

# MaineCare in Education Live Sessions

## Documenting MaineCare Covered IDEA Services

June 2021

Presented by

The Maine Department of Education and  
The Office of MaineCare Services



MaineCare in Education Live Sessions

# **WELCOME AND INTRODUCTIONS**

# Today's Agenda

- Welcome
- MaineCare's School-based Services Program
- Overview of IEP documentation process
- How to get assistance
- Question and answers with MaineCare and Department of Education Special services staff

# School-Based Services Program

MaineCare enrolled providers are reimbursed for the cost of any MaineCare-covered service when those services are listed in the member's Individualized Education Program (IEP).

The Medicaid program (MaineCare in Maine) is governed by title XIX of the Social Security Act.

In 1988, Congress amended section 1903(c) of the Act to permit Medicaid payment for medical services provided to children under IDEA through a child's IEP.



# School-Based Services Program

The member's IEP team decides what services are necessary for that member to access his or her education. Some health-related services may be reimbursed by MaineCare if they are described in the [\*MaineCare Benefits Manual\*](#) (MBM).

The Department of Education provides all oversight for the IEP process and compliance issues related to IDEA.

MaineCare provides oversight for the provision of MaineCare services to ensure services are reimbursed in accordance with all federal and state Medicaid regulations.



# School-Based Services Program

A MaineCare member may get school-based health-related services

and

they may get additional health-related services outside of school.

# School-Based Services Program

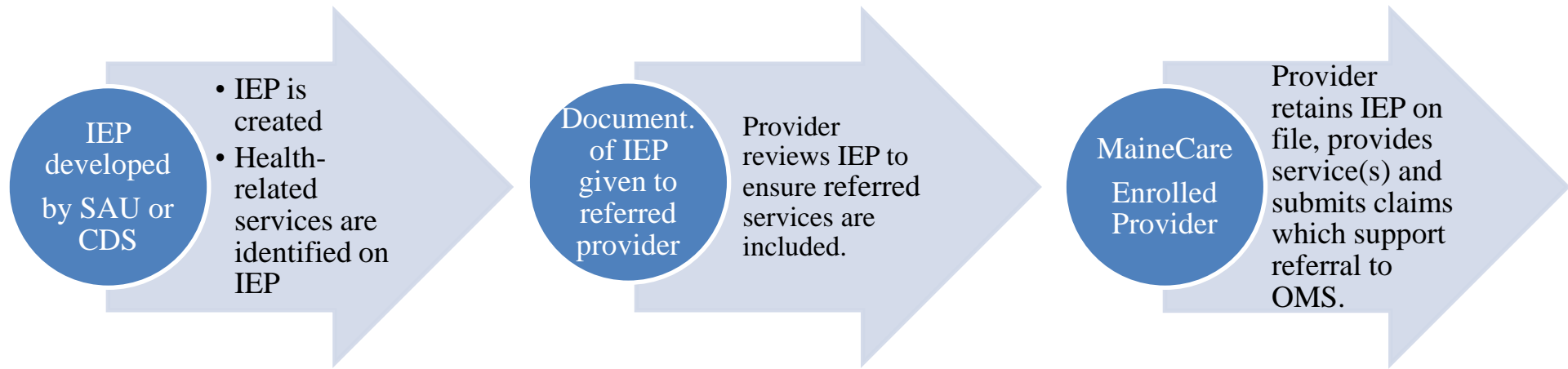
School-based services reimbursable by MaineCare may include, but are not limited to:

- ❖ Children's Behavioral Health Day Treatment
- ❖ Occupational Therapy
- ❖ Physical Therapy
- ❖ Private Duty Nursing Services
- ❖ Rehabilitative and Community Support Services for Children with Cognitive Impairments and Functional Limitations
- ❖ Specialized Transportation
- ❖ Speech Therapy

