

Submitter : Ms. Erin Francis  
Organization : Raytown C-2 Schools  
Category : Other Health Care Professional  
Issue Areas/Comments

Date: 11/01/2007

**GENERAL**

**GENERAL**

The SDAC program in the Raytown School District provides mental health services to hundreds of students on a daily basis. It would be detrimental to our students if the program ceased to provide funding to school districts.

Submitter : Dr. Daryl Wilcox  
Organization : Wayne State College  
Category : Academic  
Issue Areas/Comments

Date: 11/01/2007

GENERAL

GENERAL

Please do not allow the elimination of the costs related to transportation of school age children between home and school for children with disabilities.

**Submitter :** Mrs. Vanessa Spring  
**Organization :** Mansfield City Schools  
**Category :** Academic

**Date:** 11/01/2007

**Issue Areas/Comments**

**GENERAL**

GENERAL

It is vitally important that Medicaid monies be put back into the schools. There are many students in our low socioeconomic area that benefit greatly from services that can be funded through this money!

**Submitter :** Mrs. Kathryn Hannay

**Date:** 11/01/2007

**Organization :** Monterey County Home Charter School

**Category :** Academic

**Issue Areas/Comments**

**GENERAL**

**GENERAL**

To whom it may concern:

As a Resource Teacher with the Monterey County Home Charter School, I have been trained to provide service and information to families in our community who are not aware that they qualify for medical programs funded by the Federal Government. We have been able to meet the needs of many families the past three years and feel that families and our program have benefitted greatly by this addition to our program. We encourage the government to continue funding the MAA program and improve the health benefits for all participating families.

Thank you.

Signed,

Kathryn Hannay  
Resource Teacher  
Monterey County Home Charter School

**Submitter :** deanna Bonnell  
**Organization :** deanna Bonnell  
**Category :** Individual

**Date:** 11/01/2007

**Issue Areas/Comments**

**GENERAL**

GENERAL

see attachment

#506

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DEPARTMENT OF HEALTH AND HUMAN SERVICES  
CENTERS FOR MEDICARE AND MEDICAID SERVICES  
OFFICE OF STRATEGIC OPERATIONS & REGULATORY AFFAIRS

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your comment. We are not able to receive attachments that have been  
saved in excel or zip files. Also, the commenter must click the  
button "Attach File" button to forward the attachment.

Please direct your questions or comments to 1 800 743-3951.

Submitter : Mr. Christopher Brodie  
Organization : City and County, City College of San Francisco,  
Category : Academic

Date: 11/01/2007

Issue Areas/Comments

GENERAL

GENERAL

To Whom It May Concern:

We urge you to consider the choice that is being placed in your hands, and to think about the impact that your decision will make. There are many factors that depend on the outcome of your decision and we urge you to keep in mind, the individuals that are dependent on these services. Please consider the struggle for these individuals before making any decision that might affect their lives.

As part of an institution dedicated to education and the intellectual growth of members of our society, we hereby would like to recognize our personnel for their efforts in disseminating important information to students and their family including minor children on accessing Medi-Cal health and psychological programs. Without these programs, if chronic illnesses ever befell on the students or families, they would have been impaired from pursuing their educational aspirations to become contributing members of our society.

Do not eliminate a valuable program because of the few who have chosen to abuse it. Unlike for those who used the MAA reimbursement dollars for less than stellar purposes, the MAA dollars are an essential source for decreasing the deficit and supporting ongoing departmental necessities such as:

- " Medi-Cal outreach and prevention education programs
- " Staff who are hired to do outreach and enroll students for health care services
- " Provision of health care services by nurse practitioners to those uninsured students who are not qualified for Medi-Cal
- " Medications and medical supplies for low income, uninsured students
- " Vaccinations for students

Other reasons not to eliminate the program in educational institutions:

- " A decentralized outreach system in schools is essential for students and parents, who can be reached easily, and is an efficient method of disseminating information.
- " When the source of information comes directly from a counselor or teacher, the students are reached in a more relevant manner.
- " We in higher education have become more passionate about reaching out to students and informing them on access to health care for themselves and their minor children.

Why punish those who follow the rules due to few of those who did not?

Without access to vital medical services such as hospital and emergency room care, doctor's visit, vision care, prescription drugs, mental health and other services that have become possible through Medi-Cal, and without the committed work that our school employees have done to assist, educate, and link students with resources and information on the application and qualifications about Medi-Cal, our students cannot be fully intellectually proficient, especially when they are physically or psychologically unwell. Wellness, we believe, is a prerequisite to all else.

Sincerely,  
Christopher Brodie.

