

NAME TAG

National Alliance for Medicaid in Education, Inc
"Takes a Glance"
Volume 1, Number 3

July, 2005



Providing a network among stakeholders to share information on issues pertinent to Medicaid programs in public education.



Questions about the 2005 Conference?

Check the NAME website:
<http://www.medicaidforeducation.org/>

email the co-chairs:
bneely@mesd.k12.or.us
dann.stevens@iowa.gov

2005 Annual NAME Conference "Charting the Course"

NAME's 3rd Annual Conference is shaping up to be an awesome event! As of July 15th, we have over 150 registrations with a limit of around 200 for the conference. The conference is being held at the Renaissance Seattle Hotel, which is located in the heart of downtown Seattle, Washington. To register online and for a link to the hotel, go to the NAME web page:

www.medicaidforeducation.org.

This year's conference, "**Charting the Course**" has three tracts:

- Policy/Advocacy;
- Direct Billing/Fee for Service; and
- Medicaid Administrative Claiming.

Wednesday offers general sessions, including a presentation by CMS staff scheduled, along with 101's on Medicaid, Special Education and the NAME organization. Regional Roundtable discussions are slated for Thursday and there will be breakout sessions for sharing specific tools and strategies.

Conference attendees are encouraged to bring something unique and representative of their region or state for the silent auction. We were so impressed with the work of the Pike Place Market Foundation, we designated the proceeds of this year's silent auction go to them for their children's programs.

The conference committee has attempted to build in many opportunities to network with colleagues from across the nation. Seattle is a great city to visit and the committee has opted for a land and sea reception to welcome participants and provide an opportunity to get a flavor of the Northwest. When registering, attendees will have the option to register to take a Harbor Cruise on Thursday evening and go to a Seattle Mariners baseball game Friday night. The two social events are optional and each event cost \$40 per person. (Note: The cruise and baseball game are not included in the conference registration fee.) Attendee's family/guest may also purchase tickets to participate in these two social events.



"Improvement begins with I."

-Arnold H. Glasgow

The NAME Annual Meeting and board election takes place on Friday. All registered attendees are members of the organization and are encouraged to attend and participate in the annual meeting.

Previous conference attendees reported that they highly valued the opportunity to network with other states, share information and learn from their counterparts around the country. Plan on joining us in Seattle as we "Chart The Course".

President's Corner

With every audit report released by the Office of the Inspector General (OIG) related to School-Based Medicaid services, I look for something new. It appears to me that, the OIG has established a pattern of findings usually related to referrals, service authorization and documentation. One perception of the audit reports may indicate that states are having difficulty melding their standard educational procedures with the requirements of Medicaid. Others might believe that the language barrier between education and Medicaid is at the root of some of the perceived issues.

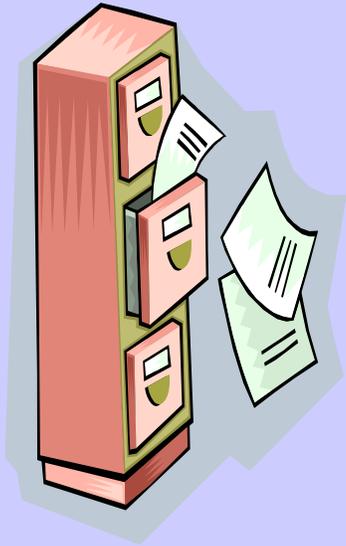
Whatever the realities of the findings, it is imperative that the focus of both Medicaid and Education remains on providing appropriate services to children and young adults. In order to do this, in the most efficient manner, we must continue to strive to have clear expectations, procedures and policies. As you will note, there is a heavy emphasis at the upcoming NAME conference on self-auditing. I am confident that, at a minimum, these sessions will provide a forum for lively discussion on the issues and potential solutions.

John Hill, President

Busy Few Months in Medicaid

Since the last NAME TAG was written, there has been lots of activity regarding Medicaid. It is important that we all remain actively vigilant about what is going on, as there are always possible implications for School-Based services and Medicaid Administrative Claiming (MAC).

On Friday, July 8, 2005, the Secretary of Health and Human Services (HHS) announced the members selected to serve on his Medicaid Advisory Commission. There are 13 voting members and 15 non-voting members on the Commission. The Commission's charge is to identify reforms necessary to stabilize and strengthen Medicaid. The Commission must present their first report to the Secretary by September 1st.



