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State/Territory Name: Maine

State Plan Amendment (SPA) #:15-009

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DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
JFK Federal Building, Government Center
Room 2275
Boston, Massachusetts 02203



Division of Medicaid and Children's Health Operations / Boston Regional Office

November 15, 2015

Mary Mayhew, Commissioner
Department of Health and Human Services
11 State House Station
Augusta, Maine 04333-0011

RE: Maine ME 15-009

Dear Commissioner Mayhew:

We are now ready to approve State Plan Amendment (SPA) No. ME 15-009; attached you will find an approved copy of the SPA. As requested, this SPA is effective January 1, 2016.

The purpose of this SPA is to amend the State's approved Title XIX State Plan to change the benefit limits for Occupational Therapy Services. This SPA has an estimated Federal budget impact of \$627,786.45 in Federal Fiscal Year 2016 and \$837,048.60 in Federal Fiscal Year 2017.

If you have any questions regarding this SPA, please contact Aimee Campbell-O'Connor, Maine State Lead, at 617/565-1642, or at Aimee.Campbell-O'Connor@cms.hhs.gov.

Sincerely,

/s/

Richard R. McGreal
Associate Regional Administrator

cc: Stefanie Nadeau, Director, Office of Maine Care Services
Sam Senft, Director, Policy, Children's and Waiver Services

State/Territory: Maine

AMOUNT, DURATION AND SCOPE OF MEDICAL AND REMEDIAL CARE
AND SERVICES PROVIDED TO THE CATEGORICALLY NEEDY

Item 11b. Occupational Therapy Services – All occupational therapy services are furnished by or under the direction of qualified therapists. Prescribed by a physician of the healing arts within the scope of his or her practice under the state law and provided to a recipient by or under the direction of a qualified occupational therapist. Eligibility for adults is limited to those with rehabilitation potential and to treat following certain procedures, and in cases of required extensive assistance in activities of daily living, and to one evaluation and/or treatment visit for other medically necessary treatment. Medically necessary services are provided without limitations for children under EPSDT.

All professional staff must be conditionally, temporarily, or fully licensed as documented by written evidence from the appropriate governing body. All professional staff must provide services only to the extent permitted by licensure. The following professionals are qualified professional staff:

- Occupational Therapist, Licensed (OT/L);
- Occupational Therapy Assistant, Licensed (OTA/L)
- An OT/L may be self-employed or employed by an agency or business. Agencies, school or businesses may enroll as a provider of services and bill directly for services provided by qualified staff. AnOTA/L may not enroll as an independent billing provider.

The qualifications for the above listed Occupational Therapy Services providers and practitioners comports with the requirements of 42 CFR 440.110.

MaineCare will reimburse for covered medically necessary services in all outpatient settings, including the home. Services must be of such a level, complexity, and sophistication that the judgment, knowledge, and skills of a licensed therapist are required. All services must be in accordance with acceptable standards of medical practice and be a specific and effective treatment for the member's condition. Services related to activities for the general good and welfare of members (for example, general exercises to promote overall fitness and flexibility, and activities to provide diversion or general motivation) are not MaineCare covered occupational therapy services

- Evaluations or re-evaluations: For adults, one evaluation or re-evaluation per member per condition is a covered service.
- Modalities: Modalities are any physical agents applied to produce therapeutic changes to biologic tissues; including but not limited to thermal, acoustic, light, mechanical, or electric energy. Except when performing supervised modalities, the therapist is required to have direct (one-on-one) continuous patient contact.

TN No. 15-009

Supersedes

Approval Date: 11/15/16

Effective Date: 01/01/16

TN No. 10-012

State/Territory: Maine

- Therapeutic Procedures: Therapeutic procedures effect change through the application of clinical skills and/or services that attempt to improve function.
- Tests and measurements: The therapist is required to have direct (one-on-one) continuous patient contact in performing testing and measurement.
- Supplies: Covered supplies under this Section include items such as splinting and supplies necessary for the provision of occupational therapy services. Providers may not bill for supplies under other Sections of the MaineCare Benefits Manual, unless they are enrolled as providers and comply with the appropriate Section requirements. Covered supplies under this Section must be billed at acquisition cost and be documented by an invoice in the member's file. Routine supplies used in the course of treatment are not separately reimbursable. Take-home supplies are not reimbursable. MaineCare will not reimburse for more than two (2) hours of constant attendance therapeutic modalities and procedures occupational therapy services per day. This limit may be exceeded based on medical necessity and with a prior authorization for members under the age of twenty-one (21).
- Supervised modalