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600 INTRODUCTION

Under Section 134 of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA), States are allowed the option to make Medicaid benefits available to eligible children with disabilities who would not ordinarily qualify for Supplemental Security Income (SSI) benefits ~~due to~~because of the parents' income or resources.

Section 134 is also known as the "Katie Beckett" Option in reference to the child whose disability prompted this change. Under the Nevada Medicaid Katie Beckett Eligibility Option ~~Medicaid eligibility category, the~~ State is allowed to waive the deeming of parental income and resources for a disabled child under 19 years of age who would be eligible for Medicaid if ~~the child was in he or she were in~~ a medical institution and who is receiving, while living at home, medical care that would normally be provided in a medical institution.

~~The child must require a Level of Care (LOC) that would make him or her eligible for placement in a hospital, Nursing Facility (NF) or Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/ID). A physician must sign a statement indicating that it is appropriate for the child to receive services in the home. These eligibility criteria are redetermined on an annual basis or in the case of a Pediatric Specialty Care level, every six months.~~

For children who become eligible for Medicaid under the Katie Beckett Eligibility Option, Medicaid covers medically necessary services as defined by the Medicaid State Plan. Waiver services are not available to children enrolled in the Katie Beckett Eligibility Option.

There is a monetary limit to the Medicaid medical coverage costs. The cost of the child's care in the home must be no greater than the amount Medicaid would pay if the child was institutionalized.

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601 ~~STATUTORY~~ AUTHORITY

Federal regulations governing the administration of the Katie Beckett Eligibility Option are referenced in the following locations:

Statutes and Regulations

- Section 134 of the Tax Equity and Fiscal Responsibility Act (TEFRA) of 1982 (Public Law 97-248). ~~This Section of the Act focuses on Medicaid coverage of home care for certain disabled children~~
- Section 1902(e)(3) of the Social Security Act – allows states to provide Medicaid assistance to children living at home if it is less expensive than providing similar care in an institution.
- 42 CFR 435.225
- 42 CFR 435.540 Requirements for Medicaid related disability decisions
- 42 CFR 435.911 Determination of Eligibility
- State Plan Supplement 3 to Attachment 2.2-A: Method for Determining Cost Effectiveness of Caring for Certain Disabled Children at Home (Katie Beckett Eligibility Option)
 - ~~Section 134 of TEFRA amends Section 1902 (e)(3) of the Social Security Act by adding the following option for each state: any individual who is 18 years of age or younger and qualified as a disabled individual under Section 1614(a); determination by the State that the individual requires a Level of Care (LOC) provided in a hospital, Skilled Nursing Facility (SNF) or Intermediate Care Facility (ICF); is appropriate to provide such care for the individual outside such an institution; the estimated amount, which would be expended for medical assistance for the individual for such care outside an institution is not greater than the estimated amount which would otherwise be expended for medical assistance for the individual within an appropriate institution; and if the individual were in a medical institution, would be eligible to have a Supplemental Security Income (SSI) or State supplemental payment made with respect to the individual under Title XVI, shall be deemed, for purposes of this title only, to be an individual with respect to whom a Supplemental Security Income payment, or State supplemental payment respectively, is being paid under Title XVI.~~

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602 DEFINITIONS

See Addendum For Definitions ~~ABLE~~

~~An able parent and/or legal guardian of a minor child, is a Legally Responsible Individual (LRI) who has the option to be present in the home during the time of carrying out necessary maintenance, health/medical care, education, supervision, support services and/or the provision of Activities of Daily Living (ADLs) and Instrumental Activities of Daily Living (IADLs) as needed.~~

~~ACTIVITIES of DAILY LIVING (ADLs)~~

~~ADLs are self care activities routinely performed on a daily basis, such as bathing, dressing, grooming, toileting, transferring, mobility continence and eating.~~

~~For the purpose of evaluation, the ADLs are defined as:~~

- ~~● Bathing/Dressing/Grooming: Includes bathing (washing oneself in a bathtub or shower, or by sponge bath. It also includes the individual's ability to get into and out of the shower or tub), dressing and undressing and personal hygiene.~~
- ~~● Toileting: Includes getting to and from the toilet, getting on and off the toilet and performing associated personal hygiene. Also includes the routine maintenance of incontinence.~~
- ~~● Transferring: Includes moving into or out of a chair, bed or wheelchair.~~
- ~~● Mobility: Includes walking and getting around with the use of assistive devices or with assistance.~~
- ~~● Eating: Putting food into the body from a cup, plate, feeding tube or intravenously. Does not include the preparation of food which is an IADL.~~