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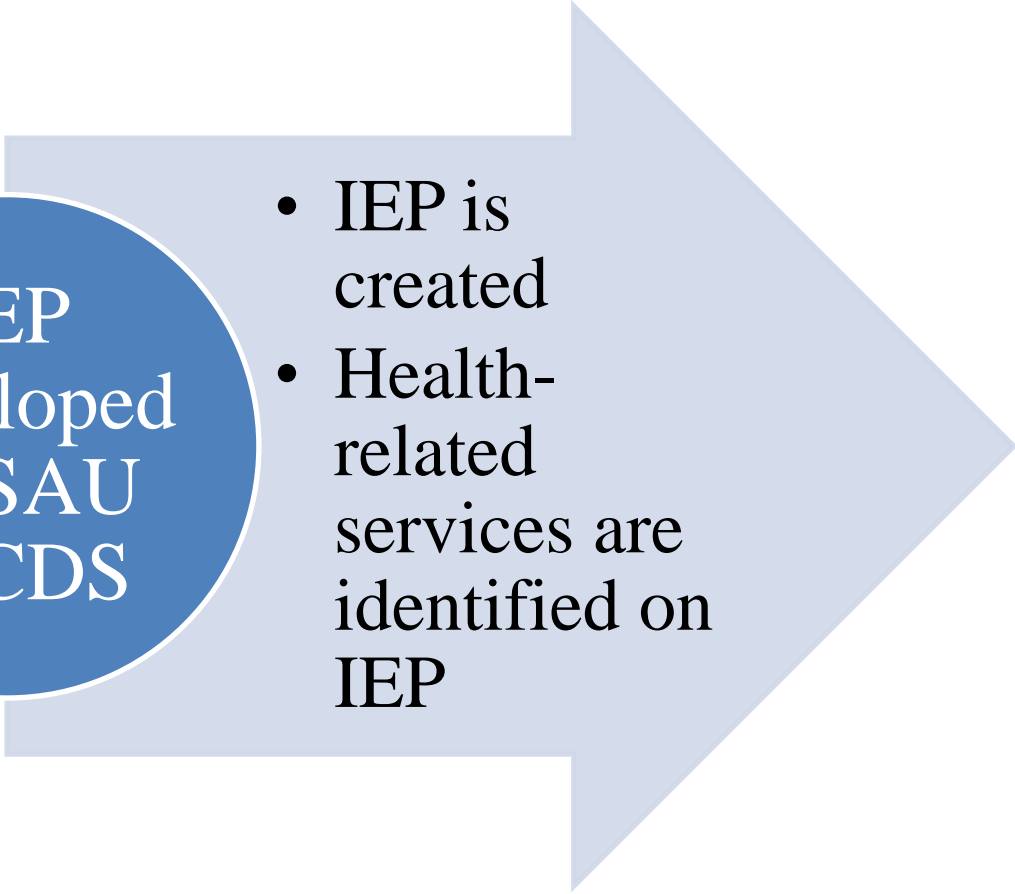
# **OVERVIEW OF IEP DOCUMENTATION PROCESS**







IEP  
developed  
by SAU  
or CDS

- 
- IEP is created
  - Health-related services are identified on IEP



**Guidance on Required Documentation for MaineCare Reimbursable Services  
on the Individualized Education Program (IEP)**

**May 2021**

**Introduction**

Under federal law, public schools may receive Medicaid (MaineCare, in Maine) reimbursement for health-related services required under the Individuals with Disabilities Education Act (IDEA) that are provided to eligible students, **only if** those services and their associated frequency and intensity are appropriately documented on a student's Individualized Education Program (IEP).

The Maine Department of Education (MDOE) and the Maine Department of Health and Human Services' (DHHS) Office of MaineCare Services (OMS) are reissuing joint guidance regarding documentation requirements for MaineCare reimbursable services on a student's IEP.

This guidance was originally distributed in February 2020, just prior to the COVID-19 public health emergency. We recognize that responding to the pandemic was a priority for everyone across the state, with schools among those entities most impacted. Therefore, we are reissuing the guidance to ensure that school personnel are aware of the requirements associated with IEPs and MaineCare reimbursement.

**Joint Guidance IEP Training**

The MDOE and DHHS will be offering two training opportunities regarding the documentation of Medicaid services as directed by this joint guidance. Training will be provided for school personnel and any other interested stakeholders to increase awareness and make sure that schools have the information they need to increase compliance.

The [first session](#) will be held on June 2, 2021 from 1-2 pm and the [second session](#) on June 16, 2021 from 9-10am. Trainings will be posted after the event for those unable to attend.

**Federal Law Requirements**

MaineCare reimbursement for services provided in schools falls at the intersection of two complex federal law systems—those governing education, including the Individuals with Disabilities Education Act (IDEA), and the federal Medicaid laws. Medicaid is a joint federal-state program governed by Title XIX of the Social Security Act (Act). In 1988, Congress amended section 1903(c) of the Act to allow Medicaid payment for medical services provided to children under IDEA through a child's IEP.

