

## Covered and Noncovered IEP Health-Related Services

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### Overview

Minnesota Health Care Programs (MHCP) covers the federal share of the cost of Individualized Education Program (IEP) health-related services such as transportation, developmental, corrective and other supportive services. These are the services required to help a child with a disability benefit from special education and receive a Free Appropriate Public Education (FAPE) at no cost to the child or parent.

### Initial Evaluations, Reevaluations and Health-Related Assessments

Medical Assistance (MA), Minnesota's Medicaid, will reimburse the federal share of the cost of covered health-related evaluations and assessments under the Individuals with Disabilities Education Act (IDEA) when conducted for the sole purpose of identifying the health-related needs for a child's IEP or Individualized Family Service Plan (IFSP) or to determine the need for continued coverage. That is, if the school is evaluating a child for the sole purpose of identifying the health related needs of that child for the child's IEP or IFSP, MA will cover the time spent performing that evaluation or assessment even if the service does not get added to the IEP or IFSP or result in an IEP or IFSP.

### Eligible Providers

For an IEP health-related assessment to be covered, the assessment must be conducted by one of the following licensed professionals working within their scope of practice:

- Physical therapists
- Occupational therapists
- Speech language pathologists and audiologists
- Mental health professionals, clinical trainees and school psychologists
- Licensed registered nurses

### Covered Health-Related Components of an IEP Evaluation or Reevaluation

MHCP will cover the following:

- Face-to-face health-related assessments used to identify rehabilitative services to restore or improve the condition of the child to the child's best possible functional level

- Interpreting health-related assessment results
- Writing a report of the health-related assessment results
- Indirect services (see below for definition, the exception and billable and nonbillable services)

**Indirect services** are health related activities that support a student's IEP goals but do not involve direct hands-on treatment. These may include consultation, observation, curriculum modification, and coordination of care. Indirect services are reimbursable under MA only when the student is present, services support an IEP goal and services are delivered by a qualified professional.

**Exception:** For children birth through age 2 (Part C) and those receiving Early Childhood Special Education (ECSE), parent focused services may be reimbursed even when the child is not present.

**When indirect services are billable:**

MA may reimburse indirect services if all the following criteria are met:

- The service is identified in the student's IEP
- The activity is medically necessary and supports an IEP goal
- The provider is working within their scope of practice
- The provider has face-to-face contact with the student during the service

**Billable indirect services (when all the billable criteria are met):**

- Observing a student to adjust therapy goals
- Training staff on feeding techniques with the student present
- Modifying classroom tools or materials during a session with the student
- Fitting equipment and coaching staff while the student is involved
- Coordinating care with other providers during a session with the student
- Coaching a parent on routines or strategies (for children under age 3 or ECSE)

**Non-billable indirect services:**

- Training staff on delegated tasks without the student present
- Discussing classroom setup or placement with teachers (no student involved)
- Attending general staff meetings about student needs
- Preparing materials in the office for future use
- Consulting with staff or providers without direct student involvement
- Supervising or mentoring other staff without providing a service to the student

**Noncovered Components of an IEP Evaluation or Reevaluation**

MHCP will not cover time spent evaluating educational needs for the following:

- Determining the child's present academic levels or the academic instructional needs of a child
- Screenings or discussions performed by a teacher, specialist or health-related services professional to determine academic instructional strategies for the child's education setting and curriculum
- Evaluations or assessments conducted to determine 504 plans

**Covered IEP Health-Related Services**

MHCP covers the following services for IEP:

- Assistive technology devices
- Interpreter services
- Mental health
- Nursing
- Occupational therapy

- Physical therapy
- Speech-language pathology therapy and audiology
- Personal care assistance
- Transportation services

Refer to [Individualized Education Program \(IEP\) Services](#) in the MHCP Provider Manual for coverage criteria that is specific to the service provided.

### **Coverage Criteria for all IEP Health-Related Services**

Services provided to a child until they reach age 22 who is actively enrolled in one of the federally funded MA or MinnesotaCare major programs (MA, RM or NM) must meet the following criteria:

- Medically necessary
- A health-related service that is necessary for the child to benefit from his or her education
- Covered by Medical Assistance
- Authorized by the child's IEP or IFSP team
- Documented in the child's IEP or IFSP (including services provided during extended school year)
- Documented in the child's health record
- Provided by qualified service providers within the service provider's scope of practice or licensure and certification
- Provided during the school day (including during extended school year)

### **Services Not Covered by IEP Funding**

The following is a list of some activities and services that are not covered by MHCP as an IEP health-related service. This list may not be all-inclusive:

- Services provided to a child that is not actively enrolled in one of the federally funded MA (MA, RM or NM-CHIP funded eligibility types PC or CB)
- Services for a student after they reach age 22 (or graduated from high school, whichever comes first)
- Services not medically necessary or not normally covered by MHCP
- Services not authorized by the child's IEP or IFSP team
- Services not documented in the child's IEP or IFSP (including services provided during extended school year)
- Classroom instruction, educational services or teaching activities
- Services provided by a teacher, teacher's aide, bus drivers and monitors
- Observation or consultation except as specifically included under covered mental health services, nursing services and PCA services
- Services provided by service providers who do not meet MHCP qualifications to provide the service
- A health-related service that would not be necessary for the child to benefit from his or her education
- Services not documented in the child's health record
- Services provided by providers who do not meet MHCP qualifications to provide the service during the school day
- Services provided as before or after school programs or activities, for example, sports activities, clubs, class projects, tutoring, music lessons or child care
- Activities such as, attending staff meetings; supervising staff; developing instructional and treatment plans or materials; consulting and meeting with parents, teachers and other staff; documenting services; and, billing activities

- IEP activities including planning, developing or writing the IEP or IFSP; meetings; consultations; and communications, except communication with a parent as covered under interpreter services when the child and parent are both present
- Services that are not face-to-face services provided to the child, except as covered under IEP evaluations, communications by telephone with a parent as covered under interpreter services Interactions with the child's family as covered under CTSS services
- Supervision or direction and services provided without the required supervision or direction
- Educational evaluations and assessments and educational components of IEP evaluations
- Communications between the service provider and child which are not face-to-face

### **Telehealth Services for IEP**

Refer to [Telehealth Services](#) in the MHCP Provider Manual for definitions of telehealth services and requirements.

