

Table of Contents

State/Territory Name: Oklahoma

State Plan Amendment (SPA) #: 18-0003

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form
- 3) Approved Page

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
Dallas Regional Office
1301 Young Street, Suite 833
Dallas, Texas 75202



DIVISION OF MEDICAID & CHILDREN'S HEALTH - REGION VI

June 25, 2018

Our Reference: SPA OK 18-03

Becky Pasternik-Ikard
Chief Executive Officer
4345 N. Lincoln Blvd.
Oklahoma City, Oklahoma 73105

Dear Ms. Pasternik-Ikard:

Enclosed is a copy of approved Oklahoma State Plan Amendment (SPA) No. 18-03, with an effective date of January 1, 2018. This amendment was submitted to clarify the definition of school-based services, add language that outlines the notification requirements to schools regarding parental and legal guardian consent, and remove specific references which are no longer applicable.

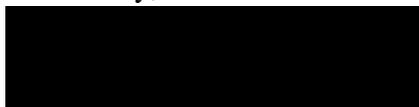
This letter affirms that OK 18-03 is approved effective January 1, 2018 as requested by the State.

We are enclosing the CMS-179 and the following amended plan pages.

- Attachment 3.1-A, Page 1a-6.6
- Attachment 3.1-A, Page 1a-6.12

If you have any questions regarding this matter you may contact Stacey Shuman at 214-767-6479, or by email at stacey.shuman@cms.hhs.gov.

Sincerely,



Bill Brooks
Associate Regional Administrator

CC: Billy Bob Farrell, DMCH Dallas
Stacey Shuman, DMCH Dallas
Erick Carrera, CMS Baltimore

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL
FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES**

1. TRANSMITTAL NUMBER 1 8 - 0 3	2. STATE Oklahoma
3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)	
4. PROPOSED EFFECTIVE DATE January 1, 2018	

TO: REGIONAL ADMINISTRATOR
CENTERS FOR MEDICARE & MEDICAID SERVICES
DEPARTMENT OF HEALTH AND HUMAN SERVICES

5. TYPE OF PLAN MATERIAL (Check One)

NEW STATE PLAN AMENDMENT TO BE CONSIDERED AS A NEW PLAN AMENDMENT

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

6. FEDERAL STATUTE/REGULATION CITATION 42 CFR 440.130; 1905(a)(13)(C)	7. FEDERAL BUDGET IMPACT a. FFY <u>2018</u> \$ <u>\$0</u> b. FFY <u>2019</u> \$ <u>\$0</u>
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT Attachment 3.1-A, Page 1a-6.6 Attachment 3.1-A, Page 1a-6.12	9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable) Attachment 3.1-A, Page 1a-6.6; TN # 13-12 Attachment 3.1-A, Page 1a-6.12; TN # 13-12

10. SUBJECT OF AMENDMENT

EPSDT school-based health services clarification

11. GOVERNOR'S REVIEW (Check One)

GOVERNOR'S OFFICE REPORTED NO COMMENT OTHER, AS SPECIFIED
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED **The Governor does not review State Plan material.**
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

12. SIGNATURE OF STATE AGENCY OFFICIAL 	16. RETURN TO Oklahoma Health Care Authority Attn: Tywanda Cox 4345 N. Lincoln Blvd. Oklahoma City, OK 73105
13. TYPED NAME Becky Pasternik-Ikard	
14. TITLE Chief Executive Officer	
15. DATE SUBMITTED March 29, 2018	

FOR REGIONAL OFFICE USE ONLY	
17. DATE RECEIVED March 29, 2018	18. DATE APPROVED June 25, 2018

PLAN APPROVED - ONE COPY ATTACHED	
19. EFFECTIVE DATE OF APPROVED MATERIAL January 1, 2018	20. SIGN 
21. TYPED NAME Bill Brooks	22. TITLE Associate Regional Administrator, Division of Medicaid and Children's Health (DMCH)

23. REMARKS

c: **Becky Pasternik-Ikard
Tywanda Cox**

FORM CMS-179 (07/92)

**AMOUNT, DURATION AND SCOPE OF MEDICAL AND REMEDIAL CARE AND SERVICES PROVIDED
CATEGORICALLY NEEDY**

4b. Early and Periodic Screening, Diagnosis and Treatment of Conditions Found (continued)

B. Diagnosis and Treatment (continued)

9. Preventive Services – (42 CFR 440.130(c))

Outpatient Substance Abuse Prevention Counseling– Interactive, preventive counseling that may include training in life skills, such as problem-solving, responsibility, communication and decision-making skills, which enable individuals to successfully resist social and other pressures to engage in activities that are destructive to their health and future. This service must be recommended by a physician or other licensed practitioner and may be provided by a BHP. A QBHT may provide assistance. For individual provider qualifications, see Attachment 3.1-A, page 1a-6.4.

