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State/Territory Name: Washington

State Plan Amendment (SPA) #: 17-0011

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
Seattle Regional Office
701 Fifth Avenue, Suite 1600, MS/RX-200
Seattle, WA 98104



Division of Medicaid & Children's Health Operations

June 29, 2017

Dorothy Frost Teeter, Director
MaryAnne Lindeblad, Medicaid Director
Health Care Authority
PO Box 45502
Olympia, WA 98504-5010

RE: Washington State Plan Amendment (SPA) Transmittal Number 17-0011.

Dear Ms. Teeter and Ms. Lindeblad:

The Centers for Medicare & Medicaid Services (CMS) has completed its review of State Plan Amendment (SPA) Transmittal Number WA 17-0011. This amendment incorporated charter schools and tribal schools under the School-Based Health Care Services (SBHS) program.

This SPA is approved with an effective date of April 1, 2017.

If there are additional questions please contact me, or your staff may contact James Moreth at James.Moreth@cms.hhs.gov or (360) 943-0469.

Sincerely,

Digitally signed by David L. Meacham



Date: 2017.06.29 11:07:07 -07'00'

David L. Meacham
Associate Regional Administrator

cc:
Ann Myers, SPA Coordinator

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL**

1. TRANSMITTAL NUMBER:
17-0011

2. STATE
Washington

FOR: HEALTH CARE FINANCING ADMINISTRATION

3. PROGRAM IDENTIFICATION: TITLE XIX OF THE
SOCIAL SECURITY ACT (MEDICAID)

TO: REGIONAL ADMINISTRATOR
HEALTH CARE FINANCING ADMINISTRATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE
~~February 16, 2017 (P&I)~~
April 1, 2017 (P&I)

5. TYPE OF PLAN MATERIAL (Check One):

NEW STATE PLAN AMENDMENT TO BE CONSIDERED AS NEW PLAN AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)

6. FEDERAL STATUTE/REGULATION CITATION:
Section 1905(c) of the Social Security Act

7. FEDERAL BUDGET IMPACT:
a. FFY 2017 \$0
b. FFY 2018 \$0

8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT:

Attachment 3.1-A page 16, 16c
Attachment 3.1-B page 16, 16c
Attachment 4.19-B page 22a

9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION
OR ATTACHMENT (If Applicable)

Attachment 3.1-A page 16, 16c
Attachment 3.1-B page 16, 16c
Attachment 4.19-B page 22a

10. SUBJECT OF AMENDMENT

Charter and Tribal Schools in the School-Based Healthcare Services Program

11. GOVERNOR'S REVIEW (Check One):

GOVERNOR'S OFFICE REPORTED NO COMMENT OTHER, AS SPECIFIED: Exempt
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

12. SIGNATURE OF STATE AGENCY OFFICIAL:

13. TYPED NAME:

MARYANNE LINDEBLAD

14. TITLE:

MEDICAID DIRECTOR

15. DATE SUBMITTED:

4-3-17

16. RETURN TO:

Ann Myers
Office of Rules and Publications
Legal and Administrative Services
Health Care Authority
626 8th Ave SE MS: 42716
Olympia, WA 98504-2716

FOR REGIONAL OFFICE USE ONLY

17. DATE RECEIVED:

4/3/17

18. DATE APPROVED:

6/29/17

18. TYPED NAME:

PLAN APPROVED - ONE COPY ATTACHED

19. EFFECTIVE DATE OF APPROVED MATERIAL:

4/1/17

20. SIGNATURE OF REGIONAL OFFICIAL:

22. TITLE:

Associate Regional Administrator

David L. Meacham

23. REMARKS:

6/9/17 - State authorized P&I change to box 4

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State WASHINGTONAMOUNT, DURATION, AND SCOPE OF MEDICAL AND REMEDIAL
CARE AND SERVICES PROVIDED TO THE CATEGORICALLY NEEDY

