

Submitter : Mrs.
Organization : DVUSD
Category : Academic

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

We strongly oppose the implementation of this rule change. Schools have become an important and cost-effective provider of essential health services for disabled children. These children are transported to school in small vans with special equipment and/or special staffing to meet their needs. The loss of this funding would severely impact our school district and our ability to provide services to all of our children.

Submitter : Ms. Vicki Cantrill
Organization : Deer Valley School District
Category : Speech-Language Therapist

Date: 11/02/2007

Issue Areas/Comments

GENERAL

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We strongly oppose the implementation of this rule change. Schools have become an important and cost effective provider of essential health services for disabled children. These children are transported to school in small vans or buses with special equipment and or special staffing to meet their needs. The loss of this funding would severely impact our school district and our ability to provide services to all of our children.

Submitter : Mrs. Lynn Verana

Date: 11/02/2007

Organization : Long Beach Unified School District

Category : Other

Issue Areas/Comments

GENERAL

GENERAL

The use of MAA reimbursement dollars supports various programs, initiatives and staffing positions in our District. Provider groups that participate in the MAA program such as school nurses, school counselors, psychologists, social workers, and OT/PTs have been able to provide additional services and information to our district such as family referrals to enroll in low cost or no cost health insurance for which they are eligible and to family support centers; health clinics; maternal and infant health services; child abuse reporting and emergency response services; mental health counseling services including individual, family, and group counseling; crisis intervention; interpretation and translation services; and substance abuse prevention and treatment.

Submitter : Miss. Paulina Romero
Organization : Somerton School District
Category : Academic

Date: 11/02/2007

Issue Areas/Comments

GENERAL

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We strongly oppose the implementation of this rule change. Schools have become an important and cost-effective provider of essential health services for disabled children. These children are transported to school in small vans with special equipment and/or special staffing to meet their needs. The loss of this funding would severely impact our school district and our ability to provide services to all of our children.

Our district provides important outreach services for all of our children, providing information on Medicaid eligibility and services. We also provide essential and cost-effective care coordination for our children with severe disabilities. This cut would impact not only our funding but also services to our families.

Submitter : Mrs. Cori Yakesh
Organization : Mrs. Cori Yakesh
Category : Individual

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

I strongly oppose the implementation of this change in rules. Schools have become an important and cost effective provider of health services for disabled children. This loss of funding would serverely impact our school district's ability to provide services to students and their families.

Submitter : Ms. Julie Lyche
Organization : Ms. Julie Lyche
Category : Individual

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

To Whom it May Concern:

I urge you to not cut the school-based medicaid administrative claiming funds. In Deschutes County, Oregon these funds enable family advocates in schools to connect over 6,800 disadvantaged children and their families each year to basic-need services (food, shelter, health services, etc). The loss of these funds will have grave consequences for our most needy children.

In addition, the proposed rule questions the appropriateness of school district s use of MAC funds. In Deschutes County these funds are used to ensure that all children have access to an adequate education.It is clear that healthy children are more successful in school.

The proposed rule is concerned about waste and fraud of the system. Our local school districts and the State of Oregon use a comprehensive system to ensure there is no waste, fraud or abuse of the School Medicaid Administrative Claiming activities. Survey results are checked by school district employees, staff that monitor medicaid, individuals that enter information into an overall database and ultimately a state reviewer, before submission. This is a very comprehensive system to ensure accuracy of reporting.

The proposed rule will impose a significant burden on Deschutes County school districts, forcing cuts in services to more than 4,200 disadvantaged children and families. These services will have to be picked up by other portions of school districts budgets. The disadvantaged families served will not go away and will continue to need help from the schools. By cutting the school-based medicaid funds, the financial burden with be extremely to our local school districts. Our rural school districts will suffer the most, with small budgets,and already difficult issues with disadvantaged families and the lack of medical services and social supports to those families. Funding of these needs out of other school funds will cause an undo burden on these Districts.

CMS-2287-P will impose a significant financial burden on local school districts throughout the nation, which is estimated to cost \$3.6 billion over five years.

This proposed rule would become a travesty for all local children and school districts if implemented. We cannot expect to reduce services to our most needy children and not see an affect in other areas.

Please take a very close look at the consequences throughout the nation that will occur if you go ahead with this proposed rule. Our children are our future. By undermining their success in this way, you undermine the future of our nation.

Submitter : Ms. Beth Dusin
Organization : Raytown C-2 School District
Category : Health Care Professional or Association

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

I strongly urge you to continue funding for School Administration Expenditures. Our school and our district rely on the funding to meet the social and emotional needs of students. Kids are not able to achieve academically unless they are ready to be at school and learn while they are here.

Submitter :

Date: 11/02/2007

Organization :

Category : Academic

Issue Areas/Comments

GENERAL

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We strongly oppose the implementation of this rule change. Schools have become an important and cost-effective provider of essential health services for disabled children. These children are transported to school in small vans with special equipment and/or special staffing to meet their needs. The loss of this funding would severely impact our school district and our ability to provide services to all of our children.

Our district provides important outreach services for all of our children, providing information on Medicaid eligibility and services. We also provide essential and cost-effective care coordination for our children with severe disabilities. This cut would impact not only our funding but also services to our families.

Submitter : Ms. Karen Hannon
Organization : Deer Valley Unified School District
Category : Other Health Care Professional

Date: 11/02/2007

Issue Areas/Comments

GENERAL

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Our district provides important outreach services for all of our children, providing information on Medicaid eligibility and services. We also provide essential and cost-effective care coordination for our children with severe disabilities. This cut would impact not only our funding but also services to our families.

Submitter : Mr. Peter Schiff
Organization : Ramona Unified School District
Category : Academic

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

720 Ninth Street
Ramona, CA 92065
(760) 787-2007
Fax: (760) 789-9168
pschiff@ramonausd.net

November 2, 2007

Subject: Stop CMS-2287-P

Dear Secretary Leavitt:

As a public servant for the last thirty-six years, the last ten as a Superintendent of the Ramona Unified School District, I m amazed that as educators we are continually asked to do more, much more, with fewer and fewer resources. The proposal to implement CMS-2287-P is ill conceived at best. If it is a question of reducing expenditures, please make a courageous recommendation to the powers that be and cut out the numerous pork barrel projects passed by Congress every year and redirect the money to meet the educational needs of our nation s children.

