

November 26, 2024

**PROVISION OF MENTAL HEALTH CARE SERVICES TO STAFF SERGEANT  
PARKER GORDON FOX SUICIDE PREVENTION GRANT PROGRAM  
PARTICIPANTS**

**1. PURPOSE**

a. By direction of the Office of the Under Secretary for Health, Veterans Health Administration (VHA), this notice establishes interim policy implementing section 201(n) of the Commander John Scott Hannon Veterans Mental Health Care Improvement Act of 2019 (“the Act,” P. L. 116-171; 38 U.S.C. § 1720F, note).

b. Per 38 C.F.R. § 78.50(b), Staff Sergeant Fox Suicide Prevention Grant Program (SSG Fox SPGP) grantees are required to refer SSG Fox SPGP participants to VA for care if such participants are determined to be at risk of suicide or other mental or behavioral health condition pursuant to a baseline mental health screening. As stated in VHA Directive 1160.09, Staff Sergeant Parker Gordon Fox Suicide Prevention Grant Program, dated August 19, 2022, the VA medical facility Director is responsible for implementing local procedures to support effective coordination of referrals from grantees to VHA for enrollment and the provision of clinical services when indicated. This includes ensuring local process updates in relation to VHA mental health eligibility criteria changes as indicated by law and VHA Directive 1601A.02(6), Eligibility Determination, dated July 6, 2020. This notice supports VA medical facilities with this responsibility.

**2. BACKGROUND**

The SSG Fox SPGP enables VA to provide grants for community-based suicide prevention efforts to meet the needs of certain eligible individuals and their families through outreach, suicide prevention services, and connection to VA and community resources.

**3. DEFINITIONS**

All definitions listed here are for the purposes of this notice.

a. **Baseline Mental Health Screening.** A baseline mental health screening is the use of a validated set of screening tools by a SSG Fox SPGP grantee for the purpose of assessing suicide risk and mental and behavioral health conditions among SSG Fox SPGP participants. These screening tools are noted in the relevant Notice of Funding Opportunity (NOFO) published in the Federal Register at <https://www.federalregister.gov/> and at [www.grants.gov](http://www.grants.gov).

b. **Mental Health Assessment.** A mental health assessment is the VA diagnostic evaluation of mental health conditions to inform mental health treatment services.

c. **Mental Health or Behavioral Health Care Services.** Mental health or behavioral health care services (MHBS) include VA outpatient, residential, and inpatient mental health and substance use disorder services, with social work engagement with transition, as needed, to non-VA care.

d. **SSG Fox SPGP Grantee.** A SSG Fox SPGP grantee is a community based, non-VA organization that has been awarded a VA SSG Fox SPGP grant to provide suicide prevention services and connect eligible individuals with VA.

e. **SSG Fox SPGP Participant.** A SSG Fox SPGP participant is an eligible individual who has met the military status and suicide risk criteria for the SSG Fox SPGP as defined in section 4 of this notice, 38 C.F.R. § 78.10, and VHA Directive 1160.09 and is either currently engaged or has been engaged in SSG Fox SPGP services with a grantee. **NOTE:** *Civilian family members of SSG Fox SPGP participants are not eligible for VA MHBS unless they are eligible for such services under a different authority (e.g., the Civilian Health and Medical Program of VA, or CHAMPVA).*

#### 4. ELIGIBILITY

a. The provision of the initial VA mental health assessment and MHBS for SSG Fox SPGP participants requires both administrative eligibility and clinical eligibility.

##### b. **Administrative Eligibility for Provision of Care.**

(1) To be eligible for an initial mental health assessment and MHBS under section 201(n) of the Act, an individual must be an SSG Fox SPGP participant that is receiving or has received suicide prevention services through the SSG Fox SPGP; in addition, the SSG Fox SPGP participant must be confirmed by VA as one of the following:

(a) A Veteran, as that term is defined in 38 U.S.C. § 101 (a person who served in the active military, naval, air, or space service, and who was discharged or released therefrom under conditions other than dishonorable). VHA Directive 1601A.02(6) outlines VHA eligibility criteria such as minimum time in service required for eligibility as a Veteran (38 U.S.C. § 5303A); or

(b) An individual described in 38 U.S.C. § 1720I(b), unless the Veterans Benefits Administration (VBA) has determined such individual is prohibited from receiving VA benefits due to a legal bar; or

(c) An individual described in 38 U.S.C. § 1712A(a)(1)(C)(i) through (iv).

