



TEXAS
Department of Family
and Protective Services

Noncontracted Service Provider Reimbursement

Resource Guide

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Overview

This resource guide describes everything related to the reimbursement of noncontracted service providers. House Bill (HB) 793, 88th Regular Legislative session, created an avenue for DFPS to reimburse a noncontracted provider. A noncontracted provider in this context is one who is not under contract with DFPS to provide services to parents who are required to complete a service plan per [Subchapter B](#) of Texas Family Code Chapter 263. This avenue is an alternative to the 2054 Service Authorization process since the 2054 process only applies to contracted providers.

The circumstances that define when and how a noncontracted service provider can be reimbursed are outlined in the following:

- Texas Family Code [263.1021](#) Selection and Reimbursement of Service Provider.
- Texas Administrative Code Title 40, Part 19, Rule [§700.905](#).
- This resource guide.
- Noncontracted Service Provider Reimbursement [Form 1414](#).

General Requirements

All the following requirements/conditions must be met in addition to requirements in TAC Rule 700.905 in order for a noncontracted service provider to be reimbursed. The reimbursement amount will be at least the Medicaid rate.

- The service provider must certify in writing whether the parent has satisfactorily completed the required service.
- The service provider can only invoice for sessions or services that the parent attends; no-show/ non-attendance cannot be reimbursed.
- Only services authorized on a Purchase Voucher [Form 4116](#) may be reimbursed.
- The service provider must submit all necessary documentation (invoice DFPS) within 30 days of when the service was provided.
- The service provider must have a signed release of information from the parent(s) and service provider.
- The parent receiving the service must reside in Texas for a noncontracted provider to be reimbursed.
- The service provider must have the relevant license required by the State of Texas (not a temporary license) or must have certification/other training programs and two (2) years of verified full-time experience for the service type for which the provider is seeking reimbursement.
 - Refer to [Qualifications/Licensure for Specific Service Types](#) in this Resource Guide.
- Interns cannot be reimbursed.

Reimbursement process requirements

The noncontracted service provider must follow this process to submit for reimbursement. The provider must complete and submit the following forms:

- Noncontracted Service Provider Reimbursement [Form 1414](#).
- Comptroller Form [AP-152](#), if an AP-152 has not been submitted within the past three years or if any part of it needs to be updated.
- [Direct Deposit Authorization Form 74-176](#), if the noncontracted provider wants reimbursement via direct deposit and a 74-176 has not been submitted in the past three years or needs to be updated.
- Any supporting documentation (e.g., licensure, resume, etc.).

Preferred but not required

The following training or professional experience is recommended but not required.

- Completion of the [Trauma-Informed Care Training](#) on the DFPS public website. This training is a free, web-based learning course.

Qualifications/Licensure for Specific Service Types

DFPS can reimburse noncontracted service providers for these service types if the required licensure or credentials are met:

- Intake assessments
- Psychosocial assessments
- Counseling services (individual, group, or family counseling/therapy)
- Psychological evaluations
- Psychological testing services
- Psychiatric evaluations
- Psychiatric diagnostic consultations
- Substance use treatment services
- Domestic violence services / Battering Intervention and Prevention Program (BIPP)

Intake assessments, psychosocial assessments, counseling services

The service provider must have one of the following licenses in Texas.

- LCSW – Licensed Clinical Social Worker
- LMFT – Licensed Marriage and Family Therapist

- LPC – Licensed Professional Counselor
- LSOTP – Licensed Sex Offender Treatment Provider
- Licensed psychologist

Psychological evaluations and psychological testing services

The service provider must be a licensed psychologist in Texas.

- Licensed Psychological Associates-LPA and Provisional Licensed Psychologists-PLP must be licensed and abide by their scope and standards of practice. An LPA or PLP must also meet all the following conditions:
 - The services must be performed under the direct supervision of a licensed psychologist.
 - The supervising psychologist must be in the same office, building, or facility when the service is provided and immediately available for assistance and direction.
 - The LPA and PLP performing the psychological services must be an employee of either the licensed psychologist or the legal entity that employs the licensed psychologist.

Psychiatric evaluations and psychiatric diagnostic consultations

The service provider must possess a Texas Medical License. The service provider must have a completed psychiatric residency.

Substance use treatment services

The service provider must have one of the following licenses or certificates in Texas.

