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State/Territory Name: Wyoming

State Plan Amendment (SPA) #: 22-0001

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

July 18, 2022

Ms. Jan Stall
Interim State Medicaid Agent
Division of Healthcare Financing
122 West 25th Street, 4 West
Cheyenne, WY 82002

Re: Wyoming State Plan Amendment (SPA) 22-0001

Dear Ms. Stall:

The Centers for Medicare & Medicaid Services (CMS) reviewed your Medicaid State Plan Amendment (SPA) submitted under transmittal number (TN) 22-0001. This amendment proposes to add School-Based Services, which allows the State Medicaid Agency to reimburse local education agencies (LEAs) for providing health related services to Medicaid eligible students in a school-based setting.

We conducted our review of your submittal according to statutory requirements in Title XIX of the Social Security Act and implementing regulations. This letter is to inform you that Wyoming Medicaid SPA 22-0001 was approved on July 18, 2022, with an effective date of July 1, 2022.

If you have any questions, please contact Ford Blunt at (214) 767-6381 or via email at Ford.Blunt@cms.hhs.gov.

Sincerely,

A black rectangular redaction box covers the signature of James G. Scott.

Digitally signed by James
G. Scott -S
Date: 2022.07.18
17:42:32 -05'00'

James G. Scott, Director
Division of Program Operations

cc: Justin Browning
Heather Gallo

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES	1. TRANSMITTAL NUMBER <u>2 2 — 0 0 0 1</u>	2. STATE <u>WY</u>
	3. PROGRAM IDENTIFICATION: TITLE <u>XIX</u> OF THE SOCIAL SECURITY ACT Medicaid	
TO: CENTER DIRECTOR CENTERS FOR MEDICAID & CHIP SERVICES DEPARTMENT OF HEALTH AND HUMAN SERVICES	4. PROPOSED EFFECTIVE DATE 07/01/2022	
5. FEDERAL STATUTE/REGULATION CITATION 42 CFR 440.130, 42 CFR 410.73, and 42 CFR 485.904	6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars) a. FFY 2022-2023 \$ <u>\$2,138,448.50</u> b. FFY 2023-2024 \$ <u>\$3,207,672.75</u>	
7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT Attachment 3.1-A, Page 1 Attachment 3.1-A, Page 2 Attachment 3.1-A, Page 3 Attachment 3.1-A, Page 4 Attachment 4.19-B, Page 1 Attachment 4.19-B, Page 2	8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable) Attachment 3.1-A Page 1 (95-004) New Page New Page New Page New Page New Page	

9. SUBJECT OF AMENDMENT
This amendment to the State Plan will add School-Based Services, which allows the State Medicaid Agency to reimburse local education agencies (LEAs) for providing health related services to Medicaid eligible students in a school-based setting.

10. GOVERNOR'S REVIEW (Check One)

GOVERNOR'S OFFICE REPORTED NO COMMENT
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

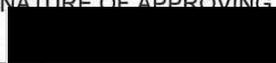
OTHER, AS SPECIFIED:

11. SIGNATURE OF STATE AGENCY OFFICIAL 	15. RETURN TO Jan Stall Interim State Medicaid Agent Division of Healthcare Financing 122 West 25th St. 4th Floor Cheyenne, WY 82002
12. TYPED NAME Jan Stall	CC: Heather Gallo, Executive Assistant (Same Address)
13. TITLE Interim State Medicaid Agent	
14. DATE SUBMITTED <u>06/28/2022</u>	

FOR CMS USE ONLY

16. DATE RECEIVED June 28, 2022	17. DATE APPROVED July 18, 2022
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PLAN APPROVED - ONE COPY ATTACHED

18. EFFECTIVE DATE OF APPROVED MATERIAL July 1, 2022	19. SIGNATURE OF APPROVING OFFICIAL  Digitally signed by James G. Scott -S Date: 2022.07.18 17:43:42 -05'00'
20. TYPED NAME OF APPROVING OFFICIAL James G. Scott	21. TITLE OF APPROVING OFFICIAL Director, Division of Program Operations

