

## SPECIAL EDUCATION: THIRD PARTY REIMBURSEMENT (TPR)

#### PRIVATE INSURANCE COVERAGE

March 2013

#### QUICK CHECKLIST

1. RESPONSIBILITY	1
2. COVERED CHILDREN	2
3. COVERED IEP HEALTH-RELATED SERVICES	3
4. PARENT CONCERNS: NOTICE, RIGHTS, BENEFITS	4
5. STATEWIDE DETERMINATIONS	5
6. SHAREPOINT – LOCATING PRIVATE INSURANCE DETERMINATIONS	7
7. FOLLOW DHS GUIDANCE FOR BILLING MHCP	10
8 MDE FORM TO PRIVATE HEALTH PLANS SEEKING COVERAGE DETERMINATION	11

Minnesota Department of Educaton Division of Special Education 1500 West Hwy 36 Roseville, MN 55113

#### QUICK CHECKLIST for Coverage by Private Insurers

check	TASK:		ANSWER:	ACTION:
	Sign up for MDE TPR Share Point.			
	Does the child have an Individualized Education Program (IEP)/Individual Family Service Plan (IFSP)?		NO	NO BILLING
	Does the child have an IEP/IFSP that includes health related services?		NO	NO BILLING
	Is the child enrolled in Minnesota Health Care Programs (MCHP)? This is a PUBLIC government plan, either Medical Assistance (MA) or MinnesotaCare? Ask parent.	<b>^</b>	NO MHCP (PUBLIC plan).	NO BILLING
		7	YES, has MHCP.	Check consent.
	Check parent consent to share data and to bill.  Parent may stop consent for school to share data and bill.		YES, consent ok.	Go to MN-ITS to locate plan info.
	In MN-ITS: Does the child have MHCP coverage during the time IEP health related services are provided?	م	YES, has MHCP.	In MN-ITS, find PRIVATE plan.
		7	MHCP not current.	Assist parent to re- enroll.
	In MN-ITS, under OTHER INSURANCE, is a PRIVATE plan listed?	مر	NO PRIVATE plan.	PROCEED to BILL MA.
		1	YES, PRIVATE plan.	Go to MDE TRP Share Point.
	In MDE TPR SharePoint, is the PRIVATE plan on the excel roster of private insurers?	مر	NO, PRIVATE plan is not on roster.	Send MDE the plan's contact info.
		1	YES, PRIVATE plan is on roster.	Check type of response: Denial or 3 ltrs, no response.
	Has the PRIVATE plan sent a DENIAL? Locate in folder of letters. Keep a paper or electronic copy.		YES, PRIVATE plan denial.	PROCEED to BILL MA. Use code B1.
	NO denial. PRIVATE plan did not respond to 3 sent letters. Print letters and complete coversheet. Fax to DHS per instructions in MN-ITS. Keep a paper or electronic copy.		NO PRIVATE plan denial. See 3 ltr bundle.	PROCEED to BILL MA. Fax 3 ltr bundle.
	NO denial. PRIVATE plan requires an individual client letter. Submit a request for payment x 3. I If denied, BILL MA. If no response, fax per instructions in MN-ITS.		PRIVATE plan requires individual determination.	Submit bill to PRIVATE plan.

#### 1. RESPONSIBILITY

According to federal law and regulations and state law, Minnesota school districts and charter schools are required to request payment for school provided IEP health related services covered by public and private health plans for children with disabilities. For students with both private and public plans, districts must first seek payment from the private plan before seeking reimbursement for services from public funds via Minnesota Health Care Programs (MHCP). The federal and state requirements are found in these citations:

Federal Law: 20 U.S.C. 1412(a)(12) and (e) SPECIAL EDUCATION, Methods of ensuring services.

(http://www.law.cornell.edu/uscode/text/20/1412?quicktabs 8=1#quicktabs-8)

Federal Regulation: 34CFR§300.154 EDUCATION OF CHILDREN WITH DISABILITIES. Note: Revised Federal Regulations are expected. (http://www.gpo.gov/fdsys/pkg/CFR-2011-title34-vol2/pdf/CFR-2011-title34-vol2-sec300-154.pdf)

Minnesota Law: Minnesota Statutes section 125A.21 THIRD-PARTY PAYMENT (<a href="https://www.revisor.mn.gov/statutes/?id=125A.21&year=2012&keyword\_type=all&keyword=125a.21">https://www.revisor.mn.gov/statutes/?id=125A.21&year=2012&keyword\_type=all&keyword=125a.21</a>)