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4. b. EPSDT (cont)
6. Hospice care, including palliative care
7. School-based health care services
- (1) School-based health care services are provided to a child with a disability. The Medicaid agency reimburses school districts, charter schools and tribal schools for school-based health care services provided to children in Special Education, consistent with Section 1905(c) of the Social Security Act. Covered services must:
- Address the physical and/or mental disabilities of the child;
 - Be prescribed by a currently licensed physician or another currently licensed health care practitioner within his or her scope of practice under state law; and
 - Be in accordance with the Individuals with Disabilities Education Act (IDEA) by being included in the child's current Individualized Education Program (IEP) for Part B services, or Individualized Family Service Plan (IFSP) for Part C services.
- (a) Provider qualifications – School-based health care services provided to a child with a disability must be delivered by a qualified provider who meets both federal and state licensing requirements. The professional must operate within the scope of his or her license and certification according to state law and professional practice standards.
- (i) *Physical Therapist* – A 'licensed physical therapist' is an individual who has met the requirements set forth in 42 CFR 440.110(a), passed the National Physical Therapy Examination (NPTE), and who is currently licensed according to the Washington State Board of Physical Therapy. Physical therapy services may be provided by a 'licensed physical therapy assistant' who has passed the National Physical Therapy Examination (NPTE), and meets the requirements of Chapter 18.74 RCW and Chapter 246-915 WAC. A 'licensed physical therapist assistant' must be under the direction and supervision of a licensed physical therapist.
- (ii) *Occupational Therapist* – A 'licensed occupational therapist' is an individual who has met the requirements set forth in 42 CFR 440.110(b), has passed the National Board for Certification in Occupational Therapy's (NBCOT) examination, and who is currently licensed according to the Washington State Occupational Therapy Practice Board. Occupational therapy services may be provided by a 'licensed occupational therapy assistant' who has passed the National Board for Certification in Occupational Therapy's (NBCOT) examination, and meets the requirements of Chapter 18.59 RCW and Chapter 246-847 WAC. A 'licensed occupational therapist assistant' must be under the direction and supervision of a licensed occupational therapist.
- (iii) *Speech-Language Pathologist* – A 'licensed speech-language pathologist' is an individual who has met the requirements set forth in 42 CFR 440.110(c)(2), has passed the Speech and Hearing Association examination, and who is currently licensed according to the Washington State Board of Hearing and Speech. Speech-language pathology services may be provided by a 'certified speech-language

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State WASHINGTONAMOUNT, DURATION, AND SCOPE OF MEDICAL AND REMEDIAL
CARE AND SERVICES PROVIDED TO THE CATEGORICALLY NEEDY

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4. b. EPSDT (cont)
- i. *Psychological assessments and counseling services* – Psychological assessments include testing and psychotherapy to assist a child in adjusting to their disability.
 - ii. *Counseling assessments and therapy services* – Therapeutic intervention services to assist a child in adjusting to their disability.
- c) Medicaid beneficiaries have the freedom to choose their providers. The state, school districts, charter schools and tribal schools may encourage, but may not require, Medicaid eligible children to receive necessary healthcare services in the school setting from school-based providers.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State WASHINGTONAMOUNT, DURATION, AND SCOPE OF SERVICES PROVIDED TO THE
MEDICALLY NEEDY GROUP(S): ALL

4. b. EPSDT (cont)

- Services for clients with speech, hearing, and language disorders must be provided by or under the supervision of a speech pathologist or audiologist. Speech pathologists, audiologists, and individuals providing services under their supervision must meet the requirements in chapter 18.35 RCW in effect as of July 1, 2009. Chapter 18.35 RCW specifies required education, experience, and the state's application and examination process for these providers.

