

Guidelines For The Reporting Of Medicaid For Special Transportation Services Revised December 10, 2015

Special Transportation must be provided by a vendor who is legally authorized to provide transportation services on the date the services are rendered. Special transportation is provided when a student requires specialized transportation equipment because of his/her disability as cited in 34 CFR 300.34(c)(16)(iii).

To be Medicaid reimbursable, special transportation services must be provided by a qualified Medicaid provider, indicated on the student's Individualized Education Program (IEP), the student **MUST** be Medicaid eligible, under the age of 21 and attendance documentation (bus/transportation logs) must be on file.

Transportation must be to a Medicaid-eligible service or from a Medicaid-eligible service. Bus logs must include daily entries for each child, on a one-way basis.

At the beginning of each school year and periodically throughout the school year, Special Transportation listed on a student's IEP should be reviewed.

For Special Transportation, one-way reimbursement rates of payment have been set based on a statistically valid cost study that was conducted in 1999 to establish round trip transportation rates. The rates were trended forward based on changes in the Consumer Price Index and converted to one-way rates. The present reimbursement **one-way rate is \$14.70**.

Criteria used to determine a child's need for Special Transportation: Most students with disabilities receive the same transportation services as students without disabilities. The Committee on Special Education (CSE) is responsible for determining whether a student's disability prevents him or her from using the same transportation or manner in which to get to school as students without disabilities. In determining whether to include special transportation on a student's IEP, the CSE should consider and document the needs of the student relating to their disability (e.g.: mobility, behavior, communication, physical, health needs). The Individualized Education Program (IEP) must include specific transportation recommendations to address each of the student's needs, as appropriate. It is not appropriate for the IEP to simply indicate "special transportation needed", without including the nature (reason/need) of the

special transportation. An explanation as to how the transporting vehicle has been specially modified to serve the needs of that student with a disability must be documented in the IEP.

For Medicaid reimbursement, special transportation is limited to those situations where the child receives transportation in a vehicle modified to accommodate the student's disability to obtain a Medicaid-covered service (other than transportation), or from a Medicaid-covered service, and both the Medicaid-covered service and the need for special transportation are included in the child's IEP. Special transportation can only be billed on a day that a Medicaid reimbursable service was delivered and may only be billed at the rate for each one-way trip.

The Transportation Department will be notified of the students who are Medicaid eligible on a periodic basis. In addition to the IEP recommendations, transportation personnel should be informed of any special information regarding the student that might impact on the health and safety of the student during transportation, including but not limited to:

- Health needs that might necessitate on-going or emergency intervention.
- Student behavioral issues or fears that might raise health or safety concerns.
- Specialized training required for bus drivers and/or attendants.

Access to IEP Direct will be provided to the Transportation Department, as needed, for the purpose of reviewing student's special transportation needs.

Parental consent to bill Medicaid must be on file.

A Confidentiality statement must be signed and dated and on file for the use of electronic signatures and for confidentially purposes.

State mandated trainings, IEP Direct trainings and written guidelines for the reporting of Medicaid for the purpose of Medicaid reimbursement will be provided, as needed and as necessary. Open lines of communication with the Director of Special Education and the Medicaid Compliance Officer are available for questions and concerns.

Effective September 1, 2013, Special Transportation reimbursement is now excluded for transportation from home to school and from school to home when a student with a disability is transported in an unmodified vehicle. The Centers for Medicare and Medicaid Services (CMS) defines a regular school bus as any unmodified vehicle that transports students to and from school.

A **specially modified** vehicle is one where the vehicle has a physical feature to accommodate a specific student with a disability. A bus with a wheelchair lift is an example of a specially modified vehicle.

Examples that **do not** qualify a vehicle as a specially modified vehicle for purposes of Medicaid reimbursement include the following:

- Air conditioning,
- Seat belts,
- A bus aide, or

- Installed video equipment.

In addition, the “size/type” (full-size, small, suburban-style, etc.) does not determine whether or not transportation is Medicaid reimbursable. Whatever the size/type of the vehicle, it must be **specially modified** to meet the medical needs of the student with a disability to be Medicaid reimbursable.

For transportation to be Medicaid reimbursable, the following criteria must be met:

- The specific medical need for special transportation to accommodate the student’s disability must be documented in the student’s Individualized Education Program (IEP).
- An explanation as to how the transporting vehicle has been specially modified to serve the needs of that student with a disability must be documented in the IEP.
- The student’s IEP must have other Medicaid reimbursable services listed.
- The student must be **traveling to or from** a Medicaid reimbursable service other than special transportation.
- Documented receipt of Medicaid covered services delivered to the student (Example: Session notes on services such as Occupational Therapy, Physical Therapy, etc.).
- Bus/transportation logs (attendance) must be maintained for each one-way trip.