Submitter : Mrs. ELIZABETH WATHEN  
Organization : Mrs. ELIZABETH WATHEN  
Category : Individual  
Issue Areas/Comments

Date: 11/01/2007

GENERAL

GENERAL

See Attachment



#508

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DEPARTMENT OF HEALTH AND HUMAN SERVICES  
CENTERS FOR MEDICARE AND MEDICAID SERVICES  
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Please direct your questions or comments to 1 800 743-3951.

submitter : Mrs. Amy Ish  
Organization : Monterey County Home Charter School  
Category : Academic

Date: 11/01/2007

Issue Areas/Comments

GENERAL

GENERAL

I am writing to request that you do not eliminate reimbursement under Medicaid for school administration expenditures. We are a home school program that visits families weekly. The information we are able to deliver and the help we can give families regarding healthcare and Medical services is tremendous. Our teachers see first hand what the needs of students are and work closely with parents to meet those needs. This program has helped us focus on students' health issues as well as those that are academic. Please consider that groups such as ours who already have a successful system of direct delivery to families are a valuable resource for you. Again, do not eliminate this vital program.

Submitter : Dr. Jarrett Barnhill

Date: 11/01/2007

Organization : NC Commission on Children w. Special Health Needs

Category : Health Care Professional or Association

Issue Areas/Comments

GENERAL

GENERAL

See attachment.

CMS-2287-P-510-Attach-1.DOC

CMS-2287-P-510-Attach-2.DOC

## **NC Commission on Children with Special Health Care Needs**

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Jarrett Barnhill, MD, Chair

November 1, 2007

Centers for Medicare & Medicaid Services  
7500 Security Boulevard  
Baltimore, MD 21244

### Response to CMS-2287-P

On behalf of the North Carolina Commission on Children with Special Health Care Needs, I would like to express the Commission's disapproval of the CMS Proposed Rule 2287-P. This proposed rule will eliminate federal reimbursement under Medicaid for costs of certain administrative and transportation services for students with disabilities.

The Commission's charge is to monitor and evaluate the availability and provision of health services for special needs children in North Carolina. In North Carolina, 49% of schoolchildren live below the poverty line. Our public schools serve nearly 193,000 children who receive special education services and the impact to these students would be tremendous. At this time, IDEA funds a small percentage of the overall costs to serve the students. When Congress passed the Medicare Catastrophic Coverage Act of 1988, it allowed Medicaid to reimburse school districts for Individualized Education Program services to Medicaid-eligible children as long as the services are covered in the Medicaid State Plan. These services have been vital for children with special needs in our state.

CMS-2287-P will impose a major financial burden on local school districts and will make it more difficult for schools to provide the much needed services to students with disabilities. This regulation will also disallow federal payment for services such as outfitting buses with specialized equipment and transporting children to much needed medical services in the community. The future of our state relies on how well we can improve the health and well-being of our students.

The North Carolina Commission on Children with Special Health Care Needs appreciates your consideration of our concerns and urges you to preserve the capacity of all schools to provide these critical services to Medicaid-eligible children. Thank you for your attention to this important matter.

Sincerely,



Jarrett Barnhill, MD  
Commission Chair



Submitter : Mrs. margaret mendiola

Date: 11/01/2007

Organization : San Francisco Community College District

Category : Individual

Issue Areas/Comments

**GENERAL**

**GENERAL**

As an employee of an educational institution, City College of San Francisco, I would like to inform you of the very valuable outreach services that I provide through MAA to the many uninsured students who drop by requesting any resources (brochures, applications, etc.) that may help guide them to find the specific Medi-Cal health and psychological services for themselves or a family member during, before or after their medical concern has occurred. Offering possible Medi-Cal links is a way of ensuring that the students can reach their educational goals as a healthy well-adjusted person.

Please do not eliminate the MAA program. It is a valuable source of dollars to provide Medi-Cal outreach and preventative educational programs to low income and uninsured students so that they may continue their pursuit of a higher education for a brighter future and to be a more productive citizen.

Submitter : Dr. Jarrett Barnhill  
Organization : NC Commission on Children w. Special Health Needs  
Category : Health Care Professional or Association

Date: 11/01/2007

Issue Areas/Comments

GENERAL

GENERAL

See attachment

CMS-2287-P-512-Attach-1.DOC

## **NC Commission on Children with Special Health Care Needs**

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Jarrett Barnhill, MD, Chair

November 1, 2007

Centers for Medicare & Medicaid Services  
7500 Security Boulevard  
Baltimore, MD 21244

### Response to CMS-2287-P

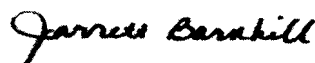
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The North Carolina Commission on Children with Special Health Care Needs appreciates your consideration of our concerns and urges you to preserve the capacity of all schools to provide these critical services to Medicaid-eligible children. Thank you for your attention to this important matter.