As school administrators and school districts are aware, under IDEA, the IEP specifies all special education and "related services" that the child needs. The Medicaid program can pay for some of the "health related services" in an IEP if they are covered by the state's Medicaid plan or available through the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) benefit, which provides screening and treatment for childhood health conditions.<sup>1</sup> The "health related services" which are Covered Services as listed in the [MaineCare Benefits Manual](#) may include, but are not limited to the following: Children's Behavioral Health Day Treatment, Occupational Therapy, Physical Therapy, Private Duty Nursing Services, Rehabilitative and Community Support Services for Children with Cognitive Impairments, and Speech and Hearing Services.

- In March 2020, OMS and DOE posted joint guidance to clarify how Medicaid reimbursable health-related services should be listed on IEPs.
- The joint guidance was recently posted again on May 21, 2021 and can be found [here](#).

Example:

**6. SUPPLEMENTARY AIDS, SERVICES, MODIFICATIONS, AND/OR SUPPORTS (MUSER IX.3.A.(1)(d) & (g))**

In addition to ongoing classroom supports and services, supplemental aids, and modifications, include a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and district-wide and classroom assessments (MUSER IX.3.A.(1)(f)(i)).

A. Supplementary aids, modifications, accommodations, services, and/or supports for SAU personnel		Location	Frequency	Duration Beginning/End Date
Behavior Supports- - Day Treatment	<input checked="" type="checkbox"/> Classroom Instruction	Special Education Setting	As needed <b>OR</b> 5 times 6 hours per week.	1/15/2020 -1/14/2021
	<input type="checkbox"/> Classroom Assessment			
	<input type="checkbox"/> District-wide Assessment			
	<input type="checkbox"/> State Assessment			
Behavior Supports- - Rehabilitation and Community Supports	<input checked="" type="checkbox"/> Classroom Instruction	Special Education and/or General Education Setting	As needed <b>OR</b> up to x hours per week	1/15/2020 -1/14/2021
	<input checked="" type="checkbox"/> Classroom Assessment			
	<input checked="" type="checkbox"/> District-wide Assessment			
	<input type="checkbox"/> State Assessment			
Behavior Supports- - Ed Tech/BHP	<input checked="" type="checkbox"/> Classroom Instruction	Special Education and/or General Education Setting	As needed <b>OR</b> up to 5 times 6 hours per week	1/15/2020-1/14/2021
	<input checked="" type="checkbox"/> Classroom Assessment			
	<input checked="" type="checkbox"/> District-wide Assessment			
	<input checked="" type="checkbox"/> State Assessment			

This is where Section 65 services must be indicated.



This is where Section 28 services must be indicated.



Only putting information here will NOT meet CMS requirements

This is where the Special Education Services are listed.

Example:

Special Education Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Specially Designed Instruction	Special Education Teacher	Special Education Setting	27 hours per week	1/15/2020-1/14/2021
Speech/Language Services				
Consultation				
Tutorial Instruction				
Extended School Year				

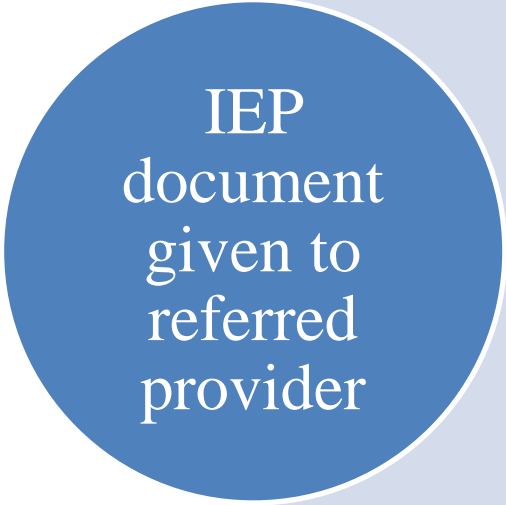
This is where Kepro, Non-Emergency Transportation (NET) brokers, and MaineCare staff would look for any extended school year services.