Troy Justesen, deputy assistant secretary for the office of special education and rehabilitative services at the U.S. Department of Education is a member of the Commission. A complete copy of the Commission's charge can be read at:
<http://www.cms.hhs.gov/faca/mc/charter.pdf>

On June 28, 2005 the Senate Finance Committee heard testimony regarding a lack of Medicaid oversight at the federal level and about funding mechanisms employed by states to shift costs to the federal government. School-based services were specifically mentioned by several of those testifying. Two of the more noteworthy pieces of testimony are described below, with a link at the end to the entire testimony:

- Dennis Smith, Director, Center for Medicaid and State Operations, Centers for Medicare and Medicaid Services, U.S. Department of Health and Human Services provided a lengthy testimony about a variety of issues including:
 1. President Bush is proposing to set state allotments for Medicaid Administrative Cost claiming (*see page 8 on the related link below.*)
 2. Clarifying the definition of rehabilitation services (*see page 8 on the related link below.*)
 3. Clarifying the definition of case management specifically mentioning a problem with case management provided under IDEA (*see page 10 on the related link below.*)
 4. Increasing financial management/review and abuse prevention/control activities to ensure program integrity (*see page 15 on the related link below.*)
 5. Warning about the use of consultants paid on a contingency to implement projects to maximize Federal Medicaid reimbursements (*see page 18 on the related link below.*)
 6. School based services (*see page 22 on the related link below.*) See related NAME TAG article on page 4.
<http://www.finance.senate.gov/hearings/testimony/2005test/DStest062805.pdf>
- George Reeb, Assistant Inspector General for the Centers for Medicare and Medicaid Audits, Office of the Inspector General, U.S. Department of Health and Human Services identified several issues in his twelve page testimony. Everyone should review what he says about *Medicaid School-based Health Services*, on page 9 on the related link below. One bright spot is the concern about schools being required to "return a portion of the Medicaid payment to the State....". Many states return a small portion of the Medicaid payment to the state or local education agency. Many

agree with Mr. Reeb that the Medicaid payments made for School-based Health Services be directed to schools.

<http://www.finance.senate.gov/hearings/testimony/2005test/GRest062805.pdf>

New York City Schools received lots of national press in June relating to the Office of Inspector General's (OIG) audit released June 14, 2005. To read the 215 page report click on: <http://oig.hhs.gov/oas/reports/region2/20201029.htm>



Seven Points to Ponder

Dennis Smith testified that the Office of the Inspector General is conducting audits in states related to claims for school-based services to determine if Medicaid payments are in accordance with applicable laws and regulations. Most of us believe we are billing for school-based services according to those laws and regulations. However, we should all be aware of what the Centers for Medicare and Medicaid believe these audits reveal. Then we all need to carefully review our school based programs to make sure we are not at risk.

According to Mr. Smith, schools access Medicaid for:

1. Services not approved in the state plan;
2. Services not sufficiently documented to ensure that services prescribed in the IEP were delivered;
3. Services not authorized or were in excess of the quantity authorized in the IEP;
4. Transportation services when no authorized Medicaid service occurred on the same day;
5. Services rendered by health care providers who do not have qualifications required by Medicaid regulations;
6. Services provided free to other students; and
7. Services billed for students who were absent.

2005 NAME Committees

2005 Conference Committee

Barbara Neely, Co-Chair

bneely@mesd.k12.or.us

Dann Stevens, Co-Chair

Dann.Stevens@iowa.gov

Rita Bouillon

Penny Dipple

Fritz Jenkins

Kris Johnson

Brenda Mack

Carol Nolan

Teresa Pastore

Ruben Rojas

Committee Updates

Conference Committee

As of mid-July, over 150 individuals have registered for the upcoming annual conference in Seattle, WA. The conference is limited to approximately 200.

Finance Committee

At the end of June, the balance of cash on hand was \$62,143. Most of this comes from conference registrations, membership dues, and sponsorships.

By-Laws Committee

Jane Reagan, Chair
ReaganJ@michigan.gov
Greg Morris
Ruben Rojas

Nominating Committee

Dann Stevens, Chair
Dann.Stevens@iowa.gov
Brenda Mack
Sue Robertson
Cathy Griffin, Ex-Officio

Membership Committee

Brenda Mack, Chair
bmack@doe.k12.de.us
Matt Fanale
Dann Stevens

Web Committee

Michael Albino, Chair
mca03@health.state.ny.us
Barbara Neely
Dann Stevens

Finance Committee

Dann Stevens, Chair
Dann.Stevens@iowa.gov
Fritz Jenkins

Long Range Planning Committee

Fritz Jenkins, Chair
fritz.jenkins@state.or.us
Cathy Griffin
John Hill

Communication Committee

Matt Fanale, Chair
fanalmb@dhfs.state.wi.us
Cathy Griffin

Program & Policy Committee

Cathy Griffin, Co-Chair
Cathy.Griffin@state.mn.us
Sue Robertson, Co-Chair
Robertsons@ohca.state.ok.us
Barbara Neely
Michael Albino

By-Laws Committee:

Members were notified about proposed revisions to the NAME By-laws. The proposed revisions were posted to the web site for a comment period. The proposed revisions were passed at the second reading during the Board meeting held July 14th. The revised by-laws can be reviewed on the web site at:

<http://www.medicaidforeducation.org/bylaws.html>

Nominating Committee

Presented recommended slate of officers, regional board representatives and LEA representatives to the NAME board on July 14, 2005 for the upcoming fall elections.

