

# Medicaid in Education Alert

New York State Department of Health (DOH), Office of Health Insurance Programs (OHIP)  
New York State Education Department (NYSED)  
Preschool/School Supportive Health Services Program (SSHSP)  
Medicaid in Education

Issue #15-02

TO: All SSHSP Medicaid Providers

FROM: NYS DOH OHIP Preschool/School Supportive Health Services Program (SSHSP) & NYSED Medicaid in Education Unit

DATE: March 4, 2015

SUBJECT: Clarification on Medicaid Reimbursement for Nursing Services

The Preschool/School Supportive Health Services Program (SSHSP) currently operates under Medicaid State Plan amendment (SPA) #09-61. One of the ten services included in this SPA is skilled nursing services. If an SSHSP billing provider (a school district or county) is seeking reimbursement for skilled nursing services provided to a Medicaid-eligible student that has an Individualized Education Program (IEP), the IEP must include “skilled nursing services.” This Alert is intended to facilitate meeting the documentation requirements for both Medicaid (SSHSP) and the Individualized Education Program (IEP).

## **Including Medicaid-reimbursable Skilled Nursing Services in the Student’s IEP**

Depending on the nature of the skilled nursing services, the documentation in the student’s IEP could, as appropriate to the individual student’s needs, be included as follows:

1. The IEP may specify school health services or school nurse services as a related service with further clarification under the column “Service delivery recommendations” (see the IEP form at <http://www.p12.nysed.gov/specialed/formsnotices/IEP/home.html>) that such services are “skilled nursing services.”
2. Alternatively, as appropriate to the student’s need for certain skilled nursing services, IEP recommendations for skilled nursing services could be noted as supplementary aides and services (e.g., for administering and/or monitoring medication needed by the student during

school hours) or “Medical Alerts” (e.g., for nursing treatment or procedures that would be triggered by certain medical conditions such as allergic reactions); or Supports for School Personnel (e.g., consultation with staff regarding the effects of medication).

The specific nursing service or medication should not be detailed in the IEP. While the IEP must recommend intermittent nursing services, the actual procedure should not be detailed in order to maintain the confidentiality of the student’s treatment plan and medical records maintained by the school. You should not indicate the name of the medication in the IEP.

As a recommended service, the IEP must include the anticipated frequency, duration, location and initiation date of such services.

### **SSHSP Reimbursement for Skilled Nursing Services (Episodic/Intermittent Services)**

NYS Medicaid State Plan Amendment (SPA) #09-61 outlines Medicaid reimbursable skilled nursing services for the PSSHSP. These Medicaid reimbursable skilled nursing services include the promotion of health, prevention of illness, care of the ill, and care of people with disabilities through the provision of services essential to the maintenance and restoration of health. Skilled nursing services may include:

- health assessments and evaluations
- medical treatments and procedures
- administering and/or monitoring medication needed by the student during school hours
- consultation with licensed physicians parents and staff regarding the effects of medication

**SSHSP reimbursement is available for episodic skilled nursing services** that are intermittently provided to the student, i.e., are not provided as a full day service. Episodic skilled nursing services are billed to the SSHSP in increments of up to 15 minutes each. For additional information refer to the SSHSP Provider Policy and Billing Handbook (Update 8) and Q+As 19, 60-70, 120-122, and 142-146 available on the Medicaid-in-Education webpage at: <http://www.oms.nysed.gov/medicaid/>.

As policy guidance indicates, in order to be Medicaid reimbursable, skilled nursing services must be supported by a written order that is signed and dated by a New York State Medicaid enrolled and NYS licensed and registered or certified, as relevant, physician, physician assistant, or nurse practitioner acting within the scope of his or her practice and included in the student’s IEP. The written order is required prior to the initiation of services and new orders are required when there are any significant changes to the student’s condition. The need for skilled nursing must also be documented in the student’s IEP and the IEP must specifically include “skilled nursing services.”

### **Medicaid Fee-for- Service (FFS) Reimbursement for Continuous (Private Duty) Nursing Services (Non-SSHSP)**

Although SSHSP Medicaid reimbursement is only available for skilled nursing services that are episodic in nature, rather than full-day 1:1 nursing, Medicaid regulations at 18 NYCRR section 505.8 (e) allow reimbursement for continuous nursing services (which may be known as private duty nursing or 1:1 nursing) outside of the SSHSP. FFS Medicaid reimbursable private duty nursing services outside of the SSHSP require prior approval. Through the prior approval process, Medicaid eligible children can access medically necessary private duty nursing services, which are approved for a defined number of hours over a defined time period (three to six months), depending on documentation to support the hours requested.

Private duty nursing services during the school day are the responsibility of the school district. If the SSHSP provider (school district or county) finds that a Medicaid eligible student requires a level of

skilled nursing care that it cannot provide, the SSHSP provider should coordinate with the student's medical provider and current nursing services provider to have the student's approved non-SSHSP private duty nursing hours adjusted to be included or reassigned for use during the school day. Additional information regarding the process for requesting Medicaid FFS private duty nursing for school may be found in the New York State Medicaid Program's *Private Duty Nursing Manual Prior Approval Guidelines*, available at [https://www.emedny.org/ProviderManuals/NursingServices/PDFS/Private\\_Duty\\_Nursing\\_PA\\_Guidelines.pdf](https://www.emedny.org/ProviderManuals/NursingServices/PDFS/Private_Duty_Nursing_PA_Guidelines.pdf).

**Medicaid Managed Care (MMC) Continuous (Private Duty) Nursing Services**

If a student is enrolled in a Medicaid Managed Care plan, providers must contact the health plan for information about how to access benefits for private duty nursing services.

If you have any questions or comments regarding this alert, please contact the NYS Department of Health at (518) 473-2160, your local Regional Information Center representative, or the NYS Education Department, Medicaid Unit at [medined@mail.nysed.gov](mailto:medined@mail.nysed.gov).