~~AGE APPROPRIATE~~

~~A developmental concept whereby certain activities may be deemed appropriate or inappropriate to the child's "stage" or level of development (developmental milestones).~~

~~CAPABLE~~

~~A capable parent and/or legal guardian of a minor child, is an LRI who is physically and cognitively capable of carrying out necessary maintenance, health/medical care, education, supervision, support services and/or the provision of needed ADLs and IADLs.~~

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CARE COORDINATION

~~A formal process that ensures ongoing coordination of efforts on behalf of Medicaid eligible recipients who meet the care criteria for a higher intensity of needs. Care coordination includes: facilitating communication and enrollment between the recipient and providers and providing for continuity of care by creating linkages to and monitoring transitions between intensities of services. Care coordination is a required component of case management services and is not a separate reimbursable service.~~

COST EFFECTIVENESS

~~The method by which the Division of Health Care Financing and Policy (DHCFP) monitors and tracks reimbursement for medical services to ensure that the established Level of Care (LOC) cost limitations are not exceeded.~~

DEVELOPMENTAL MILESTONE

~~A functional ability that is achieved by most children at a certain age. Developmental milestones can include physical, social, emotional, cognitive and communication skills.~~

DIAGNOSIS

~~The determination of the nature or cause of physical or mental disease or abnormality through the combined use of health history, physical and developmental examination and laboratory tests.~~

DIARY or DIARY DATE

~~Specific to the Katie Beckett Eligibility Option, the diary date drives the physician consultant's disability reevaluation date. The disability reevaluation date can be established for one, two or three years from the initial disability determination date. Diary dates are determined by the physician consultant based on Medical Improvement Possible (MIP), Medical Improvement Expected (MIE) or Medical Improvement Not Expected (MINE).~~

DISABILITY DETERMINATION

~~The DHCFP's physician consultant and professional staff make up the disability determination team. The team reviews medical documentation and determines if the applicant qualifies based on Social Security Disability Standards. Those standards outlined by Social Security Disability are:~~

- ~~a. The child/participant must have a physical or mental condition(s) that seriously limits his or her life activities; and~~

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~~b. The condition(s) must have lasted, or be expected to last, at least one year or the condition is expected to be terminal.~~

~~ELIGIBILITY~~

~~References a person's status to receive Medicaid program benefits. Eligibility is determined by the Division of Welfare and Supportive Services (DWSS) based upon specific criteria for the Katie Beckett Eligibility Option.~~

~~FUNCTIONAL ABILITY~~

~~Functional ability is defined as a measurement of the ability to perform ADLs and IADLs progressing from dependence to independence. This includes, but may not be limited to: dressing, bathing, grooming, mobility, eating, meal preparation, shopping, cleaning, effective speech or communication and adequate functioning of the respiratory system for ventilation and gas exchange to supply the individual's usual activity level, and performing cognitive tasks such as problem solving, processing information and learning. For the Katie Beckett Eligibility Option, the age and developmental stage of the child is taken into account when assessing functional ability.~~

~~FUNCTIONAL IMPAIRMENT~~

~~Functional impairment is a temporary or permanent disability (resulting from an injury or sudden trauma, aging, disease or congenital condition) which limits a person's ability to perform one or more ADLs or IADLs, including but not limited to: dressing, bathing, grooming, mobility, eating, meal preparation, shopping, cleaning, effective speech or communication, adequate function of the respiratory system for ventilation and gas exchange to supply the individual's usual activity level and performing cognitive tasks such as problem solving, processing information and learning.~~

~~INSTRUMENTAL ACTIVITIES OF DAILY LIVING (IADLs)~~

~~IADLs are activities related to independent living including preparing meals, shopping for groceries or personal items, performing light or heavy housework, communication and money management.~~

