

# School based Medicaid Frequently Asked Questions COVID-19



## Resources:

KMAP Bulletin : 20073- June 2020 Updated-Expansion of Telemedicine Services for Therapy Services During COVID-19

[https://www.kmap-state-ks.us/Documents/Content/Bulletins/20073%20-%20General%20-%20Expansion of Telemedicine Services for Therapy Services.pdf](https://www.kmap-state-ks.us/Documents/Content/Bulletins/20073%20-%20General%20-%20Expansion%20of%20Telemedicine%20Services%20for%20Therapy%20Services.pdf)

\*US Department of Health and Human Services FAQ Telehealth

<https://www.hhs.gov/hipaa/for-professionals/faq/telehealth/index.html>

**Q.** In the documentation that was sent last spring the telemedicine codes were to be rescinded in May. Has this been extended?

**A:** The use of telemedicine codes has been extended until rescinded, please refer to Bulletin 20073. Updates are also posted on the KSDE website, under the COVID-19 Updates Section :

<https://www.ksde.org/Default.aspx?tabid=506>

**Q.** I want to make sure we are compliant and able to bill Medicaid in the different scenarios that we are planning for as a district. What documentation do I need to have in order to be compliant to bill Medicaid if our district goes virtual as well as possibly of a Hybrid schedule, where kids come to the a physical building 2 days a week?

**A:** There would need to be verbal consent, followed up by written approval as mentioned in Bulletin 20073.

"Telemedicine services (including tele-video and telephonic contact) can be made when there is verbal consent received from the patient (to be followed up by written approval) in the medical record."

**Q.** What if there is an issue that parents don't have a way to sign the Medicaid Consent form at all?

**A.** At this time there is no specific timeline on when written approval must be obtained from the parent , but written consent is required to stay in alignment with KDHE policies. Verbal consent or email meets the consent piece, but a written approval must be obtained at some point. If written consent is not obtained by the parent and the district is audited, there would be a recoupment of funds.

**Q.** Do I need to update the consent, and the prescription(s) for the different in school out of school scenarios we might have?

**A:** The consent and prescription should match the level of services that are being provided, regardless of the location in which the services are being offered. I am not sure what the time requirements are for the IEP, but the USD would need to make sure that it is current according to IDEA requirements.

**\*Q.** Is the Office of Civil Rights (OCR) at the Department of Health and Human Services (HHS) continuing the enforcement discretion for telehealth remote communications during the COVID-19 nationwide public health emergency?

**A.** KDHE policies on Telemedicine (TM) indicates that TM use needs to be HIPAA compliant. The provider should assume their own responsibility to check back with Health and Human Services (HHS) periodically related to this particular enforcement action status to determine the risk level they wish to entertain for their own agency when providing this service if they are not HIPAA compliant.

\*New 9/2020

For more information or further questions please contact:

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