I m asking you to help break the vicious cycle of reducing funding, expecting more and then condemning public education when it is not able to meet rising expectations. Stopping the implementation of CMS-2287-P is a small piece of the equation, but it will have an impact. It is important to start somewhere, so I ask you the question, why not start with setting aside CMS-2287-P.

Thank you for your consideration of my concerns.

Respectfully,

Peter M. Schiff
Superintendent of Schools

Submitter : Ms. Brenda Lenhart
Organization : Virginia Beach City Public Schools
Category : Speech-Language Therapist

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

I strongly oppose the planned elimination of reimbursement under medicaid for School Administration Expenditure and costs related to transportation of School Age children between home and school. Our school divisions are haveing federal funding cuts, grant cuts, taxes cut (local monies) and yet the cost of educating students especially special education students is at an all time high.

Submitter : Mrs. J Blair
Organization : Deer Valley Unified School District
Category : Speech-Language Therapist

Date: 11/02/2007

Issue Areas/Comments

GENERAL

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We strongly oppose the implementation of this rule change. Schools have become an important and cost-effective provider of essential health services for disabled children. These children are transported to school in small vans with special equipment and/or special staffing to meet their needs. The loss of this funding would severely impact our school district and our ability to provide services to all of our children.

Our district provides important outreach services for all of our children, providing information on Medicaid eligibility and services. We also provide essential and cost-effective care coordination for our children with severe disabilities. This cut would impact not only our funding but also services to our families.

Submitter : Mr. Berny Kruse

Date: 11/02/2007

Organization : Nadaburg School

Category : Other Health Care Professional

Issue Areas/Comments

GENERAL

GENERAL

We strongly oppose the implementation of any rule change that eliminates or reduces the reimbursement for Administrative Claims or Transportation. Our school is an principal provider of critical health services for disabled children. We transport the students in small vans and short accessible busses with added supervision to accommodate their disabilities. The loss of this funding would severely impact our school district and our ability to provide services to all of our children.

Additionally, our district is the principle purveyor of referrals and community outreach services for the neighborhood and provide information regarding Medicaid eligibility and services as well as case management in a cost effective and efficient manner. This cut would impact not only our funding but also services to our families.

Submitter : Mrs. Wendy Dinsmore
Organization : Deer Valley Unified School
Category : Academic

Date: 11/02/2007

Issue Areas/Comments

GENERAL

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Our district provides important outreach services for all of our children, providing information on Medicaid eligibility and services. We also provide essential and cost-effective care coordination for our children with severe disabilities. This cut would impact not only our funding but also services to our families.

Submitter : Ms. Kitsi Tams
Organization : Yuma Elementary School District
Category : Academic

Date: 11/02/2007

Issue Areas/Comments

GENERAL

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We strongly oppose the implementation of this rule change. Schools have become an important and cost-effective provider of essential health services for disabled children. These children are transported to school in vans and buses with special equipment and/or special staffing to meet their needs. The loss of this funding would severely impact our school district and our ability to provide services to all of our children.

Our district provides important outreach services for all of our children, providing information on Medicaid eligibility and services. We also provide essential and cost-effective care coordination for our children with severe disabilities. This cut would impact not only our funding but also services to our families.

Submitter :

Date: 11/02/2007

Organization :

Category : Individual

Issue Areas/Comments

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Submitter : Ms. Sharon Warren
Organization : Hampton City Schools
Category : Local Government

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

CMS has proposed that schools no longer be able to bill Medicaid for the services above. Since 2003, school divisions in Virginia have received \$30,856,543 in reimbursement for administrative activities. Hampton City Schools has been part of this funding. These funds help to offset the very expensive cost of services for our most needy students. The financial impact for reimbursement of transportation services has not yet been determined since they were just approved by CMS.

Submitter : Mrs. Michelle Laabs
Organization : Orange Unified School District
Category : Nurse Practitioner

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

Students receive more than an academic education at schools.

CMS's bases its first issue (A) on a mistaken understanding of the role that school districts play in the lives of their students. Children have many needs that are not strictly educational, but which the school must meet in order to fulfill its educational mission. Children walk through school doors without housing, food, or health care. It is naive to assume that academic education is a school's only responsibility. To think that we hire school employees solely to meet the educational needs of children fails to recognize that district staff connects students and their families to a variety of other services, the most important of which are Medicaid-related.

School districts have a unique place in the spectrum of Medicaid outreach. They are often the first, and sometimes only, place where students and their families are introduced to the concept of health and health insurance. Schools guide students with social, health, and family needs through the maze of support services. CMS should be aware that it is with children in need that school health and social services staff spend most of their time. State legislatures have recognized this and have emphasized schools as a one-stop shop for education, health, and social services. California, for example, has instituted numerous Healthy Start and Family Resource Centers in schools so that health and welfare agencies can provide care and services on campus.

Submitter : Ms. Tena Broyles

Date: 11/02/2007

Organization : Nadaburg School

Category : Individual

Issue Areas/Comments

GENERAL

GENERAL

We strongly oppose the implementation of this rule change. Schools have become an important and cost-effective provider of essential health services for disabled children. These children are transported to school in small vans with special equipment and/or special staffing to meet their needs. The loss of this funding would severely impact our school district and our ability to provide services to all of our children. As a small school district these funds help us provide safe and effective transportation for our student's with special needs.

Our district provides important outreach services for all of our children, providing information on Medicaid eligibility and services. We also provide essential and cost-effective care coordination for our children with severe disabilities. This cut would impact not only our funding but also services to our families.

Submitter : Mrs. Maria Brady
Organization : San Mateo Foster City School District
Category : Academic

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

I am writing to express my concern over news of the proposed eliminating of school-based Administrative Claiming. Specifically, the Department of Health and Human Services (DHHS) and the Center for Medicare and Medicaid Services (CMS) propose in their budget, to prohibit, through rulemaking, Federal reimbursement for school-based administration.