~~INTERMEDIATE CARE FACILITY FOR INDIVIDUALS WITH INTELLECTUAL DISABILITIES (ICF/ID)~~

~~An institution (or distinct part of an institution) which is primarily used for the diagnosis, treatment or habilitation of persons with intellectual disabilities or related conditions. In a protected residential setting, an ICF/ID facility provides ongoing evaluation, planning, 24 hour supervision, coordination and integration for health and habilitative services to help individuals function if or when they are able to return home.~~

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~~INTERMEDIATE CARE SERVICES FOR INDIVIDUALS WITH INTELLECTUAL DISABILITIES~~

~~Health and habilitative services provided to individuals with intellectual disabilities or related conditions. The services are certified as needed and provided in a licensed inpatient facility.~~

~~LEGALLY RESPONSIBLE INDIVIDUAL (LRI)~~

~~Individuals who are legally responsible to provide medical support including: spouses of recipients, legal guardians and parents of minor recipients, including: stepparents, foster parents and adoptive parents.~~

~~LEVEL OF CARE (LOC) ASSESSMENT~~

~~A screening assessment to determine if an applicant's or participant's condition requires the level of services provided in a hospital, Nursing Facility (NF) or ICF/ID.~~

~~NOTICE OF DECISION (NOD)~~

~~The method by which the DWSS or the DHCFP advises the participant of his or her Medicaid eligibility status.~~

~~PARENT~~

- ~~a. natural, adoptive or foster parent of a child (unless a foster parent is prohibited by State Law from serving as a parent);~~
- ~~b. a guardian, but not the State if a child is a ward of the State;~~
- ~~c. an individual acting in the place of a natural or adoptive parent (including a grandparent, stepparent or other relative) with whom the child lives; or~~
- ~~d. an individual who is legally responsible for the child's welfare~~

~~PARENTAL RESPONSIBILITY~~

~~An able or capable parent and/or legal guardian of a minor child, has a duty/obligation to provide the necessary maintenance, health/medical care, education, supervision and support. Necessary maintenance includes, but is not limited to, the provision of ADLs and IADLs.~~

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~~PARENTAL FINANCIAL RESPONSIBILITY (PFR)~~

~~The cost-sharing portion that enables a child to receive Medicaid coverage under the Katie Beckett Eligibility Option. PFR is based on evaluation of parental income and resources by the DWSS with the PFR amount determined based upon a sliding fee schedule.~~

~~PERIODIC~~

~~Intervals established for screening by medical, dental and other health care providers to detect disease or disability that meet reasonable standards of medical practice. The procedures performed and their frequency depend upon the child's age and health history.~~

~~SCREENING~~

~~A methodical examination performed to determine a child's health status and to make appropriate diagnosis and treatment referrals.~~

~~SKILLED NURSING (SN)~~

~~SN means the assessments, judgments, interventions and evaluations of intervention, which require the training and experience of a licensed nurse. SN care includes, but is not limited to:~~

- ~~a. performing assessments to determine the basis for action or the need for action;~~
- ~~b. monitoring fluid and electrolyte balance;~~
- ~~c. suctioning of the airway;~~
- ~~d. central venous catheter care;~~
- ~~e. mechanical ventilation, and~~
- ~~f. tracheotomy care.~~

~~TREATMENT~~

~~One or more medically necessary services or care options provided to prevent, correct or improve disease or abnormalities detected by screening and diagnostic procedures.~~

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603 POLICY

603.1 ~~GENERAL~~ ELIGIBILITY CRITERIA

Applicants or participants must meet and maintain all eligibility criteria to remain on Medicaid under the Katie Beckett Eligibility Option. The Division of Welfare and Supportive Services (DWSS) and Division of Health Care Financing and Policy (DHCFP) collaboratively determine eligibility as follows:

~~Eligibility for Nevada Medicaid under Katie Beckett Eligibility Option allows the State to waive the deeming of parental income and resources for children who meet all of the following conditions:~~

1. The child must be under 19 years of age and determined to be disabled based upon Social Security Disability Standards.
2. The child must require a Level of Care (LOC) ~~that would make him or her eligible~~ for placement in a hospital, Nursing Facility (NF) or Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/ID).
3. A physician ~~or other medical professionals as approved by the SSA~~, must sign a statement indicating that it is safe and appropriate for the child to receive care in the home.
4. ~~Must meet LOC eligibility criteria as assessed by DHCFP HCCExpenditures must not exceed the amount that the Division of Health Care Financing and Policy (DHCFP) would pay for Medicaid services if the child was institutionalized.~~
5. ~~Financial eligibility is determined by DWSSAs an individual, the child's income and or resources do not exceed the limits established by the Division of Welfare and Supportive Services (DWSS). Income and resource limits can be obtained from the DWSS, as DWSS determines financial eligibility.~~