- Licenses:
 - LCDC – Licensed Chemical Dependency Counselor
 - In lieu of an LCDC, the service provider may have a license listed under [Intake assessments, psychosocial assessments, counseling services](#) above.
- Certificates:
 - Alcohol Drug Counselor (ADC)
 - Advanced Alcohol and Drug Counselor (AADC)
 - Certified Chemical Dependency Specialist (CCDS)
 - Certified Clinical Supervisor (CCS)

Domestic violence services / Battering Intervention and Prevention Program (BIPP)

The service provider must be an accredited BIPP provider through TDJC-CJAD and have one of the following licenses in Texas; OR be a TDCJ-CJAD funded BIPP provider.

- LMSW – Licensed Master Social Worker
- LCSW – Licensed Clinical Social Worker
- LMFT – Licensed Marriage and Family Therapist
- LPC – Licensed Professional Counselor

Process for Provider Payment

This process begins when service providers are being identified and the parent chooses a provider who does not have a contract with DFPS; the parent(s) is required to complete a Family Plan of Service (FPOS); and, the service(s) provided by the noncontracted service provider are designed to achieve the stated goals of the service plan.

1. The caseworker informs the parent(s) that in order for the noncontracted service provider to be reimbursed, the parent and provider must follow the process for reimbursement and adhere to all requirements as outlined in Texas Administrative Code (TAC) Rule [700.905](#) and the Noncontracted Service Provider Reimbursement Resource Guide.
2. The caseworker gives the parent [Form 1414](#) (available on the public website) and has them sign to acknowledge that the parent will share/give Form 1414 to the provider *and* that the provider has to be licensed and qualified, as applicable, in order to be reimbursed through this process.
3. Caseworker/Form 1414 explains the following:
 - The reimbursement amount is based on the amount equal to the average cost for the specific service from department contractors providing the service in the region where the parent resides; the amount reimbursed will be at least the Medicaid rate.
 - i. Since the noncontracted provider can only be paid rates as per above, any costs beyond that rate associated with receiving the service are the parent's responsibility and DFPS cannot pay the provider any amount above the average cost.
 - Signing Form 1414 does not guarantee that the noncontracted provider will be reimbursed.
 - Only noncontracted providers can be reimbursed; parents cannot be reimbursed. So, if the parent or a third party pays the noncontracted provider first, reimbursement is disallowed.
 - The caseworker does not set the price of contracted services.
 - The caseworker does not determine the timeframe for reimbursement.

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- Any delay in setting up a service provider who is not contracted with DFPS is on the parent and does not warrant an extension of the case, nor is it a valid excuse for not doing/completing services as required by the service plan.
 - What counts as qualified/licensed is in TAC Rule 700.905 and the Noncontracted Service Provider Reimbursement Resource Guide.
 - Noncontracted providers must submit all required forms and paperwork (invoice DFPS) within 30 days of service delivery.
 - Noncontracted providers must complete the following forms to apply for reimbursement; the provider cannot get reimbursed by sending forms directly to the caseworker.
 - i. DFPS [Form 1414](#) Noncontracted Service Provider Reimbursement.
 - ii. Supporting documentation (e.g., licensure, certification, etc.).
 - iii. Comptroller Form [AP-152](#), if an AP-152 has not been submitted within the past three years or if any part of it needs to be updated.
 - iv. Optional: [Direct Deposit Authorization Form 74-176](#) if the noncontracted provider wants reimbursement via direct deposit and a 74-176 has not been submitted in the past three years or if it needs to be updated.
4. Once the service has been provided (every month, if applicable) and the noncontracted provider is seeking reimbursement (meaning they are invoicing DFPS), the provider submits all required forms and paperwork to the Noncontracted Service Provider (NCSP) Reimbursement mailbox at NCSP_Reimbursement@dfps.texas.gov.
5. The NCSP_Reimbursement@dfps.texas.gov point of contact at State Office does the following within five business days of receiving paperwork from a provider:
- Reviews the forms for accuracy and completion.
 - Verifies qualifications/licensure are met per Rule 700.905 and Noncontracted Service Provider Reimbursement Resource Guide.
 - Confirms with the caseworker and supervisor that services provided were designed to achieve the stated goals of the service plan.
 - i. The caseworker and supervisor respond within five business days. As applicable, the caseworker informs the designated point of contact of partial or full completion of service (i.e., how many therapy sessions the client attended).
 - Completes [Form 4116](#) Purchase Voucher and submits all documents to Accounts Payable at ACCTPOLY@dfps.texas.gov.
 - If the submitted packet is deficient or does not meet Rule or Resource Guide requirements, the designated point of contact does one of the following:
 - i. Returns packet and requests corrections as needed.
 - ii. Informs noncontracted provider they are not eligible for reimbursement and lists specific reason(s) in the response.