## Related Services Grid

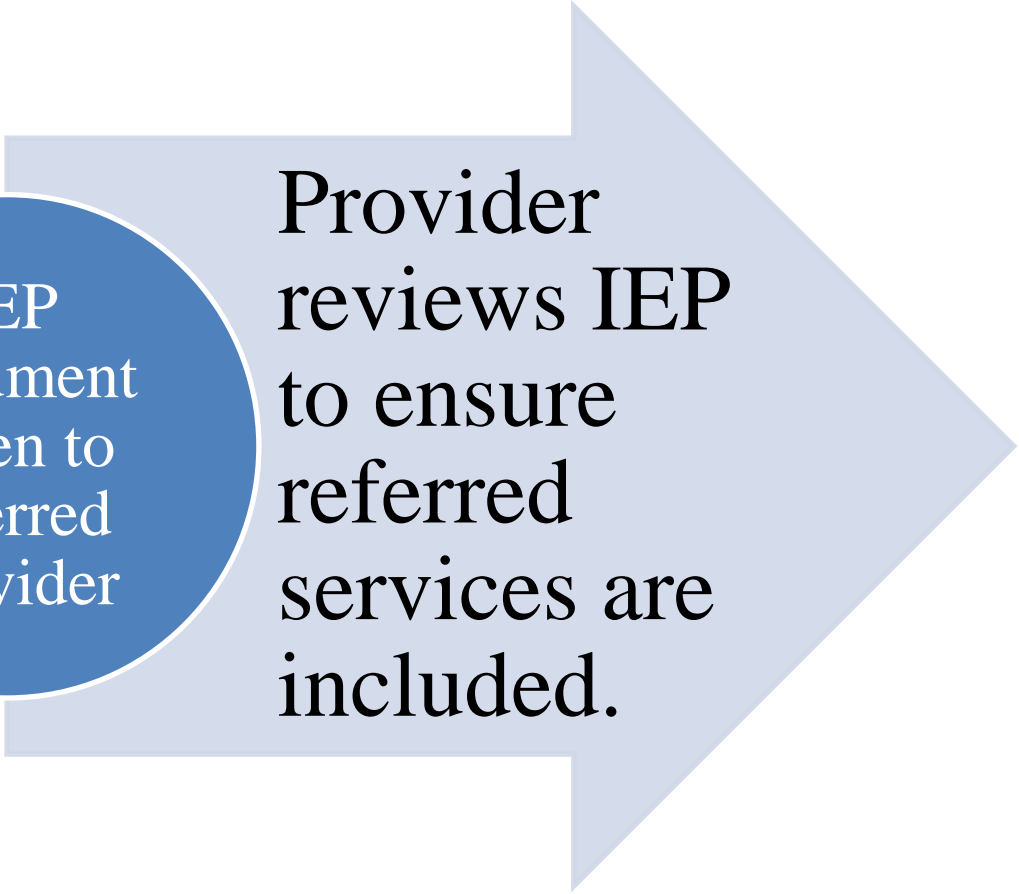
Related Services	Position Responsible	Location	Frequency	Duration Beginning and End Date
Speech/Language Services	Speech Therapist	Special Education Setting	2 X 30 minutes per week	1/15/2020-1/14/2021
Occupational Therapy	Occupational Therapist	Special Education Setting	2 X 30 minutes per week	1/15/2020- 1/14/2021
Physical Therapy	Physical Therapist	Special Education Setting	1 X 30 minutes per week	1/15/2020-1/14/2021
Nursing Services	Nurse	Regular and Special Education Setting	5 X 5 minutes per week	1/15/2020-1/14/2021
Social Work Services	Social Worker	Special Education Setting	2 X 30 minutes per week	1/15/2020-1/14/2021
BCBA Services or BCBA Consultation	BCBA	Regular and Special Education	1 x 60 minutes per month	1/15/2020-1/14/2021
Transportation	SAU	Special Education Setting	2 times per day, 5 times per week	1/1/2020-12/31/2021

This is where MaineCare-billable health-related services must be listed.

In order for NET to provide transportation services, the transportation **MUST** also be listed as a service on a member's IEP document.



IEP  
document  
given to  
referred  
provider



Provider  
reviews IEP  
to ensure  
referred  
services are  
included.

# Ensuring Services Align with what is Documented on the IEP

- For IDEA services, the IEP document acts as the MaineCare referral for services.
- If services are not listed on an IEP, it is up to the provider to contact the SAU or CDS staff to update IEP documentation to reflect service or to clarify what services need to be provided.
- MaineCare may not reimburse services unless the documentation is provided.

