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State/Territory Name: Kansas

State Plan Amendment (SPA) #: 26-0002

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form/Summary Form (with 179-like data)
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Medicare & Medicaid Services
601 E. 12th St., Room 355
Kansas City, Missouri 64106



Medicaid and CHIP Operations Group

June 30, 2026

Christine Osterlund
Medicaid Director
Division of Health Care Finance
Landon State Office Building
900 SW Jackson, Room 900-N
Topeka, Kansas 66612-1220

Re: Kansas State Plan Amendment (SPA) – KS-26-0002

Dear Director Osterlund:

The Centers for Medicare & Medicaid Services (CMS) reviewed your Medicaid State Plan Amendment (SPA) submitted under transmittal number (TN) 26-0002. This amendment proposes to amend the state plan to revise the definitions for school-based services under the Early and Periodic Screening, Diagnosis and Treatment Limitations.

We conducted our review of your submittal according to statutory requirements in Title XIX of the Social Security Act and implementing regulations Section 1905(a)(4)(B) of the Social Security Act (the Act). This letter informs you that Kansas Medicaid SPA TN 26-0002 was approved on June 29, 2026, effective July 1, 2026.

Enclosed are copies of Form CMS-179 and approved SPA pages to be incorporated into the Kansas State Plan.

If you have any questions, please contact Ashli Clark at (410) 786-5602 or via email at Ashli.Clark@cms.hhs.gov.

Sincerely,

Nicole McKnight, Acting Director
Division of Program Operations

Enclosures

cc: William Stelzner, Division of Health Care Finance
Amanda Corneliusen, Division of Health Care Finance

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

1. TRANSMITTAL NUMBER <u>2 6 — 0 0 0 2</u>	2. STATE <u>KS</u>
3. PROGRAM IDENTIFICATION: TITLE OF THE SOCIAL SECURITY ACT <input checked="" type="radio"/> XIX <input type="radio"/> XXI	

TO: CENTER DIRECTOR
CENTERS FOR MEDICAID & CHIP SERVICES
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE
July 1, 2026

5. FEDERAL STATUTE/REGULATION CITATION
Section 1905,a,4(B)

6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars)
a. FFY 2026 \$ 0
b. FFY 2027 \$ 0

7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT
Attachment 3.1-A #4.b., Pages 4-10

8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable)
Attachment 3.1-A #4.b., Pages 4-10

9. SUBJECT OF AMENDMENT
The definitions of the allowed School Based Services (SBS) are updated to match current CMS requirements. (The revised Kansas SDAC Guide is also submitted.)

10. GOVERNOR'S REVIEW (Check One)

<input type="radio"/> GOVERNOR'S OFFICE REPORTED NO COMMENT	<input checked="" type="radio"/> OTHER, AS SPECIFIED: Christine Osterlund is the Governor's Designee
<input type="radio"/> COMMENTS OF GOVERNOR'S OFFICE ENCLOSED	
<input type="radio"/> NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL	

11. SIGNATURE OF STATE AGENCY OFFICIAL

12. TYPED NAME
Christine Osterlund

13. TITLE
Medicaid Director

14. DATE SUBMITTED
June 15, 2026

15. RETURN TO
**Christine Osterlund
Medicaid Director
Deputy Secretary of Agency Integration and Medicaid
KDHE, Division of Health Care Finance
Landon State Office Building
900 SW Jackson, Room 900-N
Topeka, KS 66612-1220**

FOR CMS USE ONLY

16. DATE RECEIVED June 15, 2026	17. DATE APPROVED June 29, 2026
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PLAN APPROVED - ONE COPY ATTACHED

18. EFFECTIVE DATE OF APPROVED MATERIAL July 1, 2026	19. SIGNATURE OF APPROVING OFFICIAL
20. TYPED NAME OF APPROVING OFFICIAL Nicole McKnight	21. TITLE OF APPROVING OFFICIAL Acting Director Division of Program Operations

22. REMARKS

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Early and Periodic Screening, Diagnosis and Treatment (EPSDT) Limitations “Kan Be Healthy”

School-Based Services (SBS)

- Services to Medicaid-eligible children listed on either the child’s Individualized Education Program (IEP) or the child’s Individualized Family Services Plan (IFSP) including:

Specialized Transportation:

a. Description:

School-based specialized transportation is defined as transportation to a medically necessary service (as outlined in the IEP/IFSP of a Medicaid-enrolled child) provided in a specially adapted vehicle that has been physically adjusted or designed to meet the needs of the individual student under the Individuals with Disabilities Education Act (IDEA) (special harnesses, wheelchair lifts, ramps, specialized environmental controls) to accommodate students with disabilities in the school-based setting. Special physical adaptations could also include air conditioning and specialized suspension systems. In all cases, the medical need for physical or environmental adaptations during transport from home to school and back home must be identified in the IEP/IFSP. Services must be provided by an enrolled specialized transportation provider within the guidelines described in the Kansas Medical Assistance Provider manual.

- b. Limitations: Specialized transportation is covered only when it is necessary to receive another Medicaid service, and the need for both the Medicaid service and the transportation are specified in the IEP/IFSP. Similar transportation would be required if the child was not in a school setting.