6. Accounting processes the completed documentation and issues reimbursement to the noncontracted provider. If documentation needs corrections for payment purposes, Accounting will work with the point of contact at State Office to get the needed documentation and/or information in order to continue with processing the reimbursement.

General Caveats About Service Planning

- The process outlined by TFC 263.1021, TAC Rule §700.905, this resource guide, and Form 1414 does not determine whether a provider *can* provide a service – only how and when the noncontracted service provider gets reimbursed and by how much. In other words, if a provider is disallowed from being *reimbursed* for whatever reason, this does not determine whether DFPS allows the provider to provide the service.
- A service plan is required when requirements have not been waived because of a court finding of aggravated circumstances; the case is not a Baby Moses case; or parental rights have not been terminated.
- DFPS creates the service plan (the Family Plan of Service-FPOS) *with* the parent(s).
- DFPS submits the FPOS to the court within 45 days of obtaining temporary managing conservatorship (TMC).
- Services provided under the Noncontracted Service Provider Reimbursement process are *reimbursed* – not paid ahead.
- At the time of the service plan’s creation, the caseworker cannot guarantee that DFPS will authorize the reimbursement, nor can the caseworker guarantee when the reimbursement will be made.
 - If the service provider wants the benefits of payment through a 2054 Service Authorization, the service provider must become contracted through DFPS.
- Service *providers* are not always identified at the time of service plan creation, nor are they always decided at the time of the status hearing (when the service plan is made an order of the court).

Services do not equal safety

- The ultimate goal is for the child to be safe with the parents.
 - The goal of any service plan is to get the parent to engage and make behavioral changes that allow the child to be safely reunified.
- A “service” plan does not have to require *paid services* to achieve safety and reunification.
- A child can be safe with the parent(s) even if the parent does not complete any or all the services.
 - Conversely, a parent can complete all the services but fail to make behavioral changes or fail to provide a safe home. In other words, a parent can do *all* the services, but the child is still not safe to reunify.

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- Completing services is just one method for getting to behavioral changes and safety.
- Completing services – community, pro bono, or paid services – is not a guarantee of safety, nor a guarantee that the parent has or will make changes.
- The caseworker is responsible for making sure the parent(s) makes the necessary changes to ensure safety.
- A service plan is not a checklist.

Contact, Questions, & Support

For questions or technical assistance with this process, please contact the [NCSP Reimbursement@dfps.texas.gov](mailto:NCSP_Reimbursement@dfps.texas.gov) mailbox.

Appendix I: TAC Rule 700.905

This is the rule as it appears in the Texas Administrative Code (TAC).

TITLE 40	SOCIAL SERVICES AND ASSISTANCE
PART 19	DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES
CHAPTER 700	CHILD PROTECTIVE SERVICES
SUBCHAPTER I	PURCHASED PROTECTIVE SERVICES TO PREVENT REMOVAL OR TO REUNIFY FAMILIES
RULE §700.905	Reimbursement of Noncontracted Service Providers

