



STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

JANET OLSZEWSKI
DIRECTOR

February 1, 2009

TO: Interested Party
RE: Consultation Summary
Project #0837-SBS

Thank you for your comment(s) to the Medical Services Administration relative to Project Number 0837-SBS. Your comment(s) has been considered in the preparation of the final publication, a copy of which is attached for your information.

Responses to specific comments are addressed below.

Comment: Remove the requirement for times, frequencies and specific personal care services tasks to be listed in the Individualized Educational Program (IEP)/Individualized Family Service Plan (IFSP) and replace this with the requirement for a generic statement that "Personal care services are required."

Response: The Centers for Medicare and Medicaid Services (CMS) has clarified that the detailed service categories, times, and frequencies can be documented as part of the IEP/IFSP, as an attachment to the IEP/IFSP, or as a separate document. The IEP/IFSP must indicate the need for Personal Care services and the medical authorization must include the detailed service categories.

Bulletin MSA 09-07 has been updated to reflect these changes.

Comment: The requirement for a physician authorization is not in the approved State Plan Amendment (SPA) and, due to the type of service, seems excessive.

Response: This was addressed in the Consultation Summary for project 0823-SBS.

Below is the response from that Consultation Summary:

The federal regulations require an authorization by a physician. The CMS has provided clarification that the "authorization" can be performed by a physician or other licensed practitioner operating within the scope of their practice. The department has determined that it would be appropriate to expand this authority to the following professionals: Registered Nurse (RN), Occupational Therapist (OT), Physical Therapist (PT), Master of Social Work (MSW) and Speech Language Pathologist (SLP) in addition to a physician. It would be expected that the appropriate professional would authorize the service dependent upon the reason for the service need.

Comment: Within the policy guidelines is it appropriate for the classroom assistant to complete the log and if signed by such an employee, who is held accountable if the information being attested to is wrong or worse – a falsification of an official record?

Response: We expect that the person who is completing and signing the log is a qualified provider as indicated in policy and as such will be held responsible for any wrong or falsified records. The professional that oversees the provision of the care should be aware of the quality of care provided.

Comment: Consider publishing a copy of the cost report form (for Transportation) and related information about its completion.

Response: The forms and training software will be available prior to the financial training to take place in May 2009.

Comment: Include in the 'Definition' portion of Section 2.9 the definition of Activities of Daily Living (ADLs) since this is the first this term is used.

Response: The language in the Bulletin MSA 09-07 was adjusted to delete the term ADLs. The activity descriptions are already listed in Section 2.9.

Comment: Indicate the section references where reference to the Michigan School for the Deaf and Blind (MSDB) will be referenced.

Response: Bulletin MSA 09-07 has been revised to specify each reference.

I trust your concerns have been addressed. If you wish to comment further, send your comments to Linda Sowle, School Based Services Policy Specialist at:

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Sincerely,



Stephen Fitton, Acting Director
Medical Services Administration