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State/Territory Name: Florida

State Plan Amendment (SPA) #:16-0025

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
Atlanta Regional Office
61 Forsyth Street, Suite 4T20
Atlanta, Georgia 30303



DIVISION OF MEDICAID & CHILDREN'S HEALTH OPERATIONS

December 5, 2016

Ms. Beth Kidder
Interim Deputy Secretary for Medicaid
Agency for Health Care Administration
2727 Mahan Drive, Mailstop #20
Tallahassee, FL 32308

ATTN: April Cook

Re: Florida Title XIX State Plan Amendment 16-0025

Dear Ms. Kidder:

We have reviewed the proposed amendment to the Florida State Plan, submitted under transmittal number FL 16-0025, received on October 14, 2016. This amendment includes technical and editorial changes, deletes obsolete language, and updates the fee schedule.

Based on the information provided, this amendment was approved on December 5, 2016. The effective date is October 1, 2016. We are enclosing the approved form HCFA-179 and plan pages. If you have any questions, please contact Cheryl Brimage at 404-562-7116 or cheryl.brimage@cms.hhs.gov.

Sincerely,

//s//

Jackie Glaze
Associate Regional Administrator
Division of Medicaid & Children's Health Operations

EARLY AND PERIODIC SCREENING AND DIAGNOSIS OF INDIVIDUALS UNDER
21 YEARS OF AGE, AND TREATMENT OF CONDITIONS FOUND:

(24f) Description

9 Personal care services provide medically necessary assistance, in the home or the community, with activities of daily living (ADL) and age appropriate instrumental activities of daily living (IADL) to enable recipients to accomplish tasks they would normally be able to do for themselves if they did not have a medical condition or disability. Personal care services are provided in accordance with 42 Code of Federal Regulations 440.167.

Who Can Receive

Personal care services are available to recipients under the age of 21 years who require medically necessary personal care services.

Who Can Provide

- Home health agencies licensed in accordance with section 408.810, Florida Statutes (F.S.), and Rule Chapter 59A-8, Florida Administrative Code.
- Independent personal care providers who:
 - Are 18 years or older.
 - Are trained in the areas of cardiopulmonary resuscitation, HIV/AIDS, and infection control.
 - Have at least one year of experience working in a medical, psychiatric, nursing or child care setting or working with recipients who have an intellectual disability. College, vocational, or technical training in medical, psychiatric, nursing, child care, or intellectual disabilities equal to 30 semester hours, 45 quarter hours, or 720 classroom hours can be substituted for the required experience.

Allowable Benefits

Personal care services are reimbursed for up to 24 hours per day, per recipient, in order to provide assistance with ADLs and age appropriate IADLS when the recipient meets the following criteria:

- Is under the care of a physician and has a physician's order for personal care services
- Requires more extensive and continual care than can be provided through a home health visit
- Requires services that can be safely provided in their home or the community
- Has a medical condition or disability that substantially limits their ability to perform ADLs or IADLs and does not have a parent or legal guardian able to provide the required care

In accordance with section 1905(a) of the Social Security Act, codified in Title 42 of the United States Code 1396d(a), services that exceed coverage may be approved, if determined medically necessary. The provider is required to obtain prior authorization from the Agency or its designee.

Exclusions

Florida Medicaid does not reimburse for the following:

- Services funded under section 110 of the Rehabilitation Act of 1973 or under the provisions of the Individuals with Disabilities Educational Act
- Services furnished by relatives as defined in section 429.02(18), F.S., household members, or any person with custodial or legal responsibility for the recipient. (Except when a recipient is enrolled in the Consumer-Directed Care Plus program)
- Services provided in any of the following locations:
 - Hospitals
 - Institutions for Mental Disease (IMDs)
 - Intermediate care facility for individuals with intellectual disabilities
 - Nursing facilities
 - Prescribed pediatric extended care centers
 - Residential facilities or assisted living facilities when the services duplicate those provided by the facility

PERSONAL CARE SERVICES

(23f) Description

Personal care services are not available for non-EPSDT recipients 21 years of age and older. Service limitations for EPSDT recipients are listed in the EPSDT section.

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METHODS USED IN ESTABLISHING PAYMENT RATES

PERSONAL CARE SERVICES:

Payment for personal care services is based on a state-developed fee schedule, which is the same for both governmental and private providers. The agency's personal care services rates were set as of 1/01/2015, effective for services on or after this date. The fee schedules are published

at: http://ahca.myflorida.com/medicaid/review/fee_schedules.shtml