- (a) A parent who is required to complete a Family Service Plan may obtain services from a qualified or licensed noncontracted service provider, and this provider may be reimbursed by DFPS in an amount equal to the average cost for the specific service from DFPS contractors providing the service in the region where the parent resides. Only services where the parent is the direct client of the service provider are eligible for reimbursement. In addition, the rules relating to the reimbursement of noncontracted service providers are intended to further supplement and clarify Texas Family Code §263.1021. This rule is operable to the extent that DFPS has existing resources to implement Texas Family Code §263.1021.
- (b) Definitions:
- (1) Case Plan: a Case Plan, as defined by 42 U.S.C. 675, is a written document which meets the requirements 42 U.S.C. 675a. Texas has divided the federal requirement of a Case Plan into two separate plans, the Family Service Plan as defined in Texas Family Code §263.101 and the Child’s Plan of Service as defined in Texas Family Code §264.128. For the purpose of this Rule, a Child’s Plan (also referred to as a Child’s Plan of Service) is not a Family Service Plan.
 - (2) Family Service Plan (also referred to as a “Family Plan of Service,” “Family Plan” or “Individual Family Service Plan”) is a written plan in which DFPS and a child’s parents identify the actions, specific skills, knowledge, steps, and/or responsibilities that are necessary for the parents to achieve the Family Service Plan’s goal during this Plan’s service period and the assistance to be provided to the parents by the DFPS or other agency toward meeting that goal.
 - (3) Single Source Continuum Contract/Contractor (SSCC) is an entity, as described in Texas Family Code §264.154, with whom DFPS enters into a contract for the provision of the full continuum of substitute care, case management, and reunification services in a Designated Community Area.
 - (4) Licensed Provider is an individual who is required by the State of Texas to be licensed to provide the professional service that the parent is receiving and DFPS is reimbursing.

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- (5) Qualified Provider is an individual who has completed certification or other training programs and has two (2) years of verified full-time experience in the professional service in which they are providing to the parent and DFPS is reimbursing.
 - (6) Noncontracted Service Provider is one who is not under a current contract with DFPS or SSCC for the service that they are seeking reimbursement for. They also cannot be an employee of DFPS or SSCC.
- (c) SSCCs must adopt similar requirements relating to the manner in which noncontracted service providers are reimbursed that do not conflict with this Section.
 - (d) Only the noncontracted service provider may seek reimbursement from DFPS for services and must not have already been paid by the parent or a third party.
 - (e) To be reimbursed, services may be provided in-person or through an electronic communication platform.
 - (f) DFPS cannot use state funds to reimburse a noncontracted service provider for Medicaid services to a parent who is a Medicaid beneficiary, as described in Texas Human Resources Code Chapter 32. If the parent has Texas Medicaid, the noncontracted service provider must bill Medicaid and not seek reimbursement through DFPS.
 - (g) All the following requirements/conditions must be met in order for a noncontracted service provider to be reimbursed:
 - (1) Must be qualified or licensed provider and comply with the DFPS's guidelines and requirements for reimbursement pursuant to Texas Family Code §263.1021.
 - (2) If a license is required, the service provider must maintain licensure and the license must remain in good standing while providing services that they are seeking reimbursement for.
 - (3) Services obtained from a service provider selected must be designed to achieve the stated goals of the Family Plan of Service for a child in DFPS conservatorship and the noncontracted service provider must certify whether the parent has satisfactorily completed the required service that is being sought for reimbursement.
 - (4) DFPS cannot reimburse for services that occur after DFPS is dismissed from the case, or the parental rights have been terminated (earlier of two). If a Family Service Plan is reinstated, then the service provider would have to seek reimbursement through a new claim under the reinstated Family Service Plan.
 - (5) The noncontracted service provider must be able to receive reimbursement from state or federal funds and not be debarred from receiving these funds.
 - (6) The noncontracted service provider cannot have had a prior DFPS contract to provide the specific service that they are seeking reimbursement for which DFPS terminated for cause.
 - (7) The noncontracted service provider cannot be related by consanguinity or affinity to the parent receiving services.

Appendix II: Texas Family Code 263.1021

This is the law as it appears in the Texas Family Code (TFC).

263.1021. SELECTION AND REIMBURSEMENT OF SERVICE PROVIDER.

- (a) A parent who is required to complete a service plan under this subchapter [*note*: meaning [Subchapter B](#) of Chapter 263 of the Family Code; exceptions to having to complete a service plan are in [262.2015](#)] may obtain services from a qualified or licensed provider selected by the parent.
- (b) Services obtained from a provider selected under Subsection (a):
 - (1) must be designed to achieve the stated goals of the service plan; and
 - (2) may be provided through an electronic communication platform.
- (c) A service provider selected by a parent shall certify in writing whether the parent has satisfactorily completed the required service.
- (d) The department shall reimburse a service provider selected by the parent under Subsection (a) who is not under contract with the department in an amount equal to the average cost for the specific service from department contractors providing the service in the region where the parent resides.
- (e) The department shall:
 - (1) adopt rules relating to the manner in which providers are reimbursed for services provided under this section; and
 - (2) implement this section using existing resources.