If implemented, these changes would have a devastating blow to public school districts across the state of California. Annually, my district, San Mateo-Foster City School District, generates funds through the Administrative Claiming program, known in California as the Medi-Cal Administrative Activities program (MAA). These funds support desperately needed services, such as school nursing, drug and alcohol prevention programs, Medi-Cal outreach and counseling services, to name a few, as well as supporting the District's overall funding. I urge you to continue to support this much needed program.
Sincerely, Maria Brady, Principal on Special Assignment, San Mateo-Foster City School District

Submitter : Mr. Matthew Kritscher

Date: 11/02/2007

Organization : Laney College

Category : Academic

Issue Areas/Comments

GENERAL

GENERAL

I am writing to strongly urge CMS to NOT enact the Elimination of Reimbursement under Medicaid for School Administration Expenditures and Costs Related to Transportation of School-Age Children between Home and School. If enacted to eliminate this much-needed program, millions of children will not receive the many benefits this program has provided through schools, negatively impacting public health and economic productivity. This program is wisely used by school administrators like myself to provide health and student success services that the government does not otherwise provide funding for, nor does corporate America. The measure of a civilized society is by far on how well it serves its children, seniors and disabled. Continuing with these interim final rules will play into the hands of terrorism as it will weaken the health and productivity of our country significantly. Show the wisdom and courage that America expects of you, and do NOT enact this Docket: CMS-2287-P. Thank you.

Submitter : Mrs. Deborah Wolf

Date: 11/02/2007

Organization : Flagstaff Unified Schools District

Category : Academic

Issue Areas/Comments

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I strongly oppose the implementation of this rule change. Schools have become an important and cost-effective provider of essential health services for disabled children. These children are transported to school in small vans with special equipment and/or special staffing to meet their needs. The loss of this funding would severely impact our school district and our ability to provide services to all of our children.

Submitter : Mrs. Diane Kizler
Organization : San Mateo-Foster City School District
Category : Academic

Date: 11/02/2007

Issue Areas/Comments

GENERAL

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I am writing to express my concern over news of the proposed eliminating of school-based Administrative Claiming. Specifically, the Department of Health and Human Services (DHHS) and the Center for Medicare and Medicaid Services (CMS) propose in their budget, to prohibit, through rulemaking, Federal reimbursement for school-based administration.

If implemented, these changes would have a devastating blow to public school districts across the state of California. Annually, my district, San Mateo-Foster City School District, generates funds through the Administrative Claiming program, known in California as the Medi-Cal Administrative Activities program (MAA). These funds support desperately needed services, such as school nursing, drug and alcohol prevention programs, Medi-Cal outreach and counseling services, to name a few, as well as supporting the District's overall funding. I urge you to continue to support this much needed program.

Submitter : barbara smith
Organization : san mateo foster city school district
Category : Academic

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

Our school age children benefit from our efforts. I've seen children whose parents could not afford dentists and whose teeth were in obvious distress get help; families get help who didn't know how to find medical help; and needless suffering by our most vulnerable population eliminated through the efforts of MAA'. Please do not end this important program. I work as the after school coordinator for the District, and we have afterschool programs on all of our 20 school campuses. We do a lot of outreach to families. We have 10,000 children in our District, and 1,000 in the afterschool programs. I can attest many families and children have received needed medical help. This help positively impacts their school performance as well. There are long term ramifications for a child who receives medical help when needed.

Submitter : Janice Fujii
Organization : Contra Costa SELPA
Category : Other

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

Are you getting it yet? Are you reading all the comments to see what a huge impact the elimination of these funds would have on the poor and disabled children in our country? Please, please do not cut these funds!!! They are essential for getting services to our neediest children.

Submitter : Mrs. Donna Foutch
Organization : Somerton School District
Category : Individual

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

It seems every time we turn around our school funds are being either taken away or eliminated altogether. This seems to be happening in all areas of funding (even office supplies). I don't get it. How are we supposed to provide the same services we have been providing with less funding??? Many of our families either have no transportation or inadequate transportation for their children with disabilities. How will they get to school? Donna Foutch, Special education resource teacher, Somerton, Arizona

Submitter : Dr. Jacqueline Mault
Organization : Council for Exceptional Children
Category : Individual

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

See Attachment

CMS-2287-P-573-Attach-1.DOC

Centers for Medicare and Medicaid Services
U.S. Department of Health and Human Services
Attention: CMS-2287-P
P.O. Box 8018
Baltimore, MD 21244-8018

Dear Sir(s) or Madam(s):

The Council for Exceptional Children (CEC) is the largest professional organization of teachers, administrators, parents, and others concerned with the education of children with disabilities, gifts and talents, or both. As a member of CEC, former public school Director of Special Services, and University adjunct faculty, I am writing in response to the September 7, 2007 *Federal Register* announcement requesting public comment on the Notice for Proposed Rule Making for the elimination of school administration expenditures and transportation for Medicaid-eligible children who receive services under Part B and Part C of the Individuals with Disabilities Education Act.

Introduction

I am deeply concerned about the devastating impact that the proposed Centers for Medicare and Medicaid Services (CMS) regulations for the elimination of reimbursements for transportation and administrative claiming under Medicaid will have on the welfare of children with disabilities. The elimination of these reimbursements would inevitably shift the financial responsibility for these claims to individual school districts and early childhood providers across the nation. The Administration estimates that the elimination of these reimbursements will provide a savings of \$635 million in the first year and \$3.6 billion over the next five years. However, there is no corresponding increase in funding for the federal special education law, the Individuals with Disabilities Education Act (IDEA), that will enable schools and early childhood providers to make up for the reduction in Medicaid reimbursements to schools and early childhood providers.

Major Issues and Concerns

I have major issues with the proposed rule to eliminate the Medicaid reimbursement for transportation and administrative claiming. I believe it is flawed and should be withdrawn. I recognize that the proposed rule, in some cases, seeks to address legitimate policy issues. However, according to the background for the proposed regulations, "school-based administrative activities do not meet the statutory test under section 1903(a)(7) of being 'necessary....for the proper and efficient administration of the State plan.'" I strongly disagree with this statement. The provision of transportation services and administrative claiming under Medicaid are indeed necessary for carrying out state Medicaid plans. Many medically provided services under Medicaid are provided at the school and early childhood settings where Medicaid-eligible children attend, whether or not those services are provided by employees of the state or the local Medicaid agency. This is particularly relevant because the background to the proposed regulations also states that, "CMS recognizes that schools are valid settings for the delivery of Medicaid services", yet the proposed rules would still not recognize the need for transportation to

and from school for Medicaid-eligible children who take advantage of these services at school and early childhood settings.

