



NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES
MEDICAID TO SCHOOLS BILLING AND POLICY GUIDANCE

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Authorized by	Henry Lipman, Medicaid Director
Division/Office/Bureau	Division of Medicaid Services
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Effective Date	Immediately
Subject	Billing and policy guidance document
Description	Responses to questions received from billing agents and school districts

OVERVIEW

Since the transition of administrative oversight for the Medicaid to Schools (MTS) benefit from the Bureau of Developmental Services to the Division of Medicaid Services effective July 1, 2019, school districts and their billing agents have submitted questions about billing practices and policies around those practices. The first set of responses was released in September 2019 and is posted on the DHHS website at <https://www.dhhs.nh.gov/ombp/medicaid/mts/index.htm>. The Department’s responses to additional questions received are listed below.

Questions

- 1. When completing the documentation of expenditure of non-federal funds form, do we use the remittance advice (RA) date or the date of the check when counting funds?*

Response: The check date is the date of receipt of Medicaid funds. You can also log onto the provider portal at <https://nhmmis.nh.gov/portals/wps/portal/EnterpriseHome> and access the message center to confirm the payment date.

- 2. Is it now correct that a related service licensed professional (OT/PT/SPL) can no longer recommend through signing for OT/PT/SPL or rehab assistance services, a doctor must now sign?*

Response: The Department is seeking clarification from the Office of Professional Licensure and Certification (OPLC) to further clarify those other licensed treatment providers who may, as permitted under their board licensure, order or prescribe services, what type of services are included under their scope of practice, and who they may supervise pursuant to their license. In its regular rulemaking proposal, the Department will clarify the definition for “order” to include those licensed treatment practitioners

whose scope of license permits ordering services to be consistent with federal and state law, and will clarify in further rulemaking those providers who may supervise rehabilitative assistants.

As previously stated in guidance 2020-02, an order prescribing the Medicaid covered service is generally required from a Physician, APRN, or physician assistant for the services to be reimbursable by NH Medicaid; however, some qualified medical treatment providers may order services if state statute allows them to do so, and when they are acting within the scope of their board license. If your provider has unique circumstances or training, please contact OPLC to discuss the circumstance with the applicable licensing board. A list of contacts for each board can be accessed at this website: <https://www.oplc.nh.gov/contact-us/contact-your-board.htm>. The main phone number to the OPLC is (603)-271-2152.

The Department has developed a sample template entitled “Medicaid Health Related Services Order” for use by the school districts to assist them in obtaining orders, and it has been revised based on feedback received from schools. It is posted on the DHHS website at <https://www.dhhs.nh.gov/ombp/medicaid/mts/index.htm> under “Communication and Guidance”.

- 3. Can related service licensed professionals (OT/PT/SLP) sign off on rehab assistant billing once a doctor has ordered the service?*

Response: The individual within the school setting who is providing supervision or direction to the rehab assistant may continue to sign off on the billing and the service logs describing the services delivered, the number of hours or minutes for the services delivered, the dates of service, the start and stop times, etc. Keep in mind that Medicaid requires unique documentation of the service delivered, including a description of the services performed, amount of time it took to perform them, and how the services contributed to the student’s IEP or care plan treatment goals in compliance with 42 CFR 431.07 and NH Administrative Rules He-W 520.03. Some qualified treatment providers have qualifications permitting supervision within the scope of their board licensure. Further clarification is being sought from OPLC regarding which qualified medical treatment providers may supervise rehabilitative assistants as part of the scope of their board licensure, and the Department will issue guidance in the future.

- 4. Could a doctor’s, APRN’s or physician assistant’s orders be retroactive? We are having difficulty getting orders in a timely manner and would like to know whether the order can be retroactively applied back to the date of the emergency rule (August 28, 2019).*

Response: Yes. Orders signed by a physician, APRN or physician assistant for Medicaid coverable services being delivered by qualified Medicaid treatment providers can be retroactively applied back to August 28, 2019 until the emergency rule’s expiration on February 24, 2019.

- 5. When does the Department think clarification from the Office of Professional Licensure and Certification (OPLC) on scope of practice will be received?*

Response: The Department is seeking clarification from OPLC regarding scope of practice questions submitted by the schools, absent clarifying guidance from the Department, interested individuals can contact the relevant board for information. A list of the upcoming board meetings will be posted on the MTS website at <https://www.dhhs.nh.gov/ombp/medicaid/mts/index.htm>.

6. *Can a School nurse (RN) supervise an LPN?*

Response: In accordance with scope of practice, a currently licensed RN may supervise the practice of a currently licensed LPN.

7. *I have been researching certification of our psychologists. Some of them are not NH Board of Psychology licensed but they hold a national certified school psychologist license. Would these individuals be recognized as treatment providers under the emergency rule?*

Response: Currently, certified school psychologists of the Department of Education are not a qualified treatment provider under the NH Medicaid state plan unless they are licensed by another mental health or medical board. The Department is exploring options as has been done in other states for some participation in Medicaid by these individuals as noted in the joint Substance Abuse and Mental Health Services Administration (SAMHSA) and CMS guidance issued on July 1, 2019 which can be found on the Department’s website at <https://www.dhhs.nh.gov/ombp/medicaid/mts/index.htm>.

8. *Where can I find Out of District Medicaid reimbursement forms for our therapists to complete for our NH districts?*

Response: Currently there is not a form for this. You should check with each of the school districts to determine how they want to be invoiced for services provided by qualified and licensed therapists.

9. *Many of the questions submitted by the schools are focused on operational issues. Does the Department plan to conduct trainings?*

Response: Given the number of questions related to billing, services, enrollment, and documentation requirements, the Department plans to provide training and technical assistance to schools. The first training session will be focused on Medicaid enrollment and is being finalized. The Department will post the date, time, and location for the training on the MTS webpage and will issue an email to the stakeholders once a date, time, and location have been finalized. Additionally, the Department plans to conduct regular quarterly training and technical assistance sessions with interested schools.

Questions about this guidance can be sent to: MTS@dhhs.nh.gov

Revision History

Activity Date	Version	Description of Activity	Author	Approved By
10/25/2019	Final	Questions and responses	JHybsch	HLipman