Minnesota statute defines "telehealth" as the delivery of health care services or consultations while the child or youth is at an originating site and the licensed health care provider is at a distant site.

### **Criteria for Providing Services via Telehealth**

#### **Documentation requirements**

As a condition of payment, each occurrence of a telehealth services must include the following documentation:

- The type of service provided
- The time the service began and the time the service ended
- A description of the provider's basis for determining that telehealth is an appropriate and effective means for delivering service to the child
- The mode of transmission of the telehealth service
- The location of the originating and distant site

#### **Telehealth includes:**

- Secure two way audio and video conferencing
- Store and forward technology (see documentation requirement below)

MHCP will reimburse schools the federal share of the school's assigned rate for qualifying telehealth services.

#### **Eligible Members**

Telehealth coverage applies to a child or youth who is MA eligible, has an IEP and the service provided is identified in the IEP.

#### **Eligible Providers**

To be eligible for reimbursement, the school or school district must self-attest by completing the [Telehealth Provider Assurance Statement \(DHS-6806\) \(PDF\)](#) that the telehealth services are provided by a qualified professional provider, either employed by or contracted by the school, who meets all of the conditions of the MHCP telehealth policy.

Eligible providers include the following:

- Charter schools
- Education districts
- Intermediate districts
- Public school districts

- Tribal schools (schools that receive funding from the Bureau of Indian Affairs [BIA])
- Service cooperatives
- Special education cooperatives
- State academies

### **Covered Telehealth Services**

MHCP covers the following services for telehealth:

- Physical therapy
- Occupational therapy
- Speech language therapy services
- Mental health services

**Note:** Schools that provide mental health service through the Children’s Therapeutic Services and Supports program (CTSS) should follow CTSS telehealth policies. For more information, refer to [Children’s Therapeutic Services and Supports \(CTSS\) IEP Services Provided in School](#) in the MHCP Provider Manual and the [Children’s Therapeutic Services and Supports](#) webpage.

### **Store-and-Forward Telehealth for IEP Services**

Store-and-forward telehealth is asynchronous, non-real-time communications. Service providers and members transfer data from one site to another via camera or similar device that records (stores) an image and forwards it by telecommunications to another site for consultation. It can be used to support health care delivery, including sending and receiving health-related instructions, activities, or tasks that are identified in the child’s IEP or IFSP. Real-time, two-way interactive video with the school professional and child or parent must accompany the store-and-forward telehealth components.

Use store-and-forward telehealth when a child is distance learning at home. When a child is attending school in person, the school must provide IEP services either in person, or via two-way, interactive video conference.

Before billing MHCP for store-and-forward telehealth there are three components that must be completed which are the following:

- Create and send IEP health-related instructions to the child or parent (or child and parent depending on the age and abilities of the child).
- Review results received from the child or parent (or child and parent depending on the age of the child and the abilities of the child) to determine progress and outcomes.
- Follow up with a face-to-face, two-way interactive video conference with the child or parent (or child and parent, depending on age and abilities).

### **Noncovered Telehealth Services**

- IEP nursing services
- Special transportation
- Assistive technology
- Personal care assistance (PCA) services

### **Coverage limitations**

MHCP telehealth coverage will not pay the following:

- Electronic connections that are conducted over a website that is not secure and encrypted as specified by the Health Insurance Portability and Accountability Act of 1996 privacy and security rules (for example, Skype)

- IEP evaluations assessments and services that are less effective if provided in person, or require hands on, face-to-face contact
- Prescription renewals, refills, obtaining orders from a primary care provider
- Scheduling a test or appointment
- Non-clinical communication
- Communication via telephone, email or fax

### **Billing for Telehealth**

Use the same HCPC codes and modifiers that describe the IEP services being performed via telehealth as you would if the service was being provided in person with the child at the same site.

### **IEP Telehealth Place of Service Codes:**

- Originating site  
Use place of service 10 on claims to indicate when the child receives the health-related service via telecommunication technology in the child's home. This is a location other than a hospital or other facility where the child receives care in a private residence.
- Distant site  
Use place of service 02 on claims to indicate when the child receives the health-related service via telecommunication technology when the child is in a location other than a child's home.

Refer to [Record Keeping and Documentation](#) under IEP Services in the MHCP Provider Manual for how to maintain documentation on IEP services.

Refer to the [IEP Place of Service, Procedure Codes, Modifiers and Units](#) section under IEP Billing and Authorizations Requirements in the MHCP Provider Manual for billing information.

### **Legal References**

[Minnesota Statutes, 256B.0625, subdivision 26](#) (Covered Services – Special Education)

[Minnesota Statutes, 256b.0625 subdivision 3B](#) (Covered Services – Telehealth)

[Minnesota Statutes, 62A.673](#) (Coverage of Services Provided Through Telehealth)