In addition, the proposed regulations state that they were drafted, “Due to inconsistent application of Medicaid requirements by schools to the types of administrative activities conducted in the school setting...” However, the studies that conclude that the misfeasance conducted by some schools in claiming Medicaid reimbursements only took into account an insignificant number of schools. CMS should rightly impose sanctions on those schools and early childhood providers that improperly or illegally misrepresent claims for Medicaid reimbursement; punishing every school and early childhood provider nationwide is not the proper course of action to take in this instance.

I believe that Congress and the Administration should work together to achieve consensus on appropriate policies and procedures to ensure that Medicaid beneficiaries receive the highest quality services, consistent with Title XIX of the Social Security Act, and to ensure that states operate their Medicaid programs to achieve the best outcomes and in the most publicly accountable manner. I believe that this proposed rule prevents a necessary dialogue between federal officials, state Medicaid officials, other state officials (including individuals responsible for programs for people with mental illnesses, developmental disabilities, and child welfare), services providers, and representatives of affected Medicaid populations. I am not aware of any meaningful effort by the Secretary of HHS or CMS to work with affected stakeholders to address current policy concerns. Indeed, I am troubled by dubious enforcement actions and audits by the HHS Office of the Inspector General (OIG) that have appeared more focused on limiting federal expenditures than improving the appropriateness or effective administration of services under Medicaid.

Legal Basis for Providing Transportation and Administrative Claiming

The proposed CMS regulations to eliminate Medicaid transportation and administrative claiming contradict current law. There is firm legal standing for the allowable use of Medicaid claiming for transportation and administration.

First, Section 1903(c) of the Title XIX of the Social Security Act states that “nothing in this title shall be construed as prohibiting or restricting, or authorizing the Secretary to prohibit or restrict, payment under subsection (a) for medical assistance for covered services furnished to a child with a disability because such services are included in the child's individualized education program established pursuant to part B of the Individuals with Disabilities Education Act or furnished to an infant or toddler with a disability because such services are included in the child's individualized family service plan adopted pursuant to part C of such Act.” Clearly the proposed regulations would be in direct conflict with this provision of law and would not further the purposes of Title XIX of the Social Security Act.

Second, school-based claiming was protected in the courts in the 1987 *Bowen* case, when the appellate court ruled that school-based Medicaid claims were reimbursable, and the Supreme Court elected to let that decision stand by denying cert.

Third, the proposed rules would not comply with Early and Periodic Screening, Diagnosis and Treatment (EPSDT) services. Under current law, states must provide EPSDT services to all children who are eligible for the Medicaid program. This is one of the mandates that states must meet in order to operate a Medicaid program. Through EPSDT, Medicaid-eligible children must be seen periodically by health care professionals. In 1989 the law was amended to mandate that states provide any necessary Medicaid service that a child requires regardless of whether the state specifically covers the service as part of its regular Medicaid program. A state cannot restrict the services that it provides under the EPSDT mandate; it must make all types of services available, including the services children with disabilities require.

Fourth, under the Medicare Catastrophic Coverage Act of 1988, states are permitted to obtain limited funds for Individualized Education Program-related services and for early intervention/family support services as defined in the individualized family service plan (IFSP). The proposed regulations would deny legally allowable claims to provide services under IEPs and IFSPs.

Finally, the proposed rules would go beyond the regulatory scope and power of the Executive Branch and is inconsistent with Medicaid law. To the extent that policy changes are needed, I believe that the legislative process is the appropriate arena for addressing these issues.

Federal Cost Shifting and Reduced Levels of Service

The proposed rules for the elimination of the Medicaid transportation and administrative claiming will be a huge financial hit to already cash-strapped schools and early childhood providers. The federal government has not even provided half of the promised funds for the IDEA, and denying schools and early childhood providers in this country an additional \$635 million will only make a bad situation worse. This in turn will shift the financial burden to state and local governments to pay a greater share for required services under IEPs and IFSPs, and the frequency and/or intensity of those services may be reduced.

Conclusion

The proposed CMS rules to eliminate the transportation and administrative claiming for schools and early childhood providers under Medicaid are both misguided and contrary to existing legal precedent. For the reasons stated here, I urge the Secretary of Health and Human Services to withdraw the proposed rule.

Thank you for allowing the public to provide comments on the Notice for Proposed Rule Making for the elimination of school administration expenditures and transportation for school-age children under the Medicaid program, and thank you for considering my comments and recommendations.

Submitter : Mrs. Susan Hamblin
Organization : Stanislaus County Office of Education
Category : Individual

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

Dear Secretary Leavitt;

The proposed rule CMS-2287-P would eliminate reimbursement for school administration expenditures involved with connecting students and their families with the California Medicaid program called Medi-Cal. This program has been an effective tool to not only assist with enrolling our students and families in this health insurance program, but also in educating district and county office of education staff regarding the Medi-Cal health insurance program and what health services are available for our students through this program.

The Medicaid administrative services offered through our schools assist our students and their families to adjoin with health insurance that ultimately keeps them out of the emergency rooms, consequently helping to lower health costs to all. Once signed up for Medi-Cal, these students will most likely see a health care provider in a doctor's office before the illness becomes too severe. As a result, students come to school healthier, with a better attitude towards learning, and ultimately become more productive learners.

When the 2003 Medicaid School-Based Administrative Claiming Guide was published on May 28, 2003, California was in the process of revising its Medicaid administrative claiming program, and schools worked very closely with CDHS, and CDHS with CMS, to align with the new guide. California schools believe our program is sound and fits comfortably within the parameters and guidance offered through both CMS and CDHS. Oversight in California is effective and appropriate on all levels. To countermand this approved program that was consistently reviewed by CMS through all stages of its alignment and review, is ludicrous.

Please withdraw your proposed rule CMS-2287-P and allow schools to continue being reimbursed for outreach efforts on behalf of Medicaid programs. Thank you.

Submitter : Diane Kuerner

Date: 11/02/2007

Organization : Diane Kuerner

Category : Academic

Issue Areas/Comments

GENERAL

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Our district provides important outreach services for all of our children, providing information on Medicaid eligibility and services. We also provide essential and cost-effective care coordination for our children with severe disabilities. This cut would impact not only our funding but also services to our families.