22. REMARKS

This is a revised CMS-179. The original CMS-179 was submitted on 1/20/22.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: WYOMING

AMOUNTS, DURATION AND SCOPE OF MEDICAL AND REMEDIAL CARE AND SERVICES PROVIDED

Explanation of Limitations

- 4.b The following expanded EPSDT services which are not currently covered elsewhere in the state plan are available to treat conditions detected in children and young adults under the age of 21. Services must be medically necessary and be prior authorized by the state when required.

Expanded EPSDT Services:

- Medical care or any other type of remedial care recognized under state law furnished by licensed practitioners within the scope of their practice as defined by state law, i.e. services provided by a chiropractor, podiatrist, psychiatric nurse practitioners, psychologist, social worker or nutritionist.
- Private duty nursing services;
- Occupational and speech therapy services;
- Dentures;
- Case management services as defined in section 1915 (g) (2);
- Respiratory care services as defined in section 1902(e) (9) (C);
- Personal care services furnished to an individual who is not an inpatient or resident of a hospital nursing facility intermediate care facility for the mentally retarded or institution for mental disease that are: (A) authorized for the individual by a physician in accordance with a plan of treatment or at the option of the state otherwise authorized for the individual in accordance with a service plan approved by the state; (B) provided by an individual who is qualified to provide such services and who is not a member of the individual's family, and (C) furnished in a home or other location; and
- other diagnostic screening preventive and rehabilitative services including any medical or remedial services (provided in a facility a home or other setting) recommended by a physician or other licensed practitioner of the healing arts within the scope of their practice under state law for the maximum reduction of physical or mental disability and restoration of an individual to the best possible functional level which are not currently covered .

Service Limitations:

Any limits on services or treatments are not applicable to EPSDT recipients if the service is determined to be medically necessary as a result of an EPSDT referral and is prior authorized when required.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: WYOMING**4b. School Based Services (SBS)**

Wyoming Department of Health (WDH), in accordance with the signed Intergovernmental Agreement between WDH and the Wyoming Department of Education, shall provide direct Medicaid reimbursement for certain Medicaid services provided by a participating Local Education Agency (LEA). An LEA is a public authority legally constituted by the state as an administrative agency to provide control of and direction for kindergarten through twelfth grade public educational institutions. Medicaid 1905(a) benefits can be furnished to Medicaid eligible student beneficiaries that require medical or mental/behavioral health services identified as medically necessary in an Individualized Education Program (IEP), or Individualized Family Service Plan (IFSP) that are within the definition of medical services included in Medicaid Statute (Section 1905(a) of the Act).

Furthermore, any 1905(a) benefit/service listed in 4.19-B, section 4.b is eligible for reimbursement. Covered services furnished in the school setting are provided by LEAs that are enrolled with the Wyoming Medicaid Program, to Medicaid-eligible beneficiaries under the age of 21. Services in a school setting must be performed by qualified practitioners as set forth in the State Plan for the services they are providing and shall meet applicable qualifications under 42 CFR Part 440 and/or Wyoming state law. All eligible recipients must be allowed the freedom of choice to receive services from any willing and qualified practitioner. Beneficiaries shall receive services delivered in the least restrictive school environment consistent with the nature of the specific service(s) and the physical and mental condition of the client. Participation by Medicaid-eligible recipients is optional.

Reimbursable Services

The reimbursement methodology for services provided under section 4.b are detailed in Attachment 4.19-B of the State Plan. Medicaid covered services under section 4.b will only be reimbursable for persons who are less than 21 years of age and who have a documented medical need as described above.

