

# AEA Support for LEA Medicaid Billing

As part of our ongoing mission of support for LEAs, AEAs will assist member districts in their efforts to access Medicaid reimbursement for special education services. AEA staff assume positive intentions of all stakeholders in their collaborative efforts to develop and implement services for students.

## Key Considerations:

1. It is the LEA’s responsibility to work with their Medicaid billing agent to accurately claim reimbursement for services that are covered by Medicaid.
2. It is necessary to explain Medicaid reimbursement to parents during IEP meetings because they are asked to sign a consent for this billing to occur. However, IEP teams are encouraged to limit conversations about the logistics of reimbursement as much as possible during IEP meetings.
3. Federal Medicaid rules require that a properly licensed Mental Health Professional (MHP) is involved in the following when a district seeks reimbursement from Medicaid for behavior related services:
  - a. An MHP must “develop” or “co-develop” each Behavior Intervention Plan (BIP); and
  - b. An MHP must attest that the services documented on the weekly summary documentation align with the IEP and BIP.

For Medicaid purposes, properly licensed Mental Health Professionals include the following:

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| <p><u>Iowa Dept of Public Health licensed</u></p> <ul style="list-style-type: none"> <li>● Licensed Mental Health Counselor (LMHC)</li> <li>● Licensed Marital Family Therapist (LMFT)</li> <li>● Licensed Masters Social Worker (LMSW)</li> <li>● Licensed Independent Social Worker (LISW)</li> </ul> | <p><u>Iowa Board of Educational Examiners</u></p> <ul style="list-style-type: none"> <li>● Certified School Psychologist</li> <li>● Certified School Social Worker</li> </ul> <p><u>Behavior Analyst Certification Board</u></p> <ul style="list-style-type: none"> <li>● Board Certified Behavior Analyst (BCBA)</li> </ul> |
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## Procedures for AEA Support of BIP Co-Development

In order for LEAs to claim reimbursement for behavior related services, Medicaid requires that the student's Behavior Intervention Plan (BIP) be "co-developed" by a Mental Health Professional (MHP). Practitioners most frequently found in the AEA/LEA system considered to be MHPs are licensed School Psychologists (SP), School Social Workers (SSW), or Board Certified Behavior Analysts (BCBA). This can present a unique challenge for schools given the current organization of AEA supports, in which there may not be a MHP assigned to a particular school on a regular basis. However, all schools in Iowa have at least one AEA "designee" (e.g., AEA Representative, Strategist, etc.) that may or may not be an MHP.

The AEA Special Education Directors have agreed to support schools in their efforts to claim reimbursement from Medicaid by implementing the following steps:

1. The "AEA designee" (SP, SSW, Consultant, other) assigned to an individual building is assumed to be aware of all students with current BIPs in those buildings.
2. When made aware of upcoming IEP meetings where the student's BIP will need to be reviewed, the AEA designee (if not a MHP) follows the AEA's process for accessing MHP support for the needed review of a BIP.
3. If the MHP is a part of the BIP review process (either before or as part of the meeting), the MHP would include their name as part of the list of team members who developed the BIP.
4. If the MHP was not a part of the BIP review process (either before or as part of the meeting), the MHP will be asked to review the BIP to determine if the BIP is aligned with the learners needs and designed in a way that is projected to support meeting the learner's behavioral goals.
  - a. If the MHP can professionally support the BIP as written, the BIP is to be printed, signed by the MHP (name and role), and then upload the newly signed form to ACHIEVE documents. The MHP's signature on the BIP will allow the school to bill Medicaid for services provided as indicated in the BIP.
  - b. If the MHP cannot professionally support the BIP as written, a recommendation will be made for the IEP team to reconvene to amend or rewrite the BIP with the involvement of the MHP. The school district would not be able to bill Medicaid for services provided as indicated in the BIP until the MHP is also indicated as a team member.

NOTE: With all recommendation types, the AEA SP/SSW's name is never to remain on, or

be added to a newly developed BIP unless that person has been made aware of and is in agreement with its contents.

## Questions and Answers

1) What is considered “current” for a Behavior Intervention Plan (BIP) and how often should it be reviewed?

*Current Iowa AEA special education procedures require that the BIP in a student’s IEP be reviewed at least annually, with one of three possible recommendations: a) Reviewed without changes, b) Revision, or c) New.*

2) What does “co-development of the BIP” mean?

*Medicaid requires that the BIP be “developed” or “co-developed” by a licensed Mental Health Professional (MHP). Each MHP will determine the level of involvement required based on each situation and will document their involvement according to the procedures described above.*

3) What happens if a licensed MHP isn’t assigned to a building?

*Each AEA follows its own process for assigning MHPs to IEP teams in need of support for the development of BIPs and for attesting to the alignment on the weekly summary documentation. Contact the AEA Director of Special Education for specific information. The MHP who develops or co-develops the BIP does not need to be the same person who signs the weekly summary documents.*

4) What does signing the weekly summary documents mean?

*It is the district’s responsibility to include the following information on the weekly summary documents:*

- *General observations of the child’s condition.*
- *Child’s activity and participation in treatment.*
- *Activities of staff.*
- *Future plans for working with the child.*
- *Additional progress monitoring data as appropriate.*

*When signing the Medicaid weekly summary sheet, the MHPs signature is only related to the following statement:*

*I attest that the documented services/interventions provided by the LEA staff members are consistent with this student’s Behavior Intervention Plan (BIP) or specific goal(s) as described in the student’s IEP. This does not imply my supervision of the LEA staff members, nor have I necessarily observed these services. My signature verifies that documented services/interventions on this form are aligned with the student’s BIP and IEP.*

5) If there are staff available in the district that hold the appropriate licensure/credentials, can the agency insist that the district take care of all MHP involvement in BIP development?

*In keeping with the mission of support to our local districts, the AEA system is committed to provide this service wherever possible and feasible to do so. However, this does not preclude collaborative conversations with districts when LEA personnel with appropriate licensure can be made available to efficiently share the responsibilities. Local school districts may also seek MHP support for BIP development from other outside agencies with which they have collaborative arrangements.*

6) Does the AEA provide liability support to protect my DPH or BOEE license?

*Each AEA has a commitment and a duty to defend and protect employees for actions that occur when an employee has acted under the direction of their employer, within the scope and in the course of their employment, and when employees act in good faith in carrying out their duties. This 'duty to defend' includes claims made before other administrative agencies, such as licensing boards.*

*Updated from September 2018 and approved by the State Special Education Leadership Team in December 2022.*