Submitter : Angela Klostermeier

Date: 11/02/2007

Organization : Angela Klostermeier

Category : Academic

Issue Areas/Comments

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Submitter : Mrs. Brenda Wallace
Organization : Alleghany County School Division
Category : Speech-Language Therapist

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

The loss of Medicaid reimbursement for Administrative Claiming and Transportation would have a dramatic effect on my small rural school system's ability to provide needed services that are mandated under IDEA. If the funds are unavailable through Medicaid reimbursement, they would have to come from another source and therefore place other services and programs at risk. Please do not take away this needed source of income for public schools.

Submitter : Miss. Angela Guardado

Date: 11/02/2007

Organization : Caring Connections

Category : Individual

Issue Areas/Comments

GENERAL

GENERAL

I have been personally involved with a non-profit organization for 2 years that works to serve children who are in need of physical and mental health services, through the schools. I have seen, first hand what a difference it makes when children enter the classroom healthy and ready to learn. Our organization alone, working through just one school district, assisted 209 children last year with enrollment into the Medi-Cal or Healthy Families program. Schools are a logical place for families to access health services. Families are familiar and comfortable with the people and the school. The unique role played by schools as a health service portal is irreplaceable. I urge you to continue your support for the school-based MAA program.

Submitter : Mrs. Denechia Edwards

Date: 11/02/2007

Organization : Dickenson County Public Schools

Category : Academic

Issue Areas/Comments

GENERAL

GENERAL

The administrative is essential to our special education program. It is the only way that we can adequately provide the services identified in our IEPs.

Please consider this request. It is very important for our students.

Submitter : Mrs. Debra Dotson

Date: 11/02/2007

Organization : Dickenson County School System

Category : Nurse

Issue Areas/Comments

GENERAL

GENERAL

Our school system has been participating in Medicaid Billing for some time now, and our children have benefited from this program. Our division is in the Southwestern part of Virginia where it is hard for public schools to meet the financial needs of our students and this program has helped our county very much. I hope you will reconsider this idea of eliminating the reimbursement for schools under Administrative Claiming.

Thank You For Your Time,

Debra Dotson R.N.

CMS-2287-P-581

Submitter : Mrs. Lynee Torres
Organization : Oro Grande Elementary School
Category : Individual

Date: 11/02/2007

Issue Areas/Comments

GENERAL

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Our District provides important outreach services for all of our children, providing information on Medicaid eligibility and services. We also provide essential and cost-effective care coordination for our children with severe disabilities. This cut would impact not only our funding but also services to our families.

Submitter : Mrs. Rosi Gonzalez
Organization : parent and community volunteer
Category : Individual

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

I want to say how angry I am that that the government thinks so little of our youth. These children are the future of our country and we can not even take care of them. I see children with painful dental problems, vision problems, physical and mental problems that could be fixed or at least have their quality of life improved by medi-cal or Healthy Families. Without the exact program your CMS-2287-P covers many of our students would be having major health issues. You could take just 1 billion dollars from the spy programs that were just in the news and give health care to every child. You could stop sending money to the middle east. bring our soldiers home so they can parent their families and work to provide more tax money and then use this money to pay for health care PLUS we would have soldiers at home to combat homeland terrorism, watch the borders, protect our schools, etcetera instead of fighting a war in a place that always been in unrest and always will be. Those tribes have been at each others throats for centuries.

Parents now days are so busy just trying to pay the bills and feed the kids that that they don't have the time that is necessary to look for the assistance their children need. They need someone they can trust that will refer them to the correct services and help them to get the forms needed, help them copy and fill out the forms and then to remind them to continue on with the process.

I myself as a parent was in that situation. I am covered by my insurance and my spouse is too at a cost of \$200.00 monthly but I could not afford the 500.00 more a month to insure my kids so they went uninsured. Finally I found a MAA participant who helped me understand the program and realize that even middle class families like myself with both parents working can qualify and not have a stigma attached to it. It was great to find out that my kids could receive the treatments they need and partake in preventative medicine. Thanks to the MAA participant who enlightened me, my youngest child was diagnosed with a learning disability and treated for it. Now thanks to this wonderful program my son has a chance at a good future.

My daughter was having issues at school and became ill. She was able to get help and become better because it was caught early. I have no doubt at all that with out MAA program these two children would be seriously ill or dead with out the MAA assistance.

PLEASE do everything you can to save the program. It is so important that children be able to live pain free productive lives. This program is so great because it cuts through racial, political, economic, and so many factors that in reality are insignificant against the life and well being of children.

Submitter : Ms. Cathy Cox

Date: 11/02/2007

Organization : Flagstaff Unified School District

Category : Academic

Issue Areas/Comments

GENERAL

GENERAL

I strongly oppose the implementation of this rule change. Schools have become an important and cost-effective provider of essential health services for disabled children. These children are transported to school in small vans with special equipment and/or special staffing to meet their needs. The loss of this funding would severely impact our school district and our ability to provide services to all of our children.

Our district provides important outreach services for all of our children, providing information on Medicaid eligibility and services. We also provide essential and cost-effective care coordination for our children with severe disabilities. This cut would impact not only our funding but also services to our families.

Submitter : Dana Niemann

Date: 11/02/2007

Organization : Dana Niemann

Category : Individual

Issue Areas/Comments

GENERAL

GENERAL

I strongly oppose the implementation of this rule change. Schools have become an important and cost-effective provider of essential health services for disabled children. These children are transported to school in small vans with special equipment and/or special staffing to meet their needs. The loss of this funding would severely impact our school district and our ability to provide services to all of our children.

The district in my area provides important outreach services for all of our children, providing information on Medicaid eligibility and services. They also provide essential and cost-effective care coordination for children with severe disabilities. This cut would impact not only their funding but also services to families.

Submitter :

Date: 11/02/2007

Organization :

Category : Academic

Issue Areas/Comments

GENERAL

GENERAL

Our district provides important outreach services for all of our children, providing information on Medicaid eligibility and services. We also provide essential and cost-effective care coordination for our children with severe disabilities. This cut would impact not only our funding but also services to our families.

Submitter : Kawna Harder
Organization : Kawna Harder
Category : Academic

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

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Submitter : Diana Hallock
Organization : College Park School
Category : Academic

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

I am writing to express my concern over news of the proposed eliminating of school-based Administrative Claiming. Specifically, the Department of Health and Human Services (DHHS) and the Center for Medicare and Medicaid Services (CMS) propose in their budget, to prohibit, through rulemaking, Federal reimbursement for school-based administration.