(2) Administrative determinations for VA care and services are made in accordance with VHA Directive 1601A.02(6) for VHA enrolled or non-enrolled individuals. SSG Fox SPGP grantees provide the SSG Fox SPGP 201(n) Registration/Enrollment Request Form to local VA medical facility Enrollment and Eligibility staff to assist with determinations of eligibility for services. The form is provided to SSG Fox SPGP grantees by the national SSG Fox SPGP Team and is available to VA staff for

informational purposes at

<https://dvagov.sharepoint.com/sites/VACOMentalHealth/SitePages/1160.09.aspx>.

**NOTE:** This is an internal VA website that is not available to the public.

**c. VA Clinical Eligibility for Provision of Care.**

**(1) New Mental Health Patient.**

(a) Once Enrollment and Eligibility has determined administrative eligibility for VA health care benefits, in accordance with section 201(n) of the Act, a mental health care provider must (in-person or virtually) administer an initial mental health assessment to the SSG Fox SPGP participant.

(b) Upon completion of the initial mental health assessment, the mental health care provider will communicate to Enrollment and Eligibility Department if MHBS are recommended. This is a clinical eligibility decision and is a medical determination within 38 CFR § 20.104(b).

**(2) Established Mental Health Patient.**

(a) Once Enrollment and Eligibility has determined administrative eligibility for VA health care benefits, in accordance with section 201(n) of the Act, a mental health care provider must (in-person or virtually) determine and document in the electronic health record that the SSG Fox SPGP participant requires continued MHBS.

(b) Upon completion of this determination, the mental health care provider will communicate to Enrollment and Eligibility Department if continued MHBS are recommended. This is a clinical eligibility decision and is a medical determination for the purposes of 38 CFR § 20.104(b).

**5. EPISODE OF CARE**

a. **Eligibility and Liability.** Eligible SSG Fox SPGP participants are authorized to receive an initial mental health assessment and up to a 90-day episode of MHBS without copayment liability. This applies regardless of whether the person is enrolled in VA health care or not. Where appropriate, third-party billing for the initial mental health assessment and MHBS will be completed by VA.

b. **Services.** MHBS that are directly associated with treating the suicide risk or mental or behavioral health conditions that, to the extent practicable, reduce suicide risk of the SSG Fox SPGP participant and have an impact on the mental health status and well-being of the individual may be authorized. Services can be provided through outpatient, residential, and inpatient mental health and substance use disorder services, with transition as needed to non-VA covered longer term community care and appropriate transition of medical needs.

c. **Medications.** Medications specific to the suicide risk or mental health or behavioral health conditions are to be provided without copayment liability to the

Veteran or other individual. **NOTE:** *Where the participant has no other basis of eligibility for VA care, elects to not receive care from VA, and is transferring to the community for follow-up care, medications will be dispensed based upon inpatient standards of care; that is, 30-day prescriptions, as clinically necessary, will be provided from the date of the last VA encounter.*

d. **VA and non-VA facilities.** MHBS authorized under section 201(n) of the Act utilize both VA and non-VA facilities to enable more resources to reach SSG Fox SPGP participants. To the extent that an enrolled Veteran is referred to VA for care and is eligible to elect to receive care through the Veterans Community Care Program (VCCP), that Veteran may elect to receive care in the community under VA's VCCP as set forth in regulations at 38 C.F.R. §§ 17.4000-17.4040.

e. **Duration and Termination of Covered Services.** MHBS may be scheduled and provided to an SSG Fox SPGP participant for an episode of care lasting 90 calendar days from the date of the initial mental health assessment. Before the completion of 90 days, the VA treatment team will evaluate patient progress and provide a course of treatment recommendations based on an assessment of risk and progress towards therapeutic goals. If progress has been made on goals such that MHBS are no longer clinically indicated, the treatment team will refer participants eligible for VA care under a separate authority back to their VA primary care provider, while participants with no other basis for eligibility for VA care will be referred to appropriate care in the community for ongoing support, as needed. If the treatment team determines that treatment goals have not been met and elevated risk persists, the team will recommend to the VA medical facility Chief of Staff or the VA medical facility Associate Director for Patient Care Services (ADPCS) that the participant receive ongoing care, and the treatment team's therapeutic objectives will guide re-evaluation processes and timelines for the participant. MHBS recommended beyond 90 days or outside the 500 series Mental Health stop codes require approval by the VA medical facility Chief of Staff or the VA medical facility ADPCS or designee.