The Medicaid authority in Minnesota, the Department of Human Services (DHS), provides guidance for documenting health related services and for billing. Minnesota Health Care Programs (MHCP), which includes the federal Medical Assistance program and the state MinnesotaCare program, pays school districts for one-half of the costs, the federal share, of covered Individualized Education Program (IEP) and Individualized Family Service Plan (IFSP) health related services for eligible children and youth birth through age 21. <a href="View the DHS Manual">View the DHS Manual</a>, <a href="Individualized Education Program (IEP) Services Technical Assistance Guide (DHS-4439)">Individualized Education Program (IEP) Services Technical Assistance Guide (DHS-4439)</a> (https://edocs.dhs.state.mn.us/lfserver/public/DHS-4439-ENG) for all policies, requirements and steps for third party billing.

This resource packet covers steps school districts must take:

when a child has **both** public and private insurance and

to determine if the **private insurers will pay or deny payment** for school provided IEP health related services for children with disabilities.

#### 2. COVERED CHILDREN

Children for whom school districts must seek **private insurance** payment are:

- Eligible for special education and have an Individual Education Program (IEP.
- Covered by both a private health plan and a public plan.
- In need of **health related services** in order to benefit from special instruction.

After the close of the IEP planning meeting, one special education team member should discuss third party billing with the child's parent. If the parent consents to sharing information with DHS and for the district to bill, request information about the child's health care coverage and request to see the child's insurance card. Verify the insurance card information via the DHS online information and billing site, MN-ITS (http://mn-its.dhs.state.mn.us). In MN-ITS, input the child's name and birthdate to search for the child's record. All children enrolled in MHCP are listed. The child's eligibility screen displays his/her insurance coverage. At the top of the page is a grid for the Provider ID (school district) and Subscriber or Client ID / Name (child). Find the line for Major Programs that displays the child's eligibility for Medical Assistance - whether or not the child is currently enrolled in MHCP. The Prepaid Health Plan line has the name of the agency providing MA coverage.

Prepaid Health Plans may include private insurers designated as a Managed Care Organization (MCO) or Prepaid Health Plan or Prepaid Medical Assistance Plans (P-MAPS). DHS contracts with these agencies to be Medical Assistance providers. Agencies have both public plans (also known as government products) and private plans. Minnesota examples that have both public and private plans include Health Partners, Medica, Blue Cross/Blue Shield, UCare and MPH. When listed under **Major Programs** as a Prepaid Health Plan, and NOT later on the screen under Other Insurance, the child has only a public plan.

#### NOTE:

When a child is covered ONLY by a public plan - Minnesota Health Care Programs (MHCP, Medical Assistance and MinnesotaCare) - NO information about a private insurer is needed. The district may proceed directly to billing MHCP on the DHS web-based MN-ITS.

Scrolling down to **Other Insurance**, the child's **private health plan**, if any, is listed. This resource packet refers to steps districts must take when a firm is listed as **Other Insurance – a private insurer** - on the MN-ITS child eligibility page.

#### 3. COVERED IEP HEALTH RELATED SERVICES

Listed below are the IEP health related services provided in schools that are reimbursed by MHCP. The health related services must meet Medical Assistance criteria - be medically necessary, provided by qualified professionals, follow documentation protocols, and so on. Private insurers, if covering these health related services, require that the services meet the same criteria.

To determine if a child has a disability and what services are necessary, IEP team members review areas from physical therapy through special transportation (below). When it is determined a child has a disability and is in need of special education, and an Individual Education Program (IEP) is developed, the **assessment/evaluation** conducted to reach the decision is eligible for MA reimbursement. Assistive Technology or Interpretive Services do not have an assessment component.

The services are listed with their respective billing codes (Healthcare Common Procedure Coding System (HCPCS)):

T1018 U1: IEP Physical Therapy
T1018 U2: IEP Occupational Therapy

T1018 U3: IEP Speech-Language Pathology/Audiology

T1018 U4 HE: IEP Children's Therapeutic Services and Supports (CTSS)

T1018 U4: IEP Mental Health Evaluation

T1018 U5: IEP Nursing Services

T1018 U6: IEP Personal Care Assistance (PCA)

T1018 U8 IEP Special Transportation

T1018 U7: IEP Assistive Technology Devices (Durable Medical Equipment)

T1013: Interpreter Services provided during the services above

<u>View the DHS Manual, Individualized Education Program (IEP) Services Technical Assistance</u> <u>Guide (DHS-4439)</u> (https://edocs.dhs.state.mn.us/lfserver/public/DHS-4439-ENG) for more information.

