aside dollars from the Substance Abuse Block Grant. According to federal law, HIV EIS services must be used for individuals who are in treatment for a substance use disorder. Since outreach services are provided to individuals who are not yet enrolled in treatment, outreach services cannot be funded by the HIV EIS set-aside funding. However, please note that 45 CFR s. 96.126(e) still requires entities to engage in outreach if they receive Block Grant treatment funding and serve individuals who inject drugs. While HIV EIS set-aside funds can't be used for outreach, general Substance Abuse Block Grant funds can and should still be used for this purpose.

The term "Early Intervention Services," with respect to HIV, means:

1. Pre-test counseling.
2. Post-test counseling.
3. Tests to confirm the presence of the disease.
4. Tests to diagnose the extent of the deficiency in the immune system.
5. Tests to provide information on appropriate therapeutic measures for preventing and treating the deterioration of the immune system and for preventing and treating conditions arising from the disease.
6. Therapeutic measures for preventing and treating the deterioration of the immune system and for preventing and treating conditions arising from the disease.<sup>1</sup>

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<sup>1</sup> 42 U.S.C. § 300x-24(7).

In addition to the services identified above, Florida also has federal approval to add "case management" related to HIV to the EIS array.

In order to reflect this guidance from SAMHSA and mirror the services that comprise EIS, the covered services associated with the HIV OCAs (MSA23 and MSC23) are now as follows:

- Intervention (individual and group)
- Outpatient (individual and group)
- Case management
- Medical services

The removal of outreach from this list will be reflected in a revised version of Pamphlet 155-2 that will be re-posted on the Department's website.

Finally, according to a 2009 letter from SAMHSA's Director of the Division of State and Community Assistance, HIV EIS set-aside funding can only be used to conduct tests for hepatitis C if the following conditions are met:

1. The individual is in treatment for a substance use disorder.
2. The individual is HIV positive.
3. There is no other way to pay for the hepatitis C test. Block Grant HIV set-aside funds must be used as the payment of last resort.

cc: John Bryant, Assistant Secretary for SAMH  
Regional Managing Directors