Membership Committee

As of July 14th, there are 153 members in good standing representing:

- 24 State Medicaid Agencies;
- 20 State Education Agencies;
- 54 Local Education Agencies; and,
- 55 Associates

Web Committee

The contract with the web master is almost complete. We are considering executing another contract with him. It is now possible to enroll as a member, register for the conference, and pay for either online with a credit card (MasterCard or VISA).

Long Range Planning Committee

Committee protocols were presented to the Board at the May meeting. Board members discussed the protocols and made recommendations. Committees were charged with making final drafts which were reviewed and accepted July 14 Board meeting. Committee protocols can be viewed on the NAME web site.

Communication Committee

Last quarter, NAME TAG was sent to 500 individuals in an effort to make more people aware of the organization.

Program and Policy Committee

A survey will be sent very soon to expand and update the information gathered in 2003 by the Washington Office of the Superintendent of Public Instruction. NAME has teamed up with the North Central Regional Resource Center for technical support.



Nominating Committee Submits Slate for Fall Elections

The Nominating Committee presented its list of recommended candidates to the NAME Board on July 14, 2005 for the annual election of officers, regional board members and LEA representative whose terms will expire this fall. The ballot will be distributed to the membership at the September 30, 2005, NAME Annual Membership meeting in Seattle, Washington. Prior to the call for a vote, the ballot will be open to nominations from the floor.

2005/2006 Slate:

President-Elect:

Brenda Mack, Region III, DE Dept. of Education

Secretary:

Sue Robertson, Region VI, OK Health Care Authority

Treasurer:

Dann Stevens, Region VII, IA Dept. of Education

Region III:

John Tommasini, PA Department of Education

Region IV:

Nora Poisella, NC Division of Medical Assistance

Region VIII:

Emily Tryer, CO Department of Education

Local Education Agency (two representatives elected):

Rita Bouillon, Region VIII, Jordan School District, UT

Joseph Greene, Region IV, Seminole County Public Schools, FL

Barbara Neely, Region X, Multnomah ESD, OR

Ruben Rojas, Region IX, Los Angeles USD, CA

2005 NAME Board

John Hill, President

Cathy Griffin, President-elect

Dann Stevens, Treasurer

Matthew Fanale, Secretary

Dann Stevens, Past President

Garry Schaedel, Region I

Michael Albino, Region II

Brenda Mack, Region III

Virgie Chambers, Region IV

Linda Sowle, Region V

Sue Robertson, Region VI

Joyce Jackman, Region VII

Steve Shelsta, Region VIII

Albert Yoshii, Region IX

Fritz, Jenkins, Region X

Ruben Rojas, LEA

Barbara Neely, LEA

The Board is the governing body of the NAME organization and meets via conference call every other month. The Board is comprised of ten (10) representatives, one from each CMS region, who are State Medicaid or Education staff. In addition, there are five officers and two LEA representatives.

There are three Regional Board seats with term expirations this year. The regions are:

- III Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia;
- IV Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee; and
- VIII Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming).

Regional Board Members serve three-year terms and are open to any voting member.

The two LEA terms end this year. These positions are open to individual school district employees who are locally involved with Medicaid in education. The revised By-Laws provide for the two LEA positions to have staggered terms beginning this fall. One of the terms will be one year and the other two years with this election. Following years will always have one LEA position open for election with the term to be two years in length.

Next year, besides the officers and one LEA representative, the following Regional Board positions will expire:

- V Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin;
- VII Iowa, Kansas, Missouri, and Nebraska;
- IX Arizona, California, Hawaii, and Nevada; and,
- X Alaska, Idaho, Oregon, and Washington.

The Chair of the Nominating Committee is currently Dann Stevens. For more information contact Dann at (515) 281-8505 or Dann.Stevens@iowa.gov.

Check Your P's and Q's and Your CCC's Too

On June 14, 2005, the Office of the Inspector General (OIG) released a report based on its review of speech claims made by the New York City Department of Education. The OIG declared that the New York City Department of Education improperly filed \$435,903,456 in federal Medicaid funds. They cited:

1. Lack of documentation;
2. Lack of referral by an appropriate medical professional;
3. Lack of an Individual Family Service Plan (IFSP) or Individualized Education Plan (IEP); and
4. Services not provided by or under direction of an ASHA certified individual or individual with similar qualifications.

As expected, NY state officials disagreed with most aspects of the findings. The state of NY expressed concern that OIG applied regulations designed for a medical office setting to an educational setting. The OIG reviewed payments from September 1, 1993 through June 30, 2001. Once again, we all need to review our own systems and assure we minimize our risk. However, even most medical offices would not have documentation going back twelve years. This alone is very unsettling.



Reduce your risk

*"NAME TAG"
Contributors:*

*John Hill
Dann Stevens
Cathy Griffin*