f. **Location of Services.** All VA medical facilities should be aware of this grant program, as SSG Fox SPGP participants may seek VA services beyond the catchment area where the grantee is located. **NOTE:** *For information on responsibilities for ensuring awareness of the SSG Fox SPGP, see VHA Directive 1160.09, Staff Sergeant Parker Gordon Fox Suicide Prevention Grant Program, dated August 19, 2022. A list of current SSG Fox SPGP grantees is available at <https://www.mentalhealth.va.gov/ssgfox-grants/> and <https://dvagov.sharepoint.com/sites/VACOMentalHealth/SitePages/1160.09.aspx>. **NOTE:** The second link is an internal VA website that is not available to the public.*

## 6. RESPONSIBILITIES

a. **VA Medical Facility Director.** The VA medical facility Director is responsible for:

(1) Updating and implementing local procedures, in accordance with this notice, to support effective coordination of referrals from grantees to VHA for registration or

enrollment and the provision of MHBS. A workflow and standard operating procedure (SOP) template to guide local processes is available at <https://dvagov.sharepoint.com/sites/VACOMentalHealth/SitePages/1160.09.aspx>.

**NOTE:** *This is an internal VA website that is not available to the public.*

(2) Implementing the SSG Fox SPGP initial mental health assessment and MHBS benefit at the VA medical facility level.

(3) Ensuring facilities implement local procedures, including processes for determining eligibility, registering and enrolling SSG Fox SPGP participants, the provision of initial mental health assessments and MHBS within the scope of this notice, and the adjudication of these services for waivers of copayments.

(4) Facilitating an initial mental health assessment once administrative eligibility is established. Enrollment and Eligibility staff will communicate to Mental Health which individuals are being assessed for section 201(n) care. Mental Health staff determine clinical eligibility during the initial mental health assessment, then, if clinically indicated, may recommend follow-up appointments for MHBS. The Mental Health provider completing the initial assessment will inform the Enrollment and Eligibility staff whether further MHBS are recommended such that the SC code 9410 should be added or not.

**NOTE:** *Enrollment and Eligibility's use of service connection code 9410 for section 201(n) is a workaround and does not grant a VBA disability but allows for the treatment of the eligible individual without copayment liability. There is presently no automated system for identifying the initial mental health assessment and MHBS at the VA medical facility level.*

(5) Providing care under section 201(n) of the Act. To ensure all Veterans or other SSG Fox SPGP participants eligible for this benefit receive seamless care without copayment liability, facilities are required to establish local processes for auditing cases to ensure local protocols are in place for the identification and provision of mental health or behavioral health services.

**b. VA Medical Facility Chief of Staff or VA Medical Facility Associate Director for Patient Care Services.** The VA medical facility Chief of Staff or VA medical facility ADPCS, or a designee chosen by the VA medical facility Director, is responsible for:

(1) Reviewing and issuing decisions on requests for MHBS extensions beyond 90 days and any recommendations for care outside of the 500 Mental Health stop code series.

(2) Supporting the VA medical facility Director with section 201(n) implementation and providing oversight to section 201(n) MHBS delivered within VA medical facilities.

**c. VA Medical Facility Enrollment and Eligibility Staff.** The VA medical facility Enrollment and Eligibility staff are responsible for:

(1) Making administrative eligibility determinations for VA health care and services in accordance with VHA Directive 1601A.02(6) for VHA enrolled or non-enrolled SSG Fox SPGP participants.

(2) Documenting the review and determination of eligibility in the VHA Enrollment System (VES).

(3) Coordinating with the Mental Health provider completing the initial mental health assessment and care for the purpose of placement and tracking of the service connection code 9410.

(4) Adding the SC 9410 code, placing approved individuals on a tracker, and removing the SC 9410 code after 90 days or the end of an approved extension. This spreadsheet can be used as an auditing tool along with running the other reporting functions. A sample tracker is available at

<https://dvagov.sharepoint.com/sites/VACOMentalHealth/SitePages/1160.09.aspx>.

**NOTE:** This is an internal VA website that is not available to the public.

d. **VA Mental Health Providers.** VA Mental Health providers are responsible for:

(1) Completing the initial mental health assessment in accordance with section 201(n) of the Act whether to recommend MHBS based on established intake assessment guidance provided by the Office of Mental Health.

(2) Notifying the Enrollment and Eligibility department after the initial mental health assessment is completed to convey whether mental or behavioral health services are recommended. Recommending MHBS after the assessment informs Eligibility and Enrollment to use the SC 9410 code.