Nursing Services:

- a. Description: Nursing services are covered when medically necessary to correct or ameliorate physical or mental health conditions of Medicaid-enrolled children. Services may be provided in the school and may include but not limited to:

- Comprehensive health assessments and screenings including developmental, psychological, speech/language, occupational and physical therapy assessment;
- Vision and hearing screenings, including referral for follow-up care;
- Initial and ongoing nursing assessments;
- Communication and care coordination with physicians and other health providers;
- Medication set-up and administration;
- Participation in care planning meetings, including IEP/IFSP development as medically appropriate;
- Invasive condition management, including treatment and evaluation of wounds;
- individualized teaching and training of students and families regarding health procedures;
- Chronic condition management (e.g. diabetes, care, seizure care, asthma monitoring); ;
- Documentation and monitoring of health status to support necessity.

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Early and Periodic Screening, Diagnosis and Treatment (EPSDT) Limitations “Kan Be Healthy”

School-Based Services (SBS) (continued)

Nursing services are covered regardless of whether the service is required under the Individuals with Disabilities Education Act (IDEA), so long as the service is medically necessary and provided to a Medicaid-enrolled child. Services must be provided in accordance with 42 CFR §440.60 or 42 CFR §440.130(d).

- b. Qualifications: Nursing services must be provided by, or under the supervision of, a nurse licensed under the Kansas Nurse Practice Act. Qualified providers include:
- Registered Nurse (RN);
 - Licensed Practical Nurse (LPN) under the supervision of an RN or APRN;
 - Advanced Practice Registered Nurse (APRNs).

Certain routine health-related tasks may be delegated in accordance with the Kansas Nurse Practice Act and the Kansas Department of Health and Environment regulations to appropriately trained school personnel, provided by a qualified nurse, such as an RN, LPN, or APRN.

- c. For situations where another licensed practitioner (OLP) bills for services provided by unlicensed support personnel, all of the following conditions must be met by the OLP in order to bill Medicaid:
- The OLP must assume professional responsibility for the service provided to the beneficiary by the unlicensed support personnel;
 - The OLP must provide some portion of the service (or test), which is billed to Medicaid (for example: interpreting the results of the performed test);
 - The OLP must be practicing within the scope of the applicable State’s Practice Act for which the OLP is licensed.

Occupational Therapy:

- a. Description: Identification of children with service needs; evaluation of the nature, extent, and degree of the need for services; improving, developing, or restoring functions impaired or lost through illness or injury; improving the ability to perform tasks necessary for independent functioning when functions are impaired or lost; and provision of therapy services

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Early and Periodic Screening, Diagnosis and Treatment (EPSDT) Limitations “Kan Be Healthy”

School-Based Services (SBS) (continued)

designed to correct deficits or delays; and preventing, through early intervention, initial or further impairment or loss of function, services are provided in accordance with 42 CFR §440.110(b) .

- b. Qualifications: Occupational therapy services must be provided by occupational therapists licensed by the Kansas State Board of Healing Arts or occupational therapist assistants/aides/interns under the supervision of such licensed occupational therapists, in accordance with 42 CFR §440.110(b).
- c. For situations where another licensed practitioner (OLP) bills for services provided by unlicensed support personnel, all of the following conditions must be met by the OLP in order to bill Medicaid:
 - The OLP must assume professional responsibility for the service rendered by the unlicensed support personnel;
 - The OLP must provide a portion of the service (or test), (for example: interpreting the results of the performed test);
 - The OLP must be practicing within the scope of the applicable State’s Practice Act under which the OLP is licensed.

Physical Therapy:

- a. Description: Identification of children with service needs; evaluation of the nature, extent, and degree of the need for services; services provided for the purpose of preventing or alleviating movement dysfunction and related functional problems; provision of therapy services designed to correct deficits or delays; and obtaining, interpreting, and integrating information appropriate to care planning, provided in accordance with 42 CFR §440.110(a).
- b. b. Qualifications: Physical therapy services must be provided by physical therapists licensed by the Kansas State Board of Healing Arts or by physical therapist assistants/aides/interns under the direction and supervision of licensed physical therapists, in accordance with 42 CFR §440.110.(a).
- c. For situations where another licensed practitioner (OLP) bills for services provided by unlicensed support personnel, all of the following conditions must be met by the OLP in order to bill Medicaid:

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Early and Periodic Screening, Diagnosis and Treatment (EPSDT) Limitations “Kan Be Healthy”

School-Based Services (SBS) (continued)

- The OLP must assume professional responsibility for the service provided to the beneficiary by the unlicensed support personnel;
- The OLP must provide some portion of the service (or test), which is billed to Medicaid (for example: interpreting the results of the performed test);
- The OLP must be practicing within the scope of the applicable State’s Practice Act for which the OLP is licensed.

