

# School Supportive Health Services Medicaid State Plan – Compliance Plans The Council of School Superintendents

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# SSHS

YOUR SCHOOL BUDGET AND MEDICAID  
REIMBURSEMENT - RECOUPING BUDGET  
DEFICITS FROM STATE AID CUTS

UNDERSTANDING THE MEDICAID STATE PLAN  
STATE PLAN AMENDMENTS  
FEDERAL PUBLIC NOTICE

EFFECT OF FEDERAL STIMULOUS ON MEDICAID  
FUNDING

# Early & Periodic Screening, Diagnostic & Treatment Services (EPSDT) – Included within IEP

Provided Under the School Supportive Health Services (SSHS) Program

- physical therapy services
- occupational therapy services
- speech therapy services
- psychological counseling
- skilled nursing services
- psychological evaluations

# Early & Periodic Screening, Diagnostic & Treatment Services (EPSDT) – Included within IEP (*cont.*)

Provided Under the School Supportive Health Services (SSHS) Program

- medical evaluations
- medical specialist evaluations
- audiological evaluations
- care coordination
- special transportation

# Compliance Plans

School Districts

BOCES

Education Law section 4201 schools

OMIG Certification Requirements

application for extension

OMIG Guidance

# National Health Insurance Reform

## Potential Benefits to School Districts

Medicaid expansion

Child Health Plus (CHIP)

private insurance coverage of services

# Compliance Plans – Problem Areas Discussion

Designation of Compliance Officer

Designation of Compliance Committee

training

State responsibility – develop training programs for employees and contractors

service providers – billing office

Confidential Reporting under Federal Settlement

# SSHS – Problem Areas Discussion

Medical Model of Service Delivery

clinical records

per service billing – coding

Analyzing Risk Areas for School Administrators

# SSHS PROBLEM AREAS FOR SCHOOL ADMINISTRATORS

Analyzing Risk Areas and Practical Advice – examples:

IEP

attendance billing

dates of service documentation

clinical records documentation

qualifications of service providers- supervision

excluded providers

# SSHS Medicaid State Plan

Medicaid State Plan Amendment Process

CMS approval required

Federal Public Notice Requirement

July & August services issue

# PROPOSED SSHS Medicaid Fees

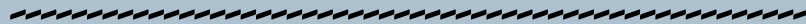
Rates set by the Department of Health

Percentage of Medicare fee schedule based on the weighted average utilization of the dominant procedure code(s) within each service category, except for Care Coordination & Special Transportation - fees may be adjusted for regional differences.

# Physical Therapy Services

Physical Therapist

Certified Physical Therapy Assistant



Individual Service Encounter Fee

Group Service Encounter Fee

# Occupational Therapy Services

Occupational Therapist

Certified Occupational Therapy Assistant



Individual Service Encounter Fee

Group Service Encounter Fee

# Speech Therapy Services

Speech Language Pathologist

Teacher Certified to Provide Speech & Language  
Services acting under supervision or direction ?



Individual Service Encounter Fee

Group Service Encounter Fee

# Psychological Counseling

Psychiatrist

Qualified Clinical Psychologist

Licensed Certified Social Worker

Licensed Master Social Worker



Individual Service Fee

Group Service Fee

# Skilled Nursing Services

Registered Nurse

Licensed Practical Nurse

under supervision of RN



Service Encounter Fee

# Psychological Evaluations

Psychiatrist/Clinical Psychologist whose credentials allow the individual to provide the same service outside the school setting.



Basic & Comprehensive Evaluations

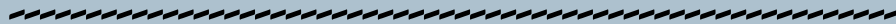
Service Encounter Fees

# Medical Evaluations

Physician

Physician's Assistant

Nurse Practitioner



Service Encounter Fee

# Medical Specialist Evaluations

Specialist Physician practicing in his or her area of responsibility

Requires a referral from a physician or nurse practitioner

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Service Encounter Fee

# Audiological Evaluations

Audiologist



Service Encounter Fee

# CARE COORDINATION

## Targeted Case Management

Individual Employed or under Contract

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Service Encounter Fee Based on Average Costs

# SPECIAL TRANSPORTATION

Districts grouped by geographical area & number of special education children enrolled in the District.

Average cost per trip established from random sample of districts.

Fees stratified-estimated within groups

NYC fees

Westchester/Long Island District Fees

# SPECIAL TRANSPORTATION

*(cont.)*

All other Districts divided into two groups by number  
of Special Education children per square mile  
Bus Logs Required

# Interim Rate Methodology

Monthly Fees – minimum of 2 services per month required for a service category to be billed

physical therapy

occupational therapy

speech pathology

psychological counseling

skilled nursing

# INTERIM RATE METHODOLOGY

## Fee-For-Service Fees

psychological evaluations

medical evaluations

specialized medical evaluations

audiological evaluations

special transportation

# FUTURE RATE METHODOLOGY

procedure-based payment system

bill for each service encounter

per service fees to be established by the Department  
of Health

# HIPAA and FERPA General Background

What is HIPAA? HIPAA is a federal law. It stands for the Health Insurance Portability and Accountability Act. Three sets of regulations were promulgated under HIPAA dealing with health information: (1) Transactions and Code Set Standards; (2) Privacy; and (3) Security. These regulations apply to “covered entities” – most health care providers, health plans and health care clearinghouses.

FERPA is also a federal law. It stands for the Family Education Rights and Privacy Act. It protects students “education records” and applies to any educational agencies and institutions that receive funds under any program administered by the U.S. Department of Education.

# When Does HIPAA Apply to Schools

If the school provides services and electronically bills, the school must comply with the transaction and code set standards. However, HIPAA privacy and security does not apply where the school maintains the health information only in student health records that are education records under FERPA, which are exempted from HIPAA.

# FERPA and Medicaid Billing

Parental consent required in order to disclose to Medicaid billing information about a service provided to a student. The New York Department of Education states that a new one is required with every IEP.

# New York State Compliance Agreement with CMS

Compliance & Integrity Programs – 3 years

State Compliance Officer – Department of Health

review of policies & procedures

development & oversight of compliance training  
programs

OMIG

payment reviews

# New York State Compliance Agreement with CMS – *cont.*

## Annual Audits

protocols & sampling methodology subject  
to CMS approval

all districts billing \$1 million

sample of districts billing \$250,000 to \$1  
million

sample of districts billing less than \$250,000.

# Compliance Committee – State Officials

Oversee and monitor the program

Independent Audits

State internal controls

Annual Written Compliance Reports

New York State Compliance Policy

New York State Training Program

service providers

# Compliance Committee – State Officials – *cont.*

prepare or submit Medicaid claims

school business official

school district special education program director

# Confidential Disclosure Program

State Compliance Officer

Training

Internal Reviews

Rose Firestein

NYS Department of Health

Office of General Counsel