603.1A2 ~~COVERAGE AND LIMITATIONS~~ ELIGIBILITY DETERMINATION

~~Applicants or participants must meet and maintain all eligibility criteria to remain on Medicaid under the Katie Beckett Eligibility Option. Eligibility determination is made on an annual basis by the combined efforts of the DWSS, the DHCFP and the Aging and Disability Services Division (ADSD) when indicated.~~

1. DWSS evaluates parental income and resources to establish KB premium. DHCFP invoices and collects KB premium.
2. The child must have a disability as determined by the DHCFP Physicians Consultant based on the Social Security Disability Standards.
3. Third Party Liability (TPL)

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- ~~1. The DWSS processes applications to determine Medicaid eligibility.~~
 - a. Refer to Medicaid Services Manual (MSM) Chapter 100 ~~Parental income and resources are waived when determining the child's eligibility.~~
 - b. Participants eligible for Medicaid through the Katie Beckett Eligibility Option are required to pursue and/or maintain other health care coverage if it is available to the recipient, parent, and/or legal guardian.
- ~~a. —~~
- ~~b. — The DWSS evaluates parental income and resources to establish the dollar amount of the Parental Financial Responsibility (PFR), if any.~~
- ~~e. — Collection of the PFR is the responsibility of the DWSS.~~
- 4.
- ~~2. The cost to receive services in the home must not be higher than institutional cost. DHCFP staff in the District Offices facilitate the processing of Katie Beckett Eligibility Option applications for Medicaid eligibility. Upon receipt of applicant information from the DWSS, the DHCFP District Office staff:~~
 - a. Complete a face to face interview and conduct a formal assessment of the child in the home setting to determine if an LOC exists.
 - ~~b. — Facilitate the collection of medical records to forward to the DHCFP's Physician Consultant and review team at the DHCFP Central Office for disability determination and redeterminations.~~
 - ~~e. — If a child does not meet a NF LOC, but medical records provide information indicating there is either an intellectual disability or related condition diagnosis, the parent(s) or guardian(s) is referred to ADSD for further assessment.~~
- ~~3. — The ADSD staff are responsible for the evaluation and determination of an ICF/ID LOC for intellectual disabilities or related conditions.~~
 - a. — The DHCFP requires that the individual determining an ICF/ID LOC must be at least a Developmental Specialist III (DSIII) or a Qualified Intellectual Disability Professional (QIDP).
- ~~d. — Third Party Liability (TPL)~~
 1. — Refer to Medicaid Services Manual (MSM) Chapter 100.

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~~2. Participants eligible for Medicaid through the Katie Beckett Eligibility Option are required to pursue and/or maintain other health coverage if it is available to the recipient, parent, and/or legal guardian.~~

~~603.1B3~~ **COVERAGE AND LIMITATIONS PROVIDER RESPONSIBILITIES**

Providers are responsible for confirming the recipient's Medicaid eligibility each month prior to rendering Medicaid services.

~~603.1C~~ **PARENTAL RESPONSIBILITIES Parental Responsibility**

An able and/or capable parent or Legally Responsible Individual (LRI) of a minor child has a duty/obligation to provide the necessary maintenance, health/medical care, education, supervision and support. Necessary maintenance includes but not limited to, the provision of Activities of Daily Living (ADLs) and Instrumental Activities of Daily Living (IADLs). Payment will not be made for the routine care, supervision or services normally provided for the child without charge as a matter of course in the usual relationship among members of a family.

~~603.24~~ **CARE COORDINATION ADMINISTRATIVE CASE MANAGEMENT**

Care Coordination is a component of the case management services provided by DHCFP HCCs which assist the recipient to remain in the home.