(3) Noting the SSG Fox SPGP participant's eligibility under section 201(n) of the Act (and described in section 4 of this notice) in the electronic health record if the provider determines that the participant requires mental health or behavioral health services. The date of the determination starts the 90-day period of the episode of care.

(4) Documenting a clinical determination of ongoing mental health treatment needs or their resolution within ten days prior to the end of the 90-day period. If the provider determines that no further treatment is needed, the provider will communicate this to the participant, note in the participant's record the completion of the episode, and send an email to the Enrollment and Eligibility department email group instructing them to remove the SC code 9410 from the SSG Fox SPGP participant's record. If further VA MHBS are recommended, the provider must obtain approval from the VA medical facility Chief of Staff or designee and communicate the extended episode of care to Enrollment and Eligibility staff. **NOTE:** Should the participant be eligible for the initial mental health assessment or treatment to be provided by a VA community care provider, Eligibility and Enrollment will coordinate with the VA facility Community Care team.

## 7. COPAYMENT DISPUTES

a. SSG Fox SPGP participants receiving the initial mental health assessment and MHBS under this notice (and pursuant to section 201(n) of the Act) are exempt from any copayment (i.e., visit or pharmacy copayments) specifically related to any initial mental health assessment or MHBS during the 90-day episode of care. **NOTE:** SC 9410 also correlates with Presumptive Psychosis or other mental illness to signal prevention of copayments. This code is being used as for tracking and copayment prevention in advance of permanent program authority and funding.

b. SSG Fox SPGP participants receiving a bill for copayment for VA care which they believe is based on an initial mental health assessment or MHBS provided pursuant to section 201(n) of the Act can utilize their appeal rights through established appeal processes. The VA copayment billing dispute process is initiated at the VA medical center level through Revenue or Patient Advocate Offices and entered into the Patient Advocate Tracking System (PATS) (see VHA Directive 1003.04, VHA Patient Advocacy, dated November 9, 2023). The process is found at <https://dvagov.sharepoint.com/sites/VACOMentalHealth/SitePages/1160.09.aspx>. **NOTE:** This is an internal VA website that is not available to the public.

c. Consolidated Patient Account Center (CPAC) and the facility Revenue Team follow established processes for VA copayment disputes, to include collaboration with local Mental Health staff. Following notification of a VA copayment dispute request, facility Mental Health and Revenue staff will complete a review for timely resolution within the Patient Advocate Tracking System-Replacement (PATS-R) tool. **NOTE:** Include Community Care in dispute request reviews where Community Care services were accessed as part of the benefits under section 201(n) of the Act.

## 8. RESOURCES

a. Support materials, including training call schedule, recorded trainings, a sample Standard Operating Procedure template and frequently asked questions, are available on the SSG Fox SPGP (VHA Directive 1160.09) SharePoint, <https://dvagov.sharepoint.com/sites/VACOMentalHealth/SitePages/1160.09.aspx>. **NOTE:** This is an internal VA website that is not available to the public.

b. VHA Directive 1160.09, Staff Sergeant Parker Gordon Fox Suicide Prevention Grant Program, dated August 19, 2022, can be found on the publications page, [https://vaww.va.gov/vhapublications/ViewPublication.asp?pub\\_ID=9994](https://vaww.va.gov/vhapublications/ViewPublication.asp?pub_ID=9994). **NOTE:** This is an internal VA website that is not available to the public.

9. The VHA Office of Suicide Prevention (11SP) is responsible for the contents of this notice. Questions regarding eligibility determinations may be referred to the Member Services Business Policy Office: [VHAMSBusinessPolicyOffice@va.gov](mailto:VHAMSBusinessPolicyOffice@va.gov). For questions related to mental health services please contact 11SP: [VHA11SUICIDEPREVENTIONACTIONS@va.gov](mailto:VHA11SUICIDEPREVENTIONACTIONS@va.gov).

10. This VHA notice will expire and be archived on November 30, 2025.

BY DIRECTION OF THE OFFICE OF THE

November 26, 2024

VHA NOTICE 2024-16

**UNDER SECRETARY FOR HEALTH:**

/s/ Erica M. Scavella, M.D., FACP, FACHE  
Assistant Under Secretary for Health  
For Clinical Services/CMO

**DISTRIBUTION:** Emailed to the VHA Publications Distribution List on November 27, 2024.