In addition to any service limitations detailed in 1905(a) or as otherwise detailed in Attachment 4.19-B, the following services are applicable to LEAs under this section:

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: WYOMING**A. Psychology and Counseling Services Provided by Credentialed or Endorsed School-Based Practitioners**Definition:

Per § 440.130(d), psychological and counseling services are recommended by a physician or other licensed practitioner of the healing arts within their scope of his or her practice under state law and provided in an individual or group setting.

Services:

Medically necessary services provided as health and behavior interventions to identify the psychological, behavioral, emotional, cognitive and social factors important for the prevention, treatment or management of physical and mental health problems. Psychological and counseling services include services related to evaluation, testing, diagnosis and treatment of social, emotional or behavioral health problems. Services may include, but are not limited to the following areas of functioning:

- Cognitive assessment;
- Emotional assessment;
- Behavior assessment;
- Cognitive-behavioral therapy;
- Individual interactive psychotherapy;
- Sensory integrative therapy.

Providers:

Psychology and counseling services must be provided by a qualified Medicaid provider who meets the requirements of 42 CFR § 440.130 and other applicable state and federal law or regulation, as cited in this section. Services may be provided by:

- A credentialed school psychologist with a Specialist in School Psychology credential issued by the Wyoming Professional Teaching Standards Board, meeting the requirements of the Psychology Practice Act. A school psychologist must practice under the supervision of a qualified Psychologist licensed in the state of Wyoming.
- A school social worker meeting requirements in 42 CFR § 410.73. The school social worker must obtain the Professional Services Endorsement for School Social Worker

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: WYOMING

from the Professional Teaching Standards Board. A school social worker must practice under the supervision of a Designated Qualified Clinical Supervisor licensed in the state of Wyoming and as defined by the Wyoming Mental Health Professions Licensing Board.

- A school counselor meeting requirements in 42 CFR § 485.904. The counselor must obtain a Professional Services Endorsement for a School Counselor through the Professional Teaching Standards Board. A counselor must practice under the supervision of a qualified clinical supervisor licensed in the state of Wyoming.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: WYOMING

POLICY AND METHODS OF ESTABLISHING PAYMENT RATE FOR EACH TYPE OF CARE PROVIDED

4.b. EARLY PERIODIC SCREENING, DIAGNOSIS AND TREATMENT SERVICES

Medical Screening Examination, Dental and Optometric services are reimbursed at the lessor of charges or the established Medicaid fee schedule amount.

The Medicaid allowable payment for expanded EPSDT services is the lower of the providers usual and customary charge or the Wyoming Medicaid fee schedule.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: WYOMING**School Based Services – Reimbursement Methodology**

School Based Services (SBS) described in Attachment 3.1-A, section 4b of the Wyoming State Plan will be reimbursed according to the fixed fee schedule. Except as otherwise noted in the plan, state-developed fee schedule rates are the same for both governmental and private providers of SBS. The agency's fee schedule rate was set as of January 1, 2021 and is effective for services provided on or after that date. All rates updated often and are published on the Wyoming Department of Health's website located here: <https://www.wyomingmedicaid.com/portal/fee-schedules>

School Based Services delivered by Local Education Agencies (LEAs) and provided to Medicaid enrolled children include:

1. Physical therapy services,
2. Occupational therapy services,
3. Speech therapy, language disorders and audiology services,
4. Nursing services including registered nurses, licensed practical nurses and licensed advanced practice registered nurse practitioners, and
5. Psychological services.

The School Based Services Reimbursement Fee Schedule is for Medicaid services provided by qualified practitioners that have been approved under Attachment 3.1-A of the Medicaid state plan.

All providers and services are paid the same as providers and services outside of the school based setting (with the same fee schedule as the rest of the state).

Except as otherwise noted in the plan, state-developed fee schedule rates are the same for both governmental and private providers of SBS. The agency's fee schedule rate was set as of January 1, 2021 and is effective for services provided on or after that date. All rates are updated often and published on the Wyoming Department of Health's website: <https://www.wyomingmedicaid.com/portal/fee-schedules>.