~~603.2A~~ **COVERAGE AND LIMITATIONS**

Care Coordination includes, but not to: ~~s a component of the services provided by the DHCFP Health Care Coordinators which assists the participant to remain in his or her home. The role of the DHCFP Health Care Coordinator is to:~~

1. ~~F~~Facilitate access to medical, social, educational and other needed services regardless of the funding source.
2. ~~M~~Monitor ~~annual~~ ~~quarterly~~ ~~calendar~~ costs incurred and discuss with family during the yearly home visit to ensure that expenditures ~~do~~ are not exceeded for the allowable cost limits and assist the family in prioritizing services.
3. ~~P~~Prepare parent or guardian for transition to other services when Medicaid eligibility is no longer met under the Katie Beckett Eligibility Option (i.e. SSI eligibility, age 19) and or assist with any ongoing or unmet needs.
 - a. Coordinate with the DWSS caseworker to change eligibility category;
 - b. Refer to Medicaid Waiver programs as appropriate; and

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~~c3.~~ Refer to community resources.

4. Maintain ~~regular~~ ~~at least quarterly~~ contact with parent or guardian by phone, **email, mail, letter** or in person to ensure that all necessary services are accessed and identify any significant change in the child's condition or unmet needs, making referrals as necessary.
5. **Conduct** in-home visits (**virtual or in-person**) with the child and parent or guardian for determination of a LOC, making appropriate referrals as necessary. The number of visits per year is driven by the LOC, but home visits are conducted at least annually.

603.2B **PROVIDER RESPONSIBILITIES**

~~5~~ ~~PROGRAM~~ other related **DHCFP Health Care Coordinators must be currently licensed as a Social Worker or licensed professionals by the State of Nevada., or licensure as a Registered Nurse by the Nevada State Board of Nursing.**

603.3 **INTAKE PROCEDURES** ~~COOPERATION~~

The parent or legal guardian must cooperate with program processes which includes responding to the ~~within 30 days to communications from the~~ **DHCFP HCC** ~~Health Care Coordinator~~ and requests for information within appropriate time frames. -

Initial and/or Annual Home Visit (HV) process:

1. Upon receipt of referral, HCC will send HV letter with intake packet.
2. HCC will call within 10 business days from date on the HV letter to schedule child's initial or annual HV.
3. Parents will provide all required documents within 30 days of requested date including but not limited to:
 - a. Physician Statement (see section 603.5 for details of SSA acceptable medical professionals)
 - b. Home Visit Questionnaire
 - c. Consent for Release of Information
 - d. Medical Records from all providers

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- e. School records including Teacher Questionnaire, Individualized Education Program (IEP) and Psychoeducational testing.
- 4. Required Contacts with HCC staff
 - a. Contacts required by phone, email, or mail. Once contact is initiated by DHCFP response is required within 30 days.
 - b. If program requirements are not met, after third attempt, DWSS will be notified of non-cooperation and the case will be closed.

- Commented [RM1]: Need updated language added for contacts
- Commented [MG2]: Are required by phone (take out annually)
- Commented [RM3R2]: completed
- Commented [MG4]:
- Commented [MG5]: Add language for non-cooperation or elig not met

603.46 LEVEL OF CARE (LOC)

- 1. LOC assessments must be age appropriate and take into consideration the diagnoses, developmental milestones and functional abilities of the child. ADLs may be looked at as tasks but must be developmentally appropriate in relationship to the child's age and that a child should be able to perform independently.
- 2. Children must have intensive support needs in areas of behavioral skills, general skills training, personal care, medical interventions, etc., beyond those required for children the same age.
- 3. ~~An~~ NF or ICF/ID LOC is ~~assigned~~ for a one-year period of time after the initial assessment and evaluation. There is a home visit conducted at least annually to reassess the LOC.
- 4. NF Pediatric Specialty Care I and Pediatric Specialty Care II LOC's are assigned for a six-month period, and a reassessment of the LOC occurs every six months. Service levels determine the monthly cost allowance available for services and supplies for the child.
- ~~a. Nursing Facility Standard is appropriate when the child's diagnoses result in functional impairments that indicate a need for skilled nursing care or comprehensive habilitation as evidenced by the following:~~
- 5. Nursing Facility Standard is appropriate when the child's diagnoses result in functional impairments that indicate a need for skilled nursing care or comprehensive habilitation as evidenced by the following:
 - a. The child's diagnoses require specialized professional training and monitoring beyond those normally expected of parents.
 - b. The child requires skilled observation and assessment several times daily due to significant health needs.

