

## American Indian Health Plan (AIHP) Court Order Treatment (COT) – Frequently Asked Questions (FAQ)

Arizona law allows an individual to be involuntarily ordered by the court to undergo a mental health evaluation and receive treatment in certain instances. This legal and clinical process is called Court Ordered Evaluation (COE) and Court Ordered Treatment (COT). For further information see [AMPM 320-U](#).

**Q1: Is a Tribal Court Order enforceable off tribal land?**

**A1:** Under A.R.S. §12-136, the process for establishing a Tribal court order for treatment under the jurisdiction of the state is a process of recognition. Once this process occurs, and if the recognition is approved by the Superior Court, the state recognized tribal court order is enforceable off the reservation.

Care and clinical coordination must run concurrently with the recognition process to assure continuity of care and to avoid delays in admission to an appropriate facility for treatment upon state/county court recognition of the tribal court order. For more information see A.R.S. §12-136.

**Q2: Which providers can provide Court Order Treatment (COT) oversight for Fee-For-Service (FFS) members?**

**A2:** Any AHCCCS registered provider licensed to provide COT by the Arizona Department of Health Services (ADHS). For more information see [AHCCCS Medical Policy Manual \(AMPM\) 320-U](#).

**Q3: Do providers need a contract to provide services to Fee-For-Service (FFS) members?**

**A3:** Any AHCCCS registered provider that accepts FFS may provide services to FFS members, as specified in the AHCCCS Provider Participation Agreement (PPA). The AHCCCS FFS Program does not contract with individual providers. FFS providers do not need to contract with AHCCCS American Indian Health Program (AIHP) or a Tribal Regional Behavioral Health Authority (TRBHA).

FFS providers must follow the guidelines as outlined in the [AMPM](#) and [DFSM billing guidelines](#) in order to serve AIHP and TRBHA members.

**Q4: Do FFS members require referrals to see an AHCCCS registered provider?**

**A4:** No, FFS members do not require a referral to see an AHCCCS registered provider.

**Q5: Do FFS members receive case management services?**

**A5:** For FFS members, case management may be provided by a TRBHA case manager, Tribal ATLCS case manager, American Indian Medical Home (AIMH) or through their behavioral health provider, as applicable.

Refer to the respective TRBHA and Tribal ALTCS Intergovernmental Agreement (IGA)s for case management and care coordination requirements.

**Q6:** Do FFS members have health program representation in mental health (Title 36) court hearings?

**A6:** No, FFS does not provide representation during court hearings. In the event assistance is needed prior to the hearings, such as obtaining information regarding the member's behavioral health status or information related to the member's past utilization, you may contact AIHP or the TRBHA Case Manager to request assistance.

**Q7:** Who is responsible for coordinating the transition of care between facilities for AIHP members?

**A7:** FFS providers shall identify and facilitate movement and coordinate care for AIHP members transitioning to other providers ensuring necessary court forms are filed with the court. In the event the need for a change in oversight of the COT occurs, causing the member to require a change in placement, the relinquishing provider shall work with the admitting provider to ensure a smooth transition for the member. For members enrolled with a TRBHA, this includes identifying an alternative placement with the assistance of the TRBHA case manager.

For Tribal ALTCS members, contact the Tribal Case Manager for additional assistance. For more information see [AMPM 830](#) for Quality of Care and FFS Provider Requirements.

**Q8:** What information is submitted to AIHP from FFS providers for members on a court order?

**A8:** FFS providers shall provide copies of court orders, applicable amendments and changes in the member's status to [COT\\_AIHP@azahcccs.gov](mailto:COT_AIHP@azahcccs.gov).

**Q9:** What modifier should be used to identify inpatient COT when submitting claims for FFS members?

**A9:** FFS providers shall use the H9 modifier for inpatient COT claim submissions.

**Q10:** For recognized court orders, in what timeframe must the provider notify the Tribal Courts of the intended discharge or release of the member?

**A10:** Within ten days before discharge or release, the provider shall notify the Tribal Court that issued the recognized court order of the provider's intention to discharge or release the member as specified in A.R.S. §12-136(B).

**Q11:** Who do I contact for assistance with FFS members on a COT?

**A11:** For AIHP members please contact: [COT\\_AIHP@azahcccs.gov](mailto:COT_AIHP@azahcccs.gov) and copy [CaseManagers@azahcccs.gov](mailto:CaseManagers@azahcccs.gov).

For members assigned to a TRBHA, please contact the TRBHA directly to connect with the member's assigned case manager.

### Tribal Regional Behavioral Health Authority Contacts (as of Nov. 2022)

**Gila River**  
**(602) 528-7100**

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<p><b>White Mountain Apache</b> <b>(928) 338-4811</b></p>	<p><i>Ryan Johnson</i> Clinical Director Email: <a href="mailto:ryanj@wmabhs.org">ryanj@wmabhs.org</a></p> <p><i>Dr. Aldo Rivera</i> Out of Home Team Clinical Supervisor Email: <a href="mailto:aldo.revilla@wmabhs.org">aldo.revilla@wmabhs.org</a></p>

**Q12:** Are there additional resources for the member?

**A12:** The AHCCCS Office of Individual and Family Affairs (OIFA) has developed empowerment tools that are easy to use fliers focused on assisting members in navigating behavioral health care needs. The OIFA empowerment tools can be found on the [AHCCCS webpage](#).

**Q13:** What are some additional resources for questions on FFS eligibility, services, and provider billing rates?

**A13:**

- [The AIHP Webpage](#)
- [FFS Provider Billing Manual](#)
- [IHS/Tribal Provider Billing Manual](#)
- [AHCCCS Medical Policy Manual \(AMPM\)](#)
- [Provider Billing Rates](#)
- [Prior Authorization](#)
- [Crisis Services](#)
- [COE COT Webpage](#)

If you have further billing questions, please call Claims Customer Service at (602) 417-7670 and select option 4. Additional FAQs regarding Fee-For-Service programs and populations can be found on the [FFS webpage](#).