I cannot expect a sick child to learn! Eliminating this support means leaving our most needy students far behind!

If implemented, these changes would have a devastating blow to public school districts across the state of California. Annually, my district, San Mateo-Foster City School District, generates funds through the Administrative Claiming program, known in California as the Medi-Cal Administrative Activities program (MAA). These funds support desperately needed services, such as school nursing, drug and alcohol prevention programs, Medi-Cal outreach and counseling services, to name a few, as well as supporting the District's overall funding. I urge you to continue to support this much needed program.

Diana Hallock, Principal

Submitter : Mr. Thomas McMillian
Organization : Flagstaff Unified School District
Category : Academic

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

We strongly oppose the implementation of this rule change. Schools have become an important and cost-effective provider of essential health services for disabled children. These children are transported to school in small vans with special equipment and/or special staffing to meet their needs. The loss of this funding would severely impact our school district and our ability to provide services to all of our children.

Our district provides important outreach services for all of our children, providing information on Medicaid eligibility and services. We also provide essential and cost-effective care coordination for our children with severe disabilities. This cut would impact not only our funding but also services to our families.

Submitter : Carol Kendrick
Organization : Carol Kendrick
Category : Academic

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

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Our district provides important outreach services for all of our children, providing information on Medicaid eligibility and services. We also provide essential and cost-effective care coordination for our children with severe disabilities. This cut would impact not only our funding but also services to our families.

Our students need and deserve every opportunity to have a good education and become citizens of the future. This proposed rule change would definitely reduce their chances of that. We need the existing Medicaid Program to give them the extra help they need to succeed. They are our future!

Submitter :

Date: 11/02/2007

Organization :

Category : Local Government

Issue Areas/Comments

GENERAL

GENERAL

Do not eliminate the reimbursement- it is so expensive to give these services that overlap into the medical field. The feds do not give the amount promised as is for special ed- localities are just trying to make it work with minimal federal government support. You make us pay, but not willing to share in the burden.

Submitter : Ms. Margot Tobias
Organization : Mt. Diablo Unified School District
Category : Individual

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

I am writing on behalf of Mt. Diablo Unified School District and the students who attend our schools.

Mt. Diablo Unified School District has participated in the Medicaid Administrative Claiming Program and has realized considerable benefits from the reimbursements. Cutting this program would significantly affect my district's ability to provide much needed services to our students. Without this money, our district would be unable to provide support to students who have considerable barriers to accessing education.

Many children and families do not fit into a specific program or have intense needs that must be coordinated. These funds allow us to reach these students, provide services and get them to school.

It is always amazing to me to sit in my tiny office and read that there is concern that we mismanage funds. I spend my days trying to access enough funds to provide services. The need outweighs the funding by far!! If one or two districts are not using funds appropriately then go after them! Let the majority serve students that is what we are about.

Please remember the following:

? The purpose behind Medicaid administrative claiming in all settings, including schools, is ensuring access to medical care services at the person level and the availability, efficient delivery and cost effectiveness of Medicaid services at the systems level.

? The federal government's recognition of the important role that schools play in performing outreach and follow along activities that ensure poor children are able to enroll in Medicaid and obtain the health care they need is well-documented.

? School MAA has provided LEAs (schools and students!!) with the opportunity to generate reimbursement for outreach and follow along activities that improve the access of all poor children to medical care. Dismantling this program shuts down a critical safety net for a population whose ability to obtain preventive and ongoing medical care is almost always at risk.

For these reasons, the administrative claiming program is vital to our district's success in ensuring the health and well being of our students. We urge you to rescind your new rules. Thank you for attention to this important matter.

Submitter : Mrs. Jamie Smith

Date: 11/02/2007

Organization : DeMiguel Elementary School/Flagstaff Unified

Category : Other Health Care Professional

Issue Areas/Comments

GENERAL

GENERAL

Eliminating reimbursement for the cost to transport children with special needs would greatly impact our ability to provide much needed transportation. We have to have fundraisers just to make purchases for our schools/children. Can't imagine having a fundraiser to provide busing for students with disabilities. Children with special needs would not be able to participate in class field trips because transportation would not be available to them. These children may not be able to be transported to and from school by their parents due to their hours of work, not having transportation themselves, and a variety of other reasons. School children and schools suffer enough already due to the budget crunch. Eliminating funding source that would help districts and their transportation needs would only hurt the children more...especially children who already struggle day to day because of a handicapping condition.

Submitter : Mrs. Patricia Lynch
Organization : Pendleton County Schools
Category : Individual

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

As the DOSE for our school system, we rely on the monies we are reimbursed for transportation services. These monies are used to reimburse the district for the added expense of ensuring that all students receive the services they need and are entitled to. IDEA mandates that we provide services and pledged to supply enough funding to do so. However, they did not fully fund IDEA but expect the schools to fully provide services. Without the reimbursement of transportation funds, students will not be able to receive the quality of services that are needed. Medicaid funding reimbursement is essential in helping to fill the gap left by the legislature for not fully funding IDEA. I ask for your support in voting for the continued funding of Medicaid services for the children in our schools.

CMS-2287-P-594

Submitter : Elizabeth Meyerowitz

Date: 11/02/2007

Organization : Elizabeth Meyerowitz

Category : Individual

Issue Areas/Comments

GENERAL

GENERAL

See Attachment

CMS-2287-P-594-Attach-1.DOC

**Public Posting as Symbolic Statements
By Patty Hineman**

1. What is posted and categories of postings?

There are two areas that I chose to observe at the Kyrene School District Office. The first is the enclosed glass case bulletin board to the right of the district office's main entrance. This bulletin board is outside of the building. The second area I chose to observe was inside the district office in the main lobby where there are many items of interest enclosed in glass cases and picture frames.