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- c. The child has unstable health, functional limitations, complicating conditions, cognitive or behavioral conditions or is medically fragile such that there is a need for active care management.
- d. The child's impairment substantially interferes with the ability to engage in everyday activities and perform age appropriate activities of daily living at home and in the community, including but not limited to bathing, dressing, toileting, feeding and walking/mobility.
- e. The child's daily routine is substantially altered by the need to complete these specialized, complex and time consuming treatments and medical interventions or self-care activities.
- f. The child needs complex care management and/or hands on care that substantially exceeds age appropriate assistance.
- g. The child needs restorative and rehabilitative or other special treatment.

6b. Nursing Facility Pediatric Specialty Care I and Pediatric Specialty Care II is limited to participants from birth to 19 years of age, who are medically fragile and require specialized, intensive, licensed skilled nursing care beyond the scope of services than what is generally provided to the majority of NF participants.

To qualify for this LOC, a participant must be receiving highly skilled services which require special training and oversight. Pediatric Specialty Care rates are approved for a maximum of six months at a time. ~~Each Pediatric Specialty Care I or II child's LOC must be reevaluated every six months.~~

For a detailed description of Pediatric Specialty Care I and II, refer to MSM 500 – Nursing Facilities.

7e. ~~For Individuals with Intellectual Disabilities, ADSD or DHCFP determines the ICF/ID LOC. Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/ID). ADSD determines the ICF/ID LOC.~~

603.5 **DISABILITY DETERMINATION**

DHCFP Physician Consultant reviews the application and determines eligibility based on the most recent Disability Guidelines under Social Security.

Applicants or participants must meet and maintain the disability eligibility criteria as defined in the most recently published electronic version of Disability Evaluation Under Social Security

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(U.S. Department of Health and Human Services (DHHS), Social Security Administration (SSA), SSA Publication No. 64-039, ICN No. 468600).

Specific to the Katie Beckett Eligibility Option, the diary date drives the physician consultant’s disability reevaluation date. The disability reevaluation date can be established for one year or up to a maximum of (7) years, from the initial disability determination date. Diary dates are determined by the physician consultant based on Medical Improvement Possible (MIP), Medical Improvement Expected (MIE) or Medical Improvement Not Expected (MINE)

Acceptable Medical Sources (Physician Statement)

Documentation of the existence of an individual’s impairment must come from medical professionals as defined in the Disability Evaluation Under Social Security. “Acceptable medical sources” per SSA are:

1. Licensed physicians (medical or osteopathic doctors), Advanced Practice Nurse (APRN), or Physician Assistant (PA/PA-C)
2. Licensed or certified psychologists. Included are school psychologists, or other licensed or certified individuals with other titles who perform the same function as a school psychologist in a school setting, for purposes of establishing mental retardation, learning disabilities, and borderline intellectual functioning only;
3. Licensed Optometrists, for purposes of establishing visual disorders only (except, in the U.S. Virgin Islands, licensed Optometrist, for measurement of visual acuity and visual fields only);
4. Licensed Podiatrists, for purposes of establishing impairments of the foot, or foot and ankle, depending on whether the State in which the podiatrist practices permits practice of Podiatry on the foot only, or the foot and ankle;
5. Qualified speech-language pathologists, for purposes of establishing speech or language impairments only. For this source, “qualified” means that the speech –language pathologist must be licensed by the State professional licensing agency or be fully certified by the State education agency in the State in which he or she practices, or holds a Certificate of Clinical Competence from the American Speech-Language-Hearing Association.

Copies of medical evidence from hospitals, clinics, or other health facilities where an individual has been treated are also requested. All medical reports received are considered during the disability determination.

Information from other sources is also considered in assessing the extent to which a person’s impairment(s) affects his or her ability to function. Other sources include public and private social welfare agencies, non-medical sources such as teachers, day care providers, social workers,

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employers, and practitioners such as naturopaths, chiropractors, audiologists, occupational or physical therapists, and/or speech and language pathologists.