#### NOTE:

Private insurers do not cover the two services below. Therefore, even though a child has BOTH a public and private insurance, a district may proceed directly to billing MHCP on <a href="DHS web-based">DHS web-based</a> MN-ITS.

T1018 U6: IEP Personal Care Assistance T1018 U8: IEP Special Transportation

#### 4. PARENT CONCERNS: NOTICE, RIGHTS, BENEFITS

School districts must annually remind parents that they have consented to release information and bill insurers for school-provided services and that the school intends to bill for the services. Schools must also state that parents can stop permission at any time. Even if included in the *Notice of Procedural Safeguards*, a member of the special education team should review the consent to share data and to bill to ensure a parent understands.

School districts must have consent that specifically applies to both PUBLIC plans and PRIVATE plans.

Parents may worry that when schools bill for the IEP health related services, insurance benefits could be affected. Protections in federal law prohibit reduction of any DHS services because schools access funds for IEP health-related services. See the page for parents that explains the safeguards on the DHS website (https://edocs.dhs.state.mn.us/lfserver/Legacy/DHS-3456-ENG). Search the PACER website (http://www.pacer.org) using the term "third party billing" for additional information for this parent question. The same protections are not in place when billing private insurance companies. There have been situations where parents' premiums increase, service limits and prior approval levels change and lifetime maximums are affected.

#### NOTE:

Health insurance coverage for IEP health related services is often discussed with parents at the close of the IEP planning meeting. While convenient because a parent is present, it may not be an appropriate time. Many issues are discussed and the meeting can be overwhelming even without the third party billing questions. In addition, parents may believe that family finances are a private matter and it is embarrassing and a breach of trust if brought up in a team setting, or in front of their school age child or adolescent. A separate meeting or telephone contact is an opportunity to check out questions the parent has about the IEP as well as discuss information about health care coverage and billing.

#### 5. STATEWIDE DETERMINATIONS

#### a) PLAN

The Minnesota Department of Education (MDE), on behalf of school districts and charter schools statewide, contacts private insurers per agreement between the Education and Human Services agencies starting with the 2011-12 school year. The goal is to seek private insurers' intent to pay for IEP health related services for children with disabilities. If an insurer denies payment to schools, the single denial notice is used by school districts statewide. Information is posted in the MDE-hosted TPR SharePoint site. (For instructions on access to SharePoint, see section 6.)

#### **b) COMMUNIQUES TO PRIVATE INSURERS**

DHS requires that private insurers' intent to pay be reported annually. Therefore, each school year, MDE sends a standard cover letter and form to be returned by email or, when no valid

email address is available, by standard mail. The form includes the private insurer's current contact information, date and a request indicator (first, second, third). See the form at the end of this packet.

#### c) RESPONSE FROM PRIVATE INSURERS

#### Denial of coverage:

School districts DO NOT need to obtain an individual denial for each student covered by that plan but can proceed to bill MHCP.

- 1) Print or make an electronic copy of the letter.
- 2) Use the code **B1** in MN–ITS for denial of coverage.
- 3) Keep a print or electronic copy in the child's folder or central file, easily accessible if audited.

Typical reasons private plans deny payment include:

- School districts are not in the plan or network or do not have qualified providers. The plan does not pay school districts directly.
- The plan does not cover services that are determined by the Individualized Education Program (IEP) Team.
- The plan does not cover services without a referral from a medical doctor.
- Coverage is not provided for services in an educational setting to help a child benefit from specialized instruction.

MDE's experience from contacting private insurers during the 2011-12 school year shows that private insurers do not pay for school-provided health related services for students. Of all firms contacted, only one agreed to pay schools, and then only for physical therapy services.

Of the approximately 120 insurers contacted, nearly 40 percent sent responses denying services. Thirty percent sent no response even after three contact attempts within 90 days. For the rest, several firms repeatedly did not answer the question, insisting that individual client identification be provided; other firms no longer provided health coverage or provided only dental services: others were billing agents and not insurers: and, finally, mail was retuned due to incorrect addresses with no forwarding information available.

#### • No response, even after three attempts:

Districts DO NOT need to contact the company but can proceed to bill MHCP.

- 1) Print the three-letter bundle and the blank coversheet in the Share Point folder.
- 2) In the child's file in MN–ITS, select the "attach document" field; record the attachment code on the coversheet. Provide the other necessary information: school district's current National Provider Identifier (NPI) (not the old original one) and child/client's number.
- 3) Fax the coversheet with the three letters to DHS per instructions.
- 4) Keep the coversheet and letters in paper or electronic form in the child's folder or central file, easily accessible if audited.

