

Medicaid in Education Alert

New York State Office of the Medicaid Inspector General (NYS OMIG)
School/Preschool Supportive Health Services Program (SSHSP/PSHSP)
Medicaid in Education Unit

Issue #08-1

TO: All SSHSP/PSHSP Medicaid Providers

FROM: NYS OMIG SSHSP/PSHSP Medicaid in Education Unit

DATE: January 10, 2008

SUBJECT: Pended Speech Therapy and Special Transportation Claims
and Provider Certifications

All Speech Therapy, Counseling and Special Transportation claims, including those that have been pended in accordance with the information provided in NYS OMIG's Medicaid Alerts #07-2 and #07-3, will be denied payment. In order to have the speech and special transportation rate codes re-activated for each provider, thus enabling the SSHSP/PSHSP provider to submit/resubmit speech and special transportation claims for payment, a Provider Certification form must be completed. This certification form requires the signature of the business official attesting to the compliance with Medicaid requirements and understanding the consequences of filing false claims. The Provider Certification form for school districts, counties and §4201 schools is included with this Medicaid Alert and is available on the State Education Department Medicaid-in-Education website at <http://www.oms.nysed.gov/medicaid/>. The completed certification form, including original signature of the business official, must be sent to:

New York State
Office of the Medicaid Inspector General
150 Broadway 4th Floor
Albany, New York 12204
ATTN: Mr. Fred Warnecke

All claims submitted for Medicaid reimbursement must meet the new CMS guidelines and all relevant guidelines from the Medicaid Claiming/Billing Handbook – (Update #6), regardless of the service period.

All transportation services must be on the date the child received a Medicaid eligible service, so if the therapy service is no longer Medicaid eligible then the transportation service is no longer Medicaid eligible.

Claims submitted for payment will be closely monitored. The two-year claiming limit will be removed for these claim categories until September 1, 2008. Providers are advised to submit their certifications timely.

PLEASE NOTE:

All Psychological Counseling Therapy and Psychological Evaluation (both Comprehensive and Basic) claims, including those that have been pended in accordance with the information provided in NYS OMIG's Medicaid Alerts #07-2 and #07-3, will also be denied payment. You will be unable to submit claims for Counseling until the issue of license titles is resolved. NYS will request clarification from the Centers for Medicare and Medicaid Services (CMS) of allowable license titles for the providers of these services. CMS guidelines on credentialing and related S/PSHSP billing instructions for these counseling services will be forwarded to all S/PSHSP providers in a subsequent Medicaid Alert.

FURTHER RESTRICTIONS FOR TRANSPORTATION CLAIMING EXPECTED IN JUNE 2008

The Centers for Medicare & Medicaid Services (CMS) issued a final rule (CMS-2287-F) regarding Medicaid reimbursement for school-based administration and transportation. Reimbursement will only be allowed for 1) transportation costs related to school-aged children from school or home to a non-school-based direct medical service provider that bills under the Medicaid program, and from the non-school-based provider to school or home and 2) transportation costs related to children who are not yet school-age and are being transported from home to another location, including a school, and back to receive direct medical services, as long as the visit does not include an educational component or any activity unrelated to the covered direct medical service.

The effective date for CMS rule 2287-F is 60 days after publication in the Federal Register. The publication date is 12/28/07, however, recent Federal legislation has placed a six month delay in implementing these changes. School budgets for the 2007-2008 school year will not be affected by this CMS rule. Therefore P/SSHSP providers will be allowed to submit transportation claims under the guidelines described in the first paragraph of this alert for the six months following the December 28, 2007 publication date. Beginning June 28, 2008, schools will only be allowed to bill special transportation per CMS 2287-F.

For any questions/comments regarding this alert, please contact your Regional Information Center representative, NYS Education Department Medicaid Coordinators, or NYS OMIG Medicaid in Education Unit staff.

Attachment



STATE OF NEW YORK
OFFICE OF THE MEDICAID INSPECTOR GENERAL

PROVIDER CERTIFICATION
School District – County PSHSP Provider – §4201 School

I certify that I have read and understand the requirements described in the New York State Education Department letter dated February 6, 2007 titled “Medicaid Reimbursement Billing Requirements – SSHSP/PSHSP”, and the Office of the Medicaid Inspector General Medicaid-in-Education Alerts #07-2 and #07-3. Furthermore, policies and procedures will be implemented pertaining to these new requirements before claims are submitted for payment to ensure speech therapy and special transportation meet the requirements outlined in that February 6, 2007 letter, as well as meeting those documentation requirements outlined in the Medicaid-in-Education Handbook #6, including all updates. I understand that failure to comply with these requirements will put such claims at risk for disallowances as well as subject the school district/county/§4201 school to liability under the State or federal False Claims Act. False Claims Act penalties range from a minimum of \$5,500 to \$12,000 *per claim* in addition to three times the amount of each claim, attorneys’ fees and costs.

THIS FORM SHOULD BE SIGNED BY THE BUSINESS OFFICIAL

Signature: _____ Date: _____

Print name: _____

Print title: _____

Please provide the name of the school district, county PSHSP provider or §4201 school:

8-digit Medicaid Provider Identification Number: _____

Return to:

**New York State
Office of the Medicaid Inspector General
150 Broadway 4th Floor
Albany, New York 12204
ATTN: Mr. Fred Warnecke**