Sincerely,



Jarrett Barnhill, MD  
Commission Chair





Submitter : Miss. Theresa Gonzales  
Organization : Arizona Health Care Cost Containment System  
Category : State Government

Date: 11/01/2007

Issue Areas/Comments

GENERAL

GENERAL

See Attachment

CMS-2287-P-513-Attach-1.PDF

Janet Napolitano, Governor  
Anthony D. Rodgers, Director



801 E. Jefferson, Phoenix, AZ 85034  
P.O. Box 25520, Phoenix, AZ 85002  
Phone: 602-417-4000  
www.azahcccs.gov

October 31, 2007

Mr. Kerry Weems  
Centers for Medicare & Medicaid Services  
Department of Health and Human Services  
**Attention CMS-2287-P**  
Mail Stop S3-14-22  
7500 Security Boulevard  
Baltimore, MD 21244

Dear Mr. Weems:

As Director of the Arizona Health Care Cost Containment System (AHCCCS), I am sharing my concerns about the proposed regulations regarding the elimination of Medicaid reimbursement for school-based health services and the elimination of transportation coverage, published at 72 Federal Register 51397 (September 7, 2007). AHCCCS is the state agency that administers Arizona's Medicaid program, which covers over one million members.

To begin with, it is critical to consider the value of Medicaid reimbursement for school-based health care. School districts play a critical role in ensuring that students receive necessary medical services, and in some cases, the only way some students get the services they need. Numerous studies show that having access to health care services reduces the risk that illness or injury will go untreated or create economic hardships for families.<sup>1</sup> Research also shows that children with health insurance and access to health care services are less likely to receive their care in the emergency room, and they do better in school.<sup>2</sup> There is no question that the lack in needed, as well as preventive medical care impacts a child's overall well-being, along with his or her performance in school. By cutting these payments to schools, students could be forced to remain at home rather than attending school. Or if they do attend school with untreated chronic health care problems, they will not be attentive learners, will frequently be absent, and will not achieve their fullest potential.

Currently, the Medicaid Administrative Claiming program reimburses contracted Local Education Agencies (LEA) for outreach and administrative activities. This program would be eliminated in its entirety if the proposed rules are implemented as published. The reimbursement to Arizona LEAs was approximately \$4 million during the last state fiscal year. In addition, the proposed rules would eliminate reimbursement for transportation from home to school and school to home for Medicaid-eligible services on school grounds that are deemed necessary through an Individualized Education Plan is rendered during the same day on school grounds, could no longer be claimed. In the last state fiscal year, Arizona LEAs received approximately \$7.7 million in reimbursement from transportation services. The majority of the type of transportation services currently covered in the Direct Service Claiming program in Arizona would be eliminated.

In reviewing the notice and proposed rule, it appears that CMS has significant concerns regarding accountability in the use of Medicaid funds. The notice asserts costs related to certain activities are "not

<sup>1</sup> Dubay, L. & Kenney, G. M., Health Care Access and Use Among Low-Income Children: Who Fares Best? *Health Affairs*, January/February 2001, vol. 20(1), pp. 112-21

<sup>2</sup> Children's Health Assessment Project, 2002 *The Health of Arizona's School Children: Key finding of Two Surveys* by Louis Harris and Associates, The Flinn Foundation, 1993.

necessary for the proper and efficient administration of the State plan, nor do they meet the definition of an optional transportation benefit.” 72 Fed. Reg. 51397, 51398. While I support ensuring the integrity of the Medicaid program, the solution is not to scrap the program altogether, removing billions of dollars from programs that coordinate care, particularly in the early identification of child health needs for Medicaid-eligible students. Rather, steps should be taken at the federal level to ensure school-based administrative claiming is conducted appropriately with limitations and guidelines set by the Centers for Medicare and Medicaid Services.

There is a long history of federal Medicaid policy whereby CMS has recognized the essential link between Medicaid, schools, and providing health care for low-income children with health care needs. In 1975, with the passage of the Education for All Handicapped Children Act (EAHCA; Public Law 94-142), followed by the Individuals with Disabilities Education Act (IDEA; Public Law 105-17) in 1997, Congress enabled the provision of specialized services for students with disabilities. In keeping with that objective, Congress also passed the Medicare Catastrophic Coverage Act of 1988 (MCCA; Public Law 100-360). This legislation works to assist schools by providing reimbursement for the delivery of some of the mandated medical IDEA services. With the passage of IDEA, Congress demonstrated it understood there would be a fiscal impact to states by the mandate. Congress agreed to provide additional funding to states to implement IDEA requirements. Most recently in 2004, when IDEA was reauthorized in Public Law 108-446, according to the Act, the purpose of IDEA was to ensure children with disabilities have a free and appropriate public education with an emphasis on special education and related services designed to meet their unique needs and prepare them for further education, employment and independent living, and to ensure that the rights of children and their parents are protected. IDEA also intended to assist states, localities, educational services and federal agencies to provide for the education of all children with disabilities and to assess, and ensure the effectiveness of, efforts to educate children with disabilities. Specifically, section 611 of the Act provides that a state can receive up to 40% of the average per pupil expenditures. Unfortunately, since IDEA’s initial passage and reauthorization, Congress has failed to fully deliver on the initial promised funding. As a result, states and local districts have worked to meet the requirements of IDEA in spite of continuing federal funding shortfalls.