When there is an attachment to a MN-ITS bill such as this three-letter packet, a DHS reviewer must locate the correct faxed attachment, review and approve it, and then mark and forward the electronic file for payment. If the reviewer cannot find the attachment, that payment request stops.

When there has been no response from a private insurer, MDE continues to contact the private insurers for a response. This aims to reduce the extra steps necessary for attaching no-response letters when billing.

#### 6. SHAREPOINT - LOCATING PRIVATE INSURANCE DETERMINATIONS

The Minnesota Department of Education (MDE) uses SharePoint to provide web-based information that is specific to certain groups. Users need an account for MDE's protected website pages. Follow these instructions to either: a) create an MDE account and then request SharePoint access or b) request access to the TPR SharePoint account.

#### a) CREATE AN MDE WEBSITE ACCOUNT (If you have an MDE account, go to step b.)

- 1) Go to the MDE website to set up an account (https://collaboration.education.state.mn.us/SpecialEd/3rdparty/default.aspx). Below the boxes, see the message about needing an account: Click 'click here'.
- On the Welcome to the MDE's password protected web sites page, under 'New user', click 'click here'.
- 3) On the User Authorization Agreement page, read and click 'I Accept'.
- 4) On the **MDE User Profile** page, complete the required fields. Note the field requirements in blue to the right of the respective fields. **User ID** minimum length is 8 characters.

Password minimum length is 8 characters and must contain at least one capital letter. Click 'save'.

#### b) REQUEST ACCESS TO THE SHAREPOINT THIRD PARTY REIMBURSEMENT SITE

- 1) Go to the Share Point Third Party Reimbursement site (https://collaboration.education.state.mn.us/SpecialEd/3rdparty/default.aspx).
- 2) You will see an Error: Access Denied page. At the bottom, click 'Request Access'.

- 3) On the next page, **Request Access**, type your **NAME** and **TPR** in the text box.
- 4) Click 'Send Request'. An email request is sent to the MDE site administrator for your User ID to be permitted access to this SharePoint site.
- 5) You will receive an email reply once your User ID is validated for access to the site.

#### c) LOG IN TO SHAREPOINT - TPR SITE

- 1) Go to the Share Point Third Party Reimbursement site (https://collaboration.education.state.mn.us/SpecialEd/3rdparty/default.aspx).
- 2) At the SIGN IN page, enter your User Name (same your User ID) and Password. Click 'Sign In'. You will be forwarded to the main page of the TPR SharePoint site:

#### d) LOCATE PRIVATE INSURANCE DETERMINATIONS

- 1) See the column at the left. Under **DOCUMENTS**, click **Shared Documents**.
- 2) On Shared Documents page, see the folder labeled School District Third Party Billing.
- 3) In School District Third Party Billing folder, find Private Health Plans: Statewide Denials.
- 4) In **Private Health Plans: Statewide Denials**, find the Excel roster of private insurers and the folders for the 2011-12 school year and the 2012-13 school year.

#### e) FIND SPECIFIC PRIVATE INSURER INFORMATION

To locate private insurance determinations in SharePoint:

- Check the current school year's Excel roster of private insurers to see if MDE has included the insurance plan on the roster. Note progresses of obtaining a response according to the color codes and dates communiques are sent.
- If a private insurer is NOT on the Excel roster: Go to MN-ITS: (http://mn-its.dhs.state.mn.us).
  - Find the eligibility screen for the child in question. Near the top of the screen, the first insurance listed is the Medical Assistance provider, even if it "looks like" a private insurance company. Bill MCHP.

- 3) In MN-ITS, scroll down to **OTHER INSURANCE**. A firm listed in this section is a private insurer.
  - a) Copy/capture the insurance information. Address an email to ruthellen.luehr@state.mn.us.
  - b) Use the subject line: TPR Private Insurer.

Paste the information into the body of the email. Include:

Carrier ID number assigned on MN-ITS.

Coverage Types.

Carrier Name (Name of health insurance plan).

Carrier Billing Address.

Carrier Contact Phone.

Optional: Group Number.

Name of contact person at the plan with email; fax number.

Any other contact information that will assist MDE.

c) DELETE the POLICY NUMBER and POLICY HOLDER NAME. (This is private information and must not be shared.)