603.6 Katie Beckett Premium

All families in the Katie Beckett Program are responsible for a KB premium that is billed monthly. The premium will be based on the Payment Agreement Guide (NMO-) which is updated annually (April 1st) to reflect current Federal Poverty Level income ranges. The premium may be paid monthly, quarterly, or annually. Parents/ guardian will still be responsible for any premium payment agreement once you sign, even if the Katie Beckett coverage is voluntarily ended, services are not used, the recipient ages out of the program or the recipient moves out of the State of Nevada. Katie Beckett premium payments are non-refundable. Failure to pay the premiums shall result in termination of eligibility from the Katie Beckett Program.

603.7 ~~RATE METHODOLOGY AND~~ COST EFFECTIVENESS

DHCFP must assure CMS that the costs incurred by Medicaid for each child does not exceed the costs of institutional care. There are services and supplies that are not included in the in the facility rate and are excluded from the child's Institutional LOC overall costs. Institutional care costs are an adjusted figure to what is normally covered in an inclusive rate for an appropriate LOC for a facility, for e.g., room and board, daily nursing care, and general supplies (see MSM Chapter 503.16 for a full list of exclusions.

KB eligibility option allows for Medicaid providers to deliver services/supports, and assurance of the cost effectiveness of these services.

1. ~~The DHCFP Reimbursement Analysis & Payment Unit uses the average daily NF-DHCFP uses the average daily NF, ICF/ID, or PSC I/II rates to determine the allowable costs for recipients who meet their assigned a NF-level of care.~~
2. Annual claims reports will be evaluated at the time of redetermination~~The rates for the ICF/ID facilities are averaged. This amount is then used to determine the allowable costs for recipients who meet an ICF/ID level of care.~~ The report shows the total Medicaid expenditure amount incurred during the past year.
3. ~~At the end of each calendar quarter, a list of approved Katie Beckett Eligibility Option cases is generated by the DHCFP staff. The list shows the total Medicaid expenditure amount incurred for that quarter for each eligible child under the Katie Beckett Eligibility Option.~~
3. ~~The purpose is to ensure that the costs incurred by Medicaid for each child does not exceed the projected costs of institutional care. There are services and supplies that are not included in the Facility Rate and are excluded from the child's Institutional LOC overall costs.~~

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If the adjusted incurred amount exceeds the maximum allowable amount, the HCC will contact the recipient's parent or legal guardian to review the cost to determine if there has been a significant change in condition of recipient. ~~Health Care Coordinator~~ If there's no significant change, discuss how to mitigate the additional costs incurred. ~~at the appropriate DHCFP office is notified. The DHCFP Health Care Coordinator will contact the participant's parent or legal guardian and advise him/her:~~

- ~~1. of the requirement to keep costs at or below the maximum allowable amount; and~~
- ~~2. that failure to keep costs at or below the maximum allowable amount for a second consecutive quarter will result in termination of Medicaid eligibility under the Katie Beckett Eligibility Option.~~
4. An exception to this requirement occurs when a participant is re-evaluated by the DHCFP and determined to require a higher LOC (thereby increasing the maximum allowable amount) ~~the participant's incurred costs exceed the maximum allowable amount for two consecutive quarters, he/she will be terminated from the Katie Beckett Eligibility Option and consequently from Medicaid services, effective the first day of the month following the date of determination of non-compliance with program requirements.~~

~~An exception to this requirement occurs when a participant is re-evaluated by the DHCFP and determined to require a higher LOC (thereby increasing the maximum allowable amount).~~

5. If during a re-evaluation the participant's LOC is decreased, the maximum allowable costs will be decreased accordingly.
6. If the recipient's incurred costs exceed the maximum allowable amount for two consecutive years, the recipient may be terminated from the Katie Beckett Eligibility Option and consequently from Medicaid services, effective the first day of the month following the date of determination of non-compliance with program requirements.
- ~~4. If during a re-evaluation the participant's LOC is decreased, the maximum allowable costs will be decreased accordingly.~~

~~603.8 TERMINATION FROM THE KATIE BECKETT ELIGIBILITY OPTION~~

~~Reasons to terminate a recipient from the Katie Beckett Eligibility Option:~~

- ~~a. The parent or legal guardian has requested that the recipient be terminated from the Katie Beckett Eligibility Option.~~

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- ~~b. The DHCFP Health Care Coordinator has not received requested information, or has lost contact with the parent or legal guardian.~~
- ~~c. The recipient has moved out of state.~~
- ~~d. The recipient has been, or is expected to be, institutionalized over 60 days (in a hospital, nursing facility, ICF/ID, RTC or incarcerated).~~
- ~~e. Failure to keep costs at or below the maximum allowable amount for a second consecutive quarter will result in termination of Medicaid eligibility under the Katie Beckett Eligibility Option.~~

603.89 AUTHORIZATION PROCESS

Medicaid eligibility does not guarantee payment for services. Some services covered by Nevada Medicaid must be authorized based on medical necessity, and/or specific program policy and limitations. Out of state medical care may be authorized per MSM Chapter 101.1. Services are authorized by the Quality Improvement Organization (QIO)-like vendor.

