

## Developmental Disabilities Administration **Transforming Lives**

### Medically Intensive Children's Program (MICP)

Medically Intensive Children's Program (MICP) provides skilled nursing services to children ages 17 and younger. These children have complex medical needs that require a registered nurse to provide support. Nursing services may be provided in the family home, foster homes, and in contracted medically intensive children's group and staffed residential homes.

#### Eligibility Requirements

- Age 17 or younger;
- Have complex medical needs (example, ventilator dependent, tracheostomy care);
- Enrolled in Washington Apple Health (Medicaid) under the categorically needy scope of care; and
- Require at least four hours of continuous skilled nursing care per day.

#### Services

- In-Home Skilled Nursing

#### Stakeholders

- DSHS Children's Administration
- DSHS Home and Community Services Division
- Health Care Authority
- Service providers
- Families of clients
- Community organizations
- Hospitals



#### Contact

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This optional Medicaid program helps to keep families together. It also greatly reduces the cost of in-patient hospital care where these children would be cared for without this program. Approximately 200 children are supported through the MICP program.

## Who do families contact for information and program support?

### If your child is enrolled in Apple Health (Medicaid) as a fee-for-service client:

Department of Social and Health Services  
Developmental Disabilities Administration Nursing  
Services Unit Manager Doris Barret RN, MBA

- Email: [barreda@dshs.wa.gov](mailto:barreda@dshs.wa.gov)
- Telephone: (360) 407-1504

### If you need additional assistance in getting private duty nurses:

Health Care Authority Medical Assistance Customer  
Service Center: 1 (800) 562-3022

## What are individuals' rights regarding private duty nursing services under Medicaid?

The Americans with Disabilities Act gives you or your child the right to receive your Medicaid services in your home or community—and not in a hospital or institution—if possible. This federal law requires states and Medicaid managed care plans, if applicable, to respond to families' requests for help arranging (directly or through referral) skilled private duty nursing services. Families must get timely access to these services. If you feel that you aren't getting these services in a timely way, or that you aren't getting all of the services that you are authorized to receive because you can't find nurses, you have the right to ask the state or the managed care plan to help you get this nursing.

## Who do families contact for legal assistance?

In September 2015, a group of children receiving Medicaid benefits filed a federal lawsuit against the state. The lawsuit claimed that the state was violating federal Medicaid law and the Americans with Disabilities Act in providing in-home nursing care. In January 2016, a federal judge issued a preliminary injunction against the state, ordering the state to take all actions necessary to provide the required in-home nursing care to the plaintiffs.

In December 2016, the plaintiffs and the state reached a settlement of the lawsuit. The settlement requires the state to take certain actions to increase the level of in-home nursing care for eligible Medicaid clients, including sharing this fact sheet with families. For more information, contact the Northwest Justice Project:

- Telephone: (206) 707-7205
- Online: [www.nwjustice.org/ahr](http://www.nwjustice.org/ahr)

## Which state agencies are involved in running MICP?

The program is administered by the Developmental Disabilities Administration (DDA) of the Department of Social and Health Services, in partnership with the Health Care Authority (HCA).

### DDA:

- Determines clinical and financial eligibility once the application is complete.
- Assesses the child and determines medically necessary services, including the specific number of hours required and authorized.
- Arranges medically necessary services to assure timely access.
- Sends you a written letter called a Planned Action Notice telling you if you are eligible or if your service changes.

### HCA:

- Arranges medically necessary skilled private duty nursing services through DDA.
- Helps family who may be experiencing difficulty obtaining private duty nursing services.
- HCA is responsible for ensuring that children enrolled in Apple Health (Medicaid) get the nursing services they need.