Blue Card Claims is not an insurer but a routing company based on agreement among 'the Blues' for a person who lives and accesses health care in one state but is covered by a plan from another state. Check for the actual insurer on the parent's insurance card.

#### NOTES:

Do not access information solely from a parent's insurance card because it lacks details. Also, the family may be assigned to a network provider/clinic but the payer is another firm. (Ex. Person covered by Health Partners but in residence in Northfield. As there is no Health Partners clinic in Northfield, the client is assigned to a local Allina clinic. The payer is still Health Partners.) MN-ITS lists the correct insurance carrier/payer.

The same occurs nationally. For example, a parent works for Wal-Mart. The company headquarters in Arkansas selects a national insurer such as Aetna or Assurant. Aetna or Assurant may use the PreferredOne network in Minnesota to provide services but insurer/payer is still Aetna or Assurant.

4) Please provide MDE updates and suggestions.

Please relay any information a school district has from past contacts with private insurers or more current information than on the roster of insurers.

Please send suggestions or corrections to the information that is posted on the excel roster. Send an email to <a href="mailto:ruthellen.luehr@state.mn.us">ruthellen.luehr@state.mn.us</a>. Copy the information in question and paste into the email with suggestions and corrections. For example:

Email subject: TPR payer update

Found a street address for MEGA-COOL and a contact person. Also found a problem on a letter - check it out.

MEGA COOL CORP - MN	Carrier c/o Comp Care, Inc., PO Box 64668, St. Paul, MN 55164 // 4 U Care Lane, Pricey Park, St Paul, 55164	(651)662-5950; 866-356-2425 Ima's phone: 911-911-0001	Ima Great Guy; email: igreat@ci nga.com	5/15/12 PROBLEM: Wrong compainame on this letter	3 Itrs posted 8/1/12
------------------------------	---	--	---	--	----------------------------

#### 7. FOLLOW DHS GUIDANCE FOR BILLING MHCP

#### Find information on the DHS website

(http://www.dhs.state.mn.us/) > Partners and Providers > Health Care > MCHP Providers > IEP Providers.

Refer to the most current version of the Individualized Education Program (IEP) Services Technical Assistance Guide (DHS-4439)

(https://edocs.dhs.state.mn.us/lfserver/public/DHS-4439-ENG)

#### Recall these important steps:

- When a PRIVATE insurer has **denied** coverage as posted on the MDE TPR
   SharePoint site, the school district should bill MN-ITS, using the code B1. Then keep
   a paper or electronic copy of the letter in the child's file or a central location to be
   available in the event of an audit.
- If there has been **no response** from a PRIVATE insurer after three attempts, MDE bundles and posts the letters. The district must 1) download and print the letters and a coversheet, 2) record the MN-ITS attachment code plus other identifying information on the coversheet and 3) fax all to DHS.

# Minnesota Department of Education

### PAYMENT FOR HEALTH RELATED SERVICES FOR STUDENTS WITH DISABILITIES

Please respond to the questions below. Then sign and date and return.

Name of Health Plan:	Address:	Telephone:	
Name:	Title:	Email:	Notes:
Signature of person completing form:		Date:	

The Minnesota Department of Education is requesting information on behalf of school districts / charter schools statewide. Students with Individualized Education Program (IEP) may require health related services included in the list below. Some students with private health coverage are also eligible for medical assistance through Minnesota Health Care Programs (MHCP). For students with both private and public plans, districts must first seek a determination from the private plan for payment or denial. If denied, schools bill MHCP.

School-based individualized education program (IEP) services include assessment and services for:

Physical Therapy

Occupational Therapy

Speech-Language Pathology/Audiology

Children's Therapeutic Services and Supports

Mental Health

**Nursing Services** 

Assistive Technology Devices (Durable Medical Equipment)

Interpreter Services provided during the services above

#### Please answer:

O Yes. All services provided as authorized according to a child's IEP are covered. School districts should submit a claim to us for each eligible child for determination.

O Y/N. Only the service/s checked above, when authorized according to a child's IEP, are covered. All other services are not eligible for coverage because: Provide reason/s (required).

O No. The services above are not eligible for coverage because: Provide reason/s (required).

Please use one of these methods to relay your response:

- -- Scan and send an email as attachment to <a href="mailto:ruthellen.luehr@state.mn.us">ruthellen.luehr@state.mn.us</a>
- -- Fax to 651-582-8729, Attention: Ruth Ellen Luehr, Special Education
- -- Send to: Ruth Ellen Luehr, Minnesota Department of Education, 1500 Highway 36 West Roseville, MN 55113