

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF EDUCATION

January 15, 2010

SUBJECT: Impact of School-Based ACCESS Program Services on Medical Assistance Services

TO: School District Superintendents  
School District Special Education Directors  
Intermediate Unit Executive Directors  
Intermediate Unit Special Education Directors  
Charter School Chief Executive Officers  
Charter School Special Education Directors  
Approved Private School Presidents

FROM: John J. Tommasini  
Director  
Bureau of Special Education

The Bureau of Special Education (BSE) has received a memorandum from the Office of Medical Assistance Programs (OMAP) regarding concerns of parents that the services billed through the School-Based ACCESS Program (SBAP) will affect Medical Assistance (MA) services their child receives outside the school setting. Parents have expressed concerns that if they sign a SBAP permission form and allow the school entity to bill for the services provided in the school setting, outside services would cease or would count toward a "cap" or limit on the services they may receive under the MA program. Leesa Allen, Director of Policy, Budget and Planning, has addressed these concerns in the memorandum that is available through the BSE or through Leaders Services. Her guidance is provided below.

The Health related services a student receives through the SBAP are separate from the MA services a child receives outside of the school setting. SBAP services are health care services that are rendered by professional staff employed or contracted by the school entity to perform health care services as identified on the Individualized Education Program (IEP) to children who are MA eligible recipients. The scope and duration of the SBAP services are clearly identified on the IEP and authorized as determined to be medically necessary by a practitioner. The medically necessary MA services that are provided to the MA eligible child outside of the school setting have a separate scope or duration than those SBAP services performed by the school personnel or contractor. Both types of services are billed through the MA program for payment of service.

Additionally, there is no "cap" or limit on the total amount of money that may be paid by the MA program for SBAP services or MA services that the MA eligible child may receive. The MA program does not impose MA benefit "caps" or limits on covered services provided to MA eligible children. Based on the federal Medicaid law, MA eligible children are eligible for all medically necessary services. Please keep in mind that a parent still has the right to refuse to sign the parental notification and to not allow the school entity to bill the MA program for SBAP services.