604 HEARING REQUESTS DUE TO ADVERSE ACTIONS

An adverse action refers to denials, terminations, reductions, or suspensions of an applicant/recipient's request for services or a recipient's eligibility determination. The DHCFP must grant the opportunity for a hearing to an applicant/recipient/designated representative/Legally Responsible Individual (LRI) in the event an adverse is taken by DHCFP. Refer to Medicaid Services Manual (MSM) Chapter 3100 for information regarding Hearing Procedures.

604.1 DENIAL OF DISABILITY APPLICATION

An application for disability may be denied if the applicant:

1. Does not meet the disability criteria as determined by DHCFP Physician Consultant;
2. Does not meet the level of care criteria for Katie Beckett Eligibility Option;
3. Has withdrawn their request for disability determination;
4. Has failed to cooperate during the application process and/or in the submission of required documents;
5. DHCFP has lost contact with the parent(s) or LRI.

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The DHCFP LTSS Unit or District Offices will send a NOD to the parent(s) or legal guardian(s) letting them know that the application has been denied and the reason for denial.

604.2 **TERMINATION OF KATIE BECKETT ELIGIBILITY OPTION**

Reason to terminate a recipient from Katie Beckett Eligibility Option

1. The parent or legal guardian has requested that the recipient be terminated from the Katie Beckett Eligibility Option.
2. The DHCFP Health Care Coordinator has not received requested information within requested timeframe.
3. The recipient has moved out of state
4. The recipient has been, or is expected to be, institutionalized over 60 days (in a hospital, nursing facility, ICF/ID, RTC or incarcerated).
5. Failure to keep costs at or below the maximum allowable amount for two consecutive years.
6. Does not maintain other health coverage if it is available to the recipient, parent, and/or legal guardian.
7. Has failed to cooperate during the annual redetermination process and/or in the submission of required documents.
8. Loss of contact
9. Failure to pay the KB premium

The DHCFP LTSS Unit or District Offices will send a NOD to the parent(s) or legal guardian(s) letting them know that recipient has been terminated and the reason for the termination.

605 **APPEALS AND HEARINGS**

Refer to MSM Chapter 3100 Hearings for specific instructions regarding notice and hearing procedures. Recipients are informed of their rights to a fair hearing at the initial face-to-face visit and annually thereafter when they are given the Recipients Rights Form.

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~~Refer to Medicaid Services Manual (MSM) Chapter 3100 for information regarding Hearing Procedures.~~

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605 REFERENCES AND CROSS REFERENCES

Please consult chapters of the Medicaid Services Manual (MSM) which may correlate with this chapter.

Chapter 100	Medicaid Program
Chapter 200	Hospital Services
Chapter 300	Radiology Services
Chapter 400	Mental Health and Alcohol/Substance Abuse Services
Chapter 500	Nursing Facilities
Chapter 600	Physician Services
Chapter 700	Rates and Cost Containment
Chapter 800	Laboratory Services
Chapter 900	Private Duty Nursing
Chapter 1000	Dental Services
Chapter 1100	Ocular Services
Chapter 1200	Prescribed Drugs
Chapter 1300	DME, Disposable Supplies and Supplements
Chapter 1400	Home Health Agency
Chapter 1500	Healthy Kids Program (EPSDT)
Chapter 1600	Intermediate Care for Individuals with Intellectual Disabilities
Chapter 1700	Therapy
Chapter 1900	Transportation Services
Chapter 2800	School Based Child Health Services
Chapter 3100	Hearings
Chapter 3300	Program Integrity
Chapter 3500	Personal Care Services (PCS) Program
Chapter 3600	Managed Care Organization