Categories of Postings

Employment Opportunities	Meeting Agendas	Meeting Minutes	Governing Board Policy	Additional Information	Historical Artifacts
Kyrene Kids Club (2 fliers for the same employment opportunities)	Parent Superintendent Agendas (Aug. 21 & Sept. 25)	Kyrene Governing Board Meeting Minutes (Oct. 23, 2007) - 3 pages	Two pages of Governing Board Policy about Open Meeting Laws	OSHA Information Kyrene District Office Hours	20-30 framed artifacts to include historic board minutes, old photos of Kyrene schools, students, staff, and parents.
Sodexo Food Services	Board of Directors of Kyrene School District Municipal Property Corporation 301 Steering Committee Agenda				

2. Style of Posting

The outside bulletin board that was enclosed in glass was very messy. The board was cork and it looked as if it had been damaged by rain. There was no covering over the cork board. There was no order to the postings. In fact, there were two fliers from Kids Club one at the top right corner of the bulletin board, and the other was in the bottom left corner of the bulletin board. Some information was tacked up over other information. Additionally, there were agendas that were outdated and should have been removed to make room for the newest agenda. My other observation was the fact that there was a big potted plant in front of a portion of the bulletin board. The plant stems covered a portion of the board and the memos.

3. Posting Originator's Role and Role, Characteristics, and Subculture

I know the two individuals who post these items in the bulletin board include the Superintendent's Secretary and the Board Secretary. My deductions regarding what I observed indicated to me that they did post pertinent information because it was part of their duty to do so. However, the manner in which it was posted was not visually appealing which leads me to think that this bulletin board is not valued for its information. Rather it is a formality and something that must be posted. It didn't seem to me to look like the people who post this information believe that it is viewed by very many people in the community.

It is apparent that the outside bulletin board supports the work of the organization. Open meeting law states that agendas will be posted prior to specific meeting dates. The meeting agendas that were tacked on the community bulletin board included Governing Board Meeting agendas, Parent Superintendent Meeting agendas, Prop 301 agendas as well as Board Meeting minutes. The subculture of the Kyrene District Office is centered on the Kyrene Governing Board meetings and committees that support the work of the superintendent. However, I wondered if the disorganization of the bulletin board was symbolic of disorganization or lack of planning within the organization's central office.

The photos and artifacts in the main lobby speak to a different component of the organization, that of a rich background and history. Years ago these historical artifacts were framed and placed prominently on both sides of the lobby so that visitors and staff would view the lobby as a Kyrene museum depicting its rich history. Unfortunately, you can see some of the photos fading to the point where there are no faces left in the photos. There has been a lack of attention to the actual photos housed in the glass frames.

4. Variables/Hypotheses Based on My Observation

Outside Bulletin Board

- There is a sense of disorganization within the district office.
- Board is an afterthought or simply a requirement. This is also based on the fact that the large potted plant covers a third of the bulletin board.
- The required items to satisfy the Open Meeting Laws were visible for the staff and community to view.
- Kyrene is looking for people to apply for jobs within Sodexo and Kyrene Kids Club.

Inside the Kyrene District Office Lobby

- History of the area and school district has been important to the district.
- Kyrene museum created to celebrate its history.
- The current focus of the administration in the Kyrene District Office is not as focused on history as prior administrations (as seen by the faded photographs and lack of preservation techniques used with pictures and artifacts).

5. Other Methodologies to Test My Hypothesis

Outside Bulletin Board

- Talk with the two individuals who are responsible for posting items on the bulletin board. Ask them questions about the bulletin board. What is its purpose and function?
- Have the two individuals observe the bulletin board and determine if the bulletin board is serving its function. Symbolically what does it portray?
- Survey the parents, community, and staff to determine if they utilize this bulletin board to obtain important information about upcoming, high profile meetings.
- When someone applies for a job (Kyrene Kids Club and Sodexo) ask a question on the application about where they saw the job advertised. This would provide some information as to whether or not people are viewing the bulletin board outside of the Kyrene District Office.

Inside the Kyrene District Office Lobby

- Find out from Board secretary rationale and person responsible for Kyrene museum located in lobby.
- Talk with superintendent to see what his views are of Kyrene history. Does he see Kyrene history as important to the work of the district?
- Survey staff regarding their knowledge of Kyrene history. Do they see the Kyrene museum as an important component of the Kyrene lobby and more importantly the Kyrene culture? Why or why not?

Submitter : B Van Mantgem

Date: 11/02/2007

Organization : B Van Mantgem

Category : Individual

Issue Areas/Comments

GENERAL

GENERAL

It is very discouraging to read that President Bush and Congress are willing to spend over \$2 billion to help Mexico with the drug problems but not money for services to children in our own country. This is true whether it is for Medicaid or insurance. What a message to send to the world!!

Submitter :

Date: 11/02/2007

Organization : Texas Health and Human Services Commission

Category : State Government

Issue Areas/Comments

GENERAL

GENERAL

See attachment

CMS-2287-P-596-Attach-1.PDF



TEXAS HEALTH AND HUMAN SERVICES COMMISSION

ALBERT HAWKINS
EXECUTIVE COMMISSIONER

November 2, 2007

Centers for Medicare & Medicaid Services
Department of Health and Human Services
CMS-2287-P, mail stop S3-14-22
7500 Security Boulevard
Baltimore, MD 21244

Dear Sir or Madam:

I am writing to offer comments on the proposed rule regarding the Elimination of Reimbursement for School Administration Expenditures and Costs Related to Transportation of School-Age Children Between Home and School as published in the Federal Register on September 7, 2007. The Texas Health and Human Services Commission (HHSC), the single state Medicaid agency in Texas, objects to the elimination of Medicaid reimbursement for transportation between home and school for Medicaid-eligible special education students with a disability or chronic medical condition and for certain administrative activities performed by school districts.

In Texas, school-based Medicaid services are known as the School Health and Related Services (SHARS) program. Texas' Medicaid state plan amendment (SPA) relating to SHARS was approved by the Centers for Medicare and Medicaid Services (CMS), effective September 1, 2006. One of the services approved under the SPA, transportation services in the school setting, allows medically necessary transportation services to be provided to all Medicaid-eligible children on a specially adapted school bus to and/or from the location where the school-based services are provided when the Medicaid-eligible children are receiving SHARS school-based services the same day.

Currently, SHARS transportation services in the school setting is the third largest claim total of all 10 SHARS services. Under the proposed rule, states will no longer be able to claim federal financial participation (FFP) for SHARS transportation services in the school setting when transporting school-age children to and from school, even on days when they are receiving a SHARS service. Although the exact percentage is unknown, HHSC believes that transportation from home to school and back constitutes the largest percentage of SHARS transportation services in the school setting. These transportation services are essential for allowing access to

Centers for Medicare & Medicaid Services

November 2, 2007

Page 2

medically necessary Medicaid services for eligible children. Eliminating reimbursement for transportation services from home to school and back for school-age children with SHARS transportation identified as a medically necessary service in their Individualized Education Program plan will have a significant negative fiscal impact on the school districts.