Speech, Language and Hearing Services:

- a. Description: Identification of children with service needs, including children with hearing loss or with speech or language disorders; evaluation of the nature, extent, and degree of the need for services, including the referral for medical or other professional attention for the rehabilitation of speech or language disorders or the amelioration of hearing; provision of amelioration activities, such as language amelioration, auditory training, speech (lip) reading, hearing evaluation and speech conversation; provision of speech or language services for the habilitation or prevention of communicative disorders; determination of the need for group and individual amplification; hearing aid services; and provision of therapy services designed to correct deficits or delays, provided in accordance with 42 CFR §440.110(c).
- b. Qualifications: Speech, language, and hearing services must be provided by speech language pathologists or audiologists licensed by the Kansas Department for Aging and Disability Services or speech language pathologist assistants/aides/interns and audiologist assistants/aides/interns under the direction of such licensed speech language pathologists or licensed audiologists, in accordance with 42 CFR §440.110(c).

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Early and Periodic Screening, Diagnosis and Treatment (EPSDT) Limitations “Kan Be Healthy”

School-Based Services (SBS) (continued)

- For situations where another licensed practitioner (OLP) bills for services provided by unlicensed support personnel, all of the following conditions must be met by the OLP in order to bill Medicaid:
 - The OLP must assume professional responsibility for the service provided to the beneficiary by the unlicensed support personnel;
 - The OLP must provide some portion of the service (or test), which is billed to Medicaid (for example: interpreting the results of the performed test);
 - The OLP must be practicing within the scope of the applicable State’s Practice Act for which the OLP is licensed.

Counseling Services:

- a. Description: Identification of children with service needs; determination of the nature, extent, and degree of the need for services; and provision of services to assist the child and/or parents in understanding the nature of the child’s development, disability, and/or special needs; health and behavior interventions to identify psychological, behavioral, emotional, cognitive, and social factors important to the prevention, treatment, or management of the child’s development, disability, and/or special needs, provided in accordance with 42 CFR §440.60(a).
- b. Qualifications: Counseling services must be provided by the Kansas Behavioral Sciences Regulatory Board or by the Kansas State Department of Education or by counseling assistants/aides/interns or under the direction of a licensed counselor in accordance with 42 CFR §440.60(a).

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Early and Periodic Screening, Diagnosis and Treatment (EPSDT) Limitations “Kan Be Healthy”

School-Based Services (SBS) (continued)

- For situations where another licensed practitioner (OLP) bills for services provided by unlicensed support personnel, all of the following conditions must be met by the OLP in order to bill Medicaid:
 - The OLP must assume professional responsibility for the service provided to the beneficiary by the unlicensed support personnel;
 - The OLP must provide some portion of the service (or test), which is billed to Medicaid (for example: interpreting the results of the performed test);
 - The OLP must be practicing within the scope of the applicable State’s Practice Act for which the OLP is licensed.

Social Work Services:

- a. Description: Identification of children with service needs; determination of the nature, extent, and degree of the need for services; provision of services to assist the child and/or parents in understanding the nature of the child’s development, disability, and/or special needs; health and behavior interventions to identify psychological, behavioral, emotional, cognitive, and social factors important to the prevention, treatment, or management of the child’s development, disability, and/or special needs; and provision of services to support the child’s social and emotional needs, provided in accordance with 42 CFR §440.60(a).
- b. Qualifications: Social work services must be provided by the Kansas Behavioral Sciences Regulatory Board or by social worker assistants/aides/interns under the direction of such licensed social workers in accordance with 42 CFR §440.60(a).
- c. For situations where another licensed practitioner (OLP) bills for services provided by unlicensed support personnel, all of the following conditions must be met by the OLP in order to bill Medicaid:
 - The OLP must assume professional responsibility for the service provided to the beneficiary by the unlicensed support personnel;

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Early and Periodic Screening, Diagnosis and Treatment (EPSDT) Limitations “Kan Be Healthy”

School-Based Services (SBS) (continued)

- The OLP must provide some portion of the service (or test), which is billed to Medicaid (for example: interpreting the results of the performed test);
- The OLP must be practicing within the scope of the applicable State’s Practice Act for which the OLP is licensed.

Psychological Services:

- a. Description: Evaluation of a child for the purpose of determining the need for specific psychological, health or related services, including administering psychological tests and other assessment procedures and interpreting testing and assessment results; services for obtaining, integrating and interpreting information about the child’s behavior and conditions related to learning and functional needs; services for planning and managing a program of psychological services; and assessment of the effectiveness of the delivered services in meeting the goals and objectives outlined in the child’s Individualized Education Plan (IEP) or Individualized Family Service Plan (IFSP), provided in accordance with 42 CFR §440.60(a).
- b. Qualifications: Psychological services must be provided by the Kansas Behavioral Sciences Regulatory Board or by the Kansas State Department of Education or under the direction of a licensed psychologist in accordance with 42 CFR §440.60(a).
- c. For situations where another licensed practitioner (OLP) bills for services provided by unlicensed support personnel, all the following conditions must be met by the OLP in order to bill Medicaid:
 - The OLP must assume professional responsibility for the service rendered by the unlicensed support personnel;
 - The OLP must provide a portion of the service (or test), (for example: interpreting the results of the performed test);
 - The OLP must be practicing within the scope of the applicable State’s Practice Act under which the OLP is licensed.