10. Inpatient Psychiatric Services (42 CFR 440.160). – Provided when medically necessary and prior authorized.

11. Personal Care Services (PCS) (42 CFR 440.167). – Services furnished to an individual who is not an inpatient or resident of a hospital, nursing facility, intermediate care facility for individuals with intellectual disabilities, or institution for mental disease that are: 1) authorized for an individual by a physician in accordance with a plan of treatment or otherwise authorized for the individual in accordance with an IEP service plan; 2) provided by registered paraprofessionals who have completed training provided by State Department of Education or Personal Care Assistants, including Licensed Practical Nurses who have completed on the job training specific to their duties and who is not a member of the individual's family (or legally responsible relative) Provision of these services allows clients with disabilities to function safely in their activities of daily living in the home and to safely attend school. Services include, but are not limited to: dressing, eating, bathing, assistance with transferring and toileting, positioning and instrumental activities of daily living such as preparing meals and managing medications. PCS also includes assistance while riding a school bus to handle medical or physical emergencies. Services must be prior authorized. The determination of whether a client needs PCS is based on a client's individual needs and a consideration of family resources.

12. School-based Health Services - School-based services are provided pursuant to a valid Individualized Education Plan (IEP) in accordance with Individuals with Disabilities Education Act (IDEA) and all relevant supporting documentation. Services provided per the IEP and supporting documentation are considered medically necessary and are provided by or through local educational agencies and/or interlocal cooperatives (schools) to eligible individuals. IEPs may only serve as the basis for medical necessity if the IEP team providers are qualified to make that determination, in accordance with their scope of practice. In addition to any other notification and/or consent requirements related to IEP evaluation and/or treatments, schools must provide sufficient notification to a child's legal guardian and obtain adequate consent from them prior to accessing a child's or legal guardian's public benefits or insurance for the first time, and annually thereafter, in accordance with 34 CFR 300.154.

Medically necessary services are provided in a school setting during the school day when determined that the school is an appropriate place of service. OHCA-contracted practitioners furnish medically necessary services to the Medicaid eligible child while the school is the operator of the setting, ensures that a the student's school educational day is not unnecessarily interrupted, and that there is appropriate parental consent for the services. Schools have the right to limit outpatient visits unrelated to the IEP to before and after the school day so that interruptions the educational day are limited. Prior authorization is required for non-IEP services furnished by an independent practitioner under arrangement with the school.

State: Oklahoma
Date Received: 29 March, 2018
Date Approved: 25 June, 2018
Effective Date: 1 January, 2018
Transmittal Number: 18-03

Revised 01-01-18

TN# 18-03

Approval Date 06/25/18

Effective Date 01/01/2018

Supersedes TN# 13-12

**AMOUNT, DURATION AND SCOPE OF MEDICAL AND REMEDIAL CARE AND SERVICES PROVIDED
CATEGORICALLY NEEDY**

4b. Early and Periodic Screening, Diagnosis and Treatment of Conditions Found (continued)

**Individual Provider Qualifications
School-Based Services**

Type of Service	CORRESPONDING 1905 CITATION	INDIVIDUAL PROVIDER QUALIFICATIONS
<p>School-Based Behavioral Health Services - Services must be recommended by a licensed practitioner of the healing arts within the scope of their license. For services provided on school campus, contracted (or designated) community provider must ensure compliance with confidentiality and privacy laws and coordination of the clinical plan of care with identified school staff (e.g., IEP case manager) is required. Parent's consent must be obtained.</p> <p>Therapeutic interventions and academic services are required to be coordinated with identified school staff (e.g., IEP case manager).</p> <p>Rendering staff must meet individual provider qualifications. Services must not be duplicative.</p>		
<p>Individual/Family/Group Psychotherapy.</p> <p>Need for service in school setting must be documented in IEP.</p>	1905(a)(13)(C)	<ul style="list-style-type: none"> • Qualified Psychological Clinicians • Any Medicaid enrolled, qualified BHP.
<p>Crisis Management / Behavior Redirection.</p> <p>Individualized, one-on-one service</p>	1905(a)(13)(C)	<ul style="list-style-type: none"> • Any Medicaid enrolled, qualified BHP • Qualified Psychological Clinicians
<p>Therapeutic Behavioral Services (TBS)</p> <p>Refer to Att. 3.1-A, Page 1a-6.5b for a description of the service. Need for service in school setting must be documented in IEP.</p>	1905(a)(13)(C)	<ul style="list-style-type: none"> • Any Medicaid enrolled, qualified behavioral health school aide (BHSA) with the minimum requirements: <ul style="list-style-type: none"> ○ Must have a high school diploma or equivalent; and ○ Must complete required training and continuing education; and ○ Be appropriately supervised.
<p>Therapeutic Day Treatment (TDT).</p> <p>Refer to Att. 3.1-A, Page 1a-6.5c for a description of the service. Need for service in school setting must be documented in child's IEP.</p>	1905(a)(13)(C)	<ul style="list-style-type: none"> • Any Medicaid enrolled qualified provider. • Refer to Att. 3.1-A, Page 1a-6.5c for a description of the applicable providers of the services within TDT.

State: Oklahoma
 Date Received: 29 March, 2018
 Date Approved: 25 June, 2018
 Effective Date: 1 January, 2018
 Transmittal Number: 18-03

Revised 01-01-18

TN# 18-03Approval Date 06/25/18Effective Date 01/01/2018Supersedes TN# 13-12