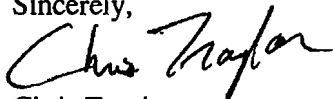
In Texas, the program that facilitates FFP claims to CMS for school-based administrative activities is called Medicaid Administrative Claiming (MAC). MAC is being conducted by school districts in order to recover the costs of assisting clients to access Medicaid services, including Medicaid outreach, eligibility intake, and information and referral.

The MAC program is conducted in accordance with CMS guidance on school-based claiming in the Medicaid School-Based Administrative Claiming Guide published by CMS in May 2003. Texas Independent School Districts receive approximately \$12.6 million in MAC funding on an annual basis.

CMS recently approved a SPA regarding the SHARS and MAC programs. The Random Moment Time Study (RMTS) was approved by CMS as the methodology to ensure that direct service and administrative costs are correctly and independently accounted for in the school districts. The use of the RMTS to capture these costs should alleviate CMS's concerns regarding the dual billing/payment of direct service and MAC activities performed by Texas Independent School Districts.

If you need more information or have any questions about this letter, please contact Emily Zalkovsky, Policy Analyst in the Medicaid and CHIP Division, at (512) 491-1482 or by e-mail at emily.zalkovsky@hhsc.state.tx.us.

Sincerely,



Chris Traylor
State Medicaid Director

Submitter : Ms. Michelle Powers

Date: 11/02/2007

Organization : FUSD 1

Category : Academic

Issue Areas/Comments

GENERAL

GENERAL

We strongly oppose the implementation of this rule change. Schools have become an important and cost-effective provider of essential health services for disabled children. These children are transported to school in small vans with special equipment and/or special staffing to meet their needs. The loss of this funding would severely impact our school district and our ability to provide services to all of our children.

Our district provides important outreach services for all of our children, providing information on Medicaid eligibility and services. We also provide essential and cost-effective care coordination for our children with severe disabilities. This cut would impact not only our funding but also services to our families.

Submitter : Mrs. Lisa Butler
Organization : Lava Ridge Elementary PTA
Category : Individual

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

I am an avid volunteer in my local school district as well as a board member of my local Parent Teacher Association (PTA) and county PTA. I want to reiterate how important the F.A.N. organization is to our schools and local communities. Hundreds of children are provided with clothing, food, school supplies and health care from our Family Access Network. These children would receive nothing if this organization dies due to lack of funding from Medicaid. Please do not let this happen!

Submitter : Mrs. Nelly Valdivia
Organization : SMS Succeed-Life Skills
Category : Individual

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

I stongly believe that these benefits should continue, due to the fact that it helps in all ereas concerning the children.

Submitter : Mr. Ruben Longoria
Organization : Texas Association of School Boards
Category : Other Association

Date: 11/02/2007

Issue Areas/Comments

GENERAL

GENERAL

See Attachment

CMS-2287-P-600-Attach-1.DOC



Texas Association of School Boards
P.O. Box 400 • Austin, Texas 78767-0400 • 512.467.0222

Serving Texas Schools Since 1949

November 2, 2007

Centers for Medicare & Medicaid Services
Department of Health and Human Services
ATTN: CMS-2287-P
Mail Stop S3-14-22
7500 Security Blvd.
Baltimore, MD 21244

To Whom It May Concern:

The Centers for Medicare and Medicaid Services (CMS) published in the Federal Register on September 7, 2007 a proposed rule (CMS 2287) that would eliminate federal reimbursements to schools that provide certain Medicaid services mandated under the Individuals with Disabilities Education Act (IDEA).

Section 411(k)(13) of the Medicare Catastrophic Coverage Act of 1988 (MCCA) clarifies that federal Medicaid reimbursement is available for services furnished to children in fulfillment of the requirements under IDEA. Specifically, section 1903(c) of MCCA “prohibits the Secretary from denying or restricting Federal Medicaid payment to States for covered services furnished to a child with a disability on the basis that the services are included in the child’s Individualized Education Program (IEP) or Individualized Family Services Plan (IFSP).”

The proposed rule outlined in the Federal Register states that Health and Human Services Secretary Leavitt determined that Medicaid reimbursements for school-based services do not meet the statutory test under section 1903(a)(7) of MCCA in as much that the services cannot be considered “necessary for the proper and efficient administration of the State [Medicaid] Plan.” However, the proposed rule does not describe which type of service Secretary Leavitt considers legitimate within Medicaid administrative activities.

Schools play an integral role in identifying children and connecting them to Medicaid services in schools and in their communities. The Texas Association of School Boards (TASB) is very concerned that the implementation of this rule would curtail access to vital health and developmental services for low-income children with special needs. The funds provided by the federal government afford a variety of services such as outfitting buses with specialized equipment, transporting children to school for their medical appointments, identifying students who need screenings and evaluations, and coordination and monitoring of medical care.

In Texas, it is estimated that Medicaid expenditures for school-based services totaled \$86.3 million in FY 2006. Roughly \$77.9 million of these expenditures were for direct services in schools, including \$14.4 million in transportation, and \$8.4 million was spent for school-based administrative activities. These federal dollars are not kept by the State of Texas nor are they used to pay its vendor, TMPH, for Medicaid claims processing: these funds go directly to the child with special needs.

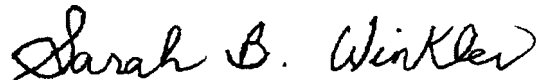
These services are mandated under the IDEA law, and school districts cannot curtail nor limit Medicaid services to students with disabilities. The loss of these resources means Texas schools will lay-off nurses and social workers, limit referral services, and reduce transportation services to students with disabilities. Furthermore, this action would substantially increase the burden on already financially-strapped local school districts. The budget constraints imposed by the proposed rule are likely to impact students in regular education programs, forcing school districts to scale back electives, after school initiatives, and teachers and professional support positions.

TASB strongly urges you **not** to implement proposed rule CMS 2287-P. Such action is necessary in order to protect schools' ability to provide students with disabilities with the health care services that are mandated by federal law.

Sincerely,



Renard L. Thomas
President
Texas Association of School Boards



Sarah Winkler
Vice President
Texas Association of School Boards