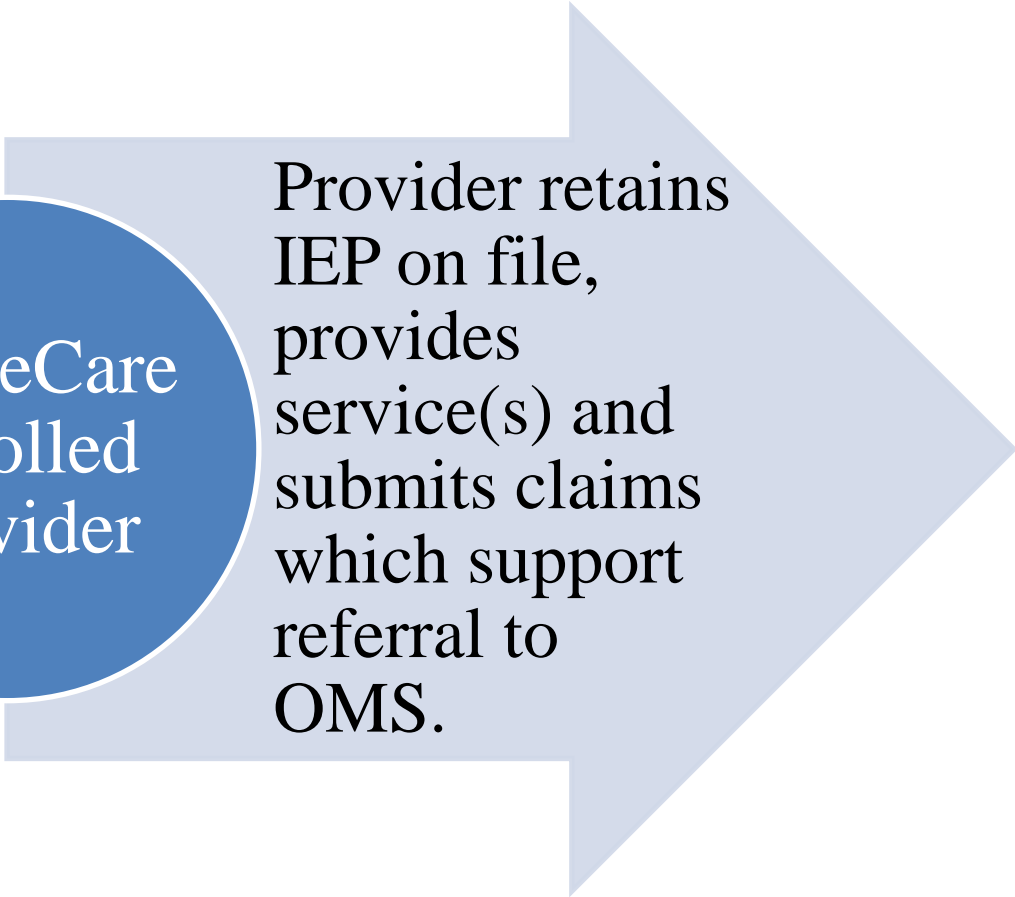


# Providing Additional Health-related Services that are not on the IEP

- If an enrolled MaineCare provider wants to provide additional services independent of what is listed on the IEP, the provider must obtain a referral for the member for any service provided.
- Any service the provider provides that is not listed on the IEP is not considered a “school-based service” (even if that service is provided on school grounds).
- The provider is ultimately responsible for making sure each member’s documentation reflects the service they provide– i.e. that the child’s IEP documents any health-related service necessary for the child’s education, and that the provider has a referral for any additional health-related service the provider delivers.



MaineCare  
Enrolled  
Provider



Provider retains  
IEP on file,  
provides  
service(s) and  
submits claims  
which support  
referral to  
OMS.

# School-Based Services Program

For technical assistance with the IEP process, please contact:

[Colette.sullivan@maine.gov](mailto:Colette.sullivan@maine.gov)

Or

[Roberta.Lucas@maine.gov](mailto:Roberta.Lucas@maine.gov)

For technical assistance regarding the billing and processing of MaineCare claims, please email [Trista.collins@maine.gov](mailto:Trista.collins@maine.gov) or [MaineCareinEducation.DHHS@maine.gov](mailto:MaineCareinEducation.DHHS@maine.gov).



# MaineCare in Education

## Staying Up to Date with OMS and DOE

Bookmark the MaineCare in Education web page:

<http://www.maine.gov/dhhs/oms/provider/school.html>

Once you're there, you can download the latest School-Based Billing Guide and sign up to receive e-messages from MaineCare.

Bookmark the MaineCare Benefits Manual:

<https://www.maine.gov/sos/cec/rules/10/ch101.htm>

# Thank You

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