6. Hospice care, including palliative care

7. School-based health care services

(1) School-based healthcare services are provided to a child with a disability. The Medicaid agency reimburses school districts, charter schools, and tribal schools for school-based health care services provided to children in Special Education, consistent with Section 1905(c) of the Social Security Act. Covered services must:

- Addresses the physical and/or mental disabilities of the child;
- Be prescribed by a currently licensed physician or another currently licensed healthcare practitioner within his or her scope of practice under state law; and
- Be in accordance with the Individuals with Disabilities Education Act (IDEA) by being included in the child's current Individual Education Plan (IEP) for Part B services, or Individualized Family Service Plan (IFSP) for Part C services.

(a) Provider qualifications – School-based healthcare services provided to a child with a disability must be delivered by a qualified provider who meets both federal and state licensing requirements. The professional must operate within the scope of his or her license and certification according to state law and professional practice standards.

(i) *Physical Therapist* – A 'licensed physical therapist' is an individual who has met the requirements set forth in 42 CFR 440.110(a), passed the National Physical Therapy Examination (NPTE), and who is currently licensed according to the Washington State Board of Physical Therapy. Physical therapy services may be provided by a 'licensed physical therapy assistant' who has passed the National Physical Therapy Examination (NPTE), and meets the requirements of Chapter 18.74 RCW and Chapter 246-915 WAC. A 'licensed physical therapist assistant' must be under the direction and supervision of a licensed physical therapist.

(ii) *Occupational Therapist* – A 'licensed occupational therapist' is an individual who has met the requirements set forth in 42 CFR 440.110(b), has passed the National Board for Certification in Occupational Therapy's (NBCOT) examination, and who is currently licensed according to the Washington State Occupational Therapy Practice Board. Occupational therapy services may be provided by a 'licensed occupational therapy assistant' who has passed the National Board for Certification in Occupational Therapy's (NBCOT) examination, and meets the requirements of Chapter 18.59 RCW and Chapter 246-847 WAC. A 'licensed occupational therapist assistant' must be under the direction and supervision of a licensed qualified occupational therapist.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State WASHINGTON

AMOUNT, DURATION, AND SCOPE OF SERVICES PROVIDED TO THE
MEDICALLY NEEDY GROUP(S): ALL

4. b. EPSDT (cont)

Psychological assessments and counseling services – Psychological assessments include testing and psychotherapy to assist a child in adjusting to their disability.

Counseling assessments and therapy services – Therapeutic intervention services to assist a child in adjusting to their disability.

- (c) Medicaid beneficiaries have the freedom to choose their providers. The state, school districts, charter schools, and tribal schools may encourage, but may not require, Medicaid eligible children to receive necessary healthcare services in the school setting from school-based providers.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State WASHINGTON

AMOUNT, DURATION, AND SCOPE OF SERVICES PROVIDED TO THE
MEDICALLY NEEDY GROUP(S): ALL

POLICY AND METHODS USED IN ESTABLISHING PAYMENT RATES FOR EACH OF THE OTHER TYPES OF CARE OR SERVICE LISTED IN SECTION 1905 (A) OF THE ACT THAT IS INCLUDED IN THE PROGRAM UNDER THE PLAN (cont.)

IX. Other Noninstitutional Services (cont.)

School-based healthcare services.

The fees for the codes under School-based Healthcare Services are established and updated using the Resource Based Relative Value Scale (RBRVS) methodology as adopted in the Medicare Fee Schedule Data Base (MFSDB). In this methodology, under Washington Administrative Code, chapter 182-531, the agency uses CMS-established relative value units (RVUs) multiplied by the Geographic Practice Cost Indices (GPCI) and the conversion factors, both of which are specific to Washington. Current conversion factor, service descriptions and their effective dates are found in Supplement 3 to Attachment 4.19-B. See 4.19-B, I. General #G for the agency’s website where the fee schedules are published.

Codes not valued under the RVU methodology are reimbursed using flat rate. These fees are based upon market value, other states’ fees, budget impacts, etc.

Except as otherwise noted in the plan, fee schedule rates for school-based healthcare services are the same as the rates paid to similar providers within the community outside of the school setting.