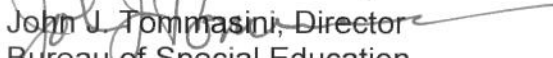
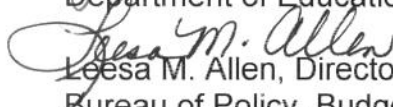


COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF EDUCATION
DEPARTMENT OF PUBLIC WELFARE

FEB 01 2010

SUBJECT: Medical Authorization

TO: School District Superintendents
School District Special Education Administrators
Intermediate Unit (IU) Executive Directors
IU Special Education Directors
Charter Schools Administrators
Approved Private Schools

FROM: 
John J. Tommasini, Director
Bureau of Special Education
Department of Education

Leesa M. Allen, Director
Bureau of Policy, Budget and Planning
Department of Public Welfare

The purpose of this letter is to remind schools who are enrolled as providers in the Pennsylvania Department of Public Welfare's (Department) Medical Assistance (MA) Program of their obligation to comply with Medicaid regulations regarding provision and billing of School Based ACCESS Program (SBAP) services; and to reiterate that MA regulations at Title 55 Pa.Code § 1101.75(10) state that an enrolled provider may not, except in emergency situations, either directly or indirectly, render or provide a service or item without a practitioner's written order. This regulation can be found at

<http://www.pacode.com/secure/data/055/chapter1101/chap1101toc.html>.

In accordance with State Board of Education Regulations at Title 22 Pa.Code § 14.131(a)(6), schools must implement the Individualized Education Program (IEP) as soon as possible, but no later than 10 school days after the IEP is completed. However, as a condition of Medicaid payment, the health-related services identified in a student's IEP must be ordered/prescribed by a practitioner, who is qualified under their licensing scope of practice, before the services are rendered. Services that occur prior to the date of the practitioner's prescription/order should not be billed to the MA Program for Medicaid payment. The qualified practitioner may use either a prescription or the SBAP Medical Authorization Form to order the health related services recommended in the IEP that he/she deems medically necessary.

The Department encourages providers, including SBAP providers, to conduct periodic self-audits to identify instances where services paid by the MA Program are not in compliance with MA Program requirements; and to voluntarily disclose overpayments or inappropriate payments. The MA Provider Self-Audit Protocol provides a formal mechanism for voluntary disclosures and can be accessed on-line at:

<http://www.dpw.state.pa.us/PartnersProviders/MedicalAssistance/DoingBusiness/FraudAbuse/003670226.htm>. Providers who believe that they have been inappropriately paid are encouraged to promptly contact the Bureau of Program Integrity (BPI) at 717-705-6872 to expedite the return of the inappropriate payment.

If you have questions about this communication or need more information, please contact Tom Seben, Department of Education, at 717-783-6134 or Leesa Allen, Department of Public Welfare, at 717-772-6341.