Furthermore, Medicaid is a federal/state partnership that gives states discretion in establishing service and program reimbursement methodologies consistent with program goals and that assures maintenance of effort within budget neutrality targets. However, such proposed regulatory cuts in payments to schools for providing healthcare undermine the State’s discretion and, as a result, threaten services that ensure that children with serious and chronic conditions can get the health care they need so they can go to school.

I urge you to reconsider the proposed changes to school-based Medicaid claiming and allow school districts to continue to claim administrative and transportation costs associated with providing health services to Medicaid-eligible students with special needs. Thank you for this opportunity to comment on the proposed regulation.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony D. Rodgers". The signature is fluid and cursive, with the first name "Anthony" and last name "Rodgers" clearly legible.

Anthony D. Rodgers,  
Director

**Submitter :** Mr. Aidan O'Traynor  
**Organization :** Mr. Aidan O'Traynor  
**Category :** Individual

**Date:** 11/01/2007

**Issue Areas/Comments**

**GENERAL**

**GENERAL**

My family opposes the proposed rule change which would eliminate Medicaid funding for Medicaid Administrative Claiming and Transportation for school districts.

Schools have become not only an important source of essential health care for our children but also a very point of contact for families like my own to obtain information about the services available through Medicaid.

Please rescind this rule!

**Submitter :** Ms. laura Dixon

**Date:** 11/01/2007

**Organization :** CSNO

**Category :** Nurse

**Issue Areas/Comments**

**GENERAL**

**GENERAL**

I am a credentialed school nurse serving in a rural school, students K-8. In some cases, I am the only available health care provider for my students and families. In many instances, I can safely care for a student and provide information that prevents the family from needlessly using an emergency room. This just happened last week with a simple, local infection, easily treated with appropriate homecare. I provide vision, hearing, nutritional and dental screenings which may identify problems early on and prevent disabilities. I serve as a resource for my students and families to access Medicaid in a responsible, appropriate manner, thereby saving the system countless dollars.

Sincerely, Laura Dixon, RN, BSN, PHN, Credentialed School Nurse 707-824-6403-3-48

**Submitter :** Nancy Spradling  
**Organization :** CA School Nurses Organization  
**Category :** Nurse

**Date:** 11/01/2007

**Issue Areas/Comments**

**GENERAL**

**GENERAL**

Before you enact this:

Has any one done a study to determine how many school nurses will be affected or lost? In California it's estimated \$100 million will be lost to the school districts, and much of these MAC funds are used by the school districts to actually cover the salaries of their school nurses. Without the funds, most districts will have to cut nurses from the budgets, and we already are dealing with average state caseloads/ratios of 1 nurse for every 2300 students.

**Submitter :** Ms. Rebecca Tatreau  
**Organization :** Ms. Rebecca Tatreau  
**Category :** Nurse

**Date:** 11/02/2007

**Issue Areas/Comments**

**GENERAL**

**GENERAL**

School personnel are on the front line in providing health services to children in this country. We do so much to prevent illness, identify health problems, provide health interventions, counsel and educate families&and we do this with such a limited amount of staff and funding. Children struggle to learn if they cannot see well, cannot hear well, are in pain, are feeling ill, are feeling afraid, are feeling sad. School is a place where families can receive health services at a fraction of the cost of acute care settings such as emergency rooms. It does not make sense to remove critical funding at this level when it invariably costs more to provide health services elsewhere. Even if you ignore the obvious benefits of trying to educate healthy versus ill children, how can you ignore the benefits of providing cost-effective healthcare to families in a school setting? Medicaid funds help dedicated, hard working health care providers to provide vital services to children and their families. We very much need your support in our continued efforts to care for our children. Please do not make cuts in funding for school-based Medicaid administrative claiming and transportation.



Submitter : Kelly Geygan  
Organization : concerned citizen  
Category : Individual

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

We need Family Access Network (FAN) advocates in our schools. We know that children who have basic needs such as a home, clothing, food & access to medical care are more likely to thrive in the classroom setting. FAN advocates have really helped our children get what they need. Cutting this funding will deny a growing population of low socioeconomic students the right to have their basic needs met. They are less likely to become a burden on society if they are educated & leave school with the skills to lead an independent life. PLEASE DO NOT CUT THIS FUNDING.