Special circumstances where transportation is Medicaid reimbursable, regardless of the type of vehicle used, are when:

- A student resides in an area that does not have school bus transportation (such as those areas in close proximity to a school) but has a medical need for transportation that is noted in the IEP and the student is traveling to or from a Medicaid reimbursable service; and
- A student is transported from school or home directly to and/or from a provider in the community for the exclusive purpose of accessing an SSHSP service (e.g.: BOCES or other contracted provider), and transportation is noted in the IEP. If the student is transported to a provider located in the community and is then transported directly back to school or directly home, both one-way trips are Medicaid reimbursable.

There is no requirement that the student’s IEP contain a description of a vehicle modification when the transportation being billed to Medicaid was provided under a special circumstance, as listed above.

Other than these two exceptions, transportation on a regular (unmodified) bus or other vehicle to/from school cannot be billed to Medicaid.

Bus/Transportation Logs must include the following:

- School District.
- Student’s name.
- Student’s attendance.
- Bus Number or the Vehicle License Plate Number.

- Driver's Full Name Printed providing the transportation service.
- Morning (a.m.) pick-up time, place of pick-up, destination and drop-off time, as appropriate.
- Afternoon (p.m.) pick-up time, place of pick-up, destination and drop-off time, as appropriate.
- Month, day and year of the transportation service.
- Include name of aide, monitor or nurse, if appropriate.
- Signature of the witness of the rides (Example: Bus Driver).
- Date Signed.
- CPT Code for billing purposes.
- **NOTE:** The full address of each origination and destination must be documented; however, this does not necessarily have to be recorded on each daily transportation log. For example, in a situation when routine special transportation services are provided from the student's home to the school, it is sufficient to use the terms "home" and "school" on the daily log and to document the full street addresses separately in the student's record.

Medicaid Reporting:

- Medicaid should be processed on a monthly basis.
- Medicaid reporting should be completed by the end of each month and submitted to the Medicaid Compliance Officer.

The following items are considered **unacceptable** documentation of a trip:

- Driver or vehicle manifest.
- Dispatch Sheet.
- An issuance of prior authorization by the authorizing agent with subsequent checkmarks on a prior authorization roster.
- An attendance log from the school or program.

Retention of Medicaid Records:

Providers in the Medicaid Program are required to keep records necessary to disclose the nature and extent of all services furnished and all information regarding claims for payment submitted by, or on behalf of, the provider for a period of six years after Medicaid reimbursement.

The 2009 Settlement and Compliance Agreement between New York State and the federal agencies effectively ended the January 2002 SED directive that all Medicaid records since January 1, 1990 for reimbursement under School Supportive Health Services be held/retained until further notice. The normal retention policy now in effect is to retain the following records for a minimum of six years from the date that the services were paid.

- All documents relating in any manner to Medicaid reimbursement for services.
- All documents relating in any manner to referrals, prescriptions or orders for these services.

- All documents relating in any manner to the provision of these services; including but not limited to those showing dates that services were provided, the specific service that was provided, those that identify the professional providing the services or under whose direction the services were provided and professional qualifications, progress and other notes, memoranda, correspondence, e-mails, reports, transportation logs and other documents relating to services rendered, as appropriate, to the service provided.
- All Individualized Education Programs (will be held on file at District Office and are available in IEP Direct).
- **PLEASE NOTE:** You may need to retain some or all of these documents for a longer retention period than six years due to other retention requirements.
- Medicaid documentation may be destroyed after six years after Medicaid reimbursement, in accordance with District Policies.

NOTATIONS:

A Transportation Attendance Log was created to be used for students with Special Transportation needs listed on their IEP's.

A listing of students with Special Transportation needs will be generated from IEP Direct and provided to the Ballston Spa Transportation Department. Each student listed on the Special Transportation Listing will have a Transportation Attendance Log for the purpose of daily bus attendance, except Section 504 students. Attendance will be logged to and from school.

When the Transportation Department receives a request from any of the CSE Offices for Special Transportation for a student, a Transportation Attendance Log should be started immediately for the purpose of daily bus attendance, both to and from school.

By following the above procedures, Medicaid reimbursement for Special Transportation can be maximized.

As of September 1, 2013, the Ballston Spa Central School District no longer claimed for Medicaid reimbursement for Special Transportation; however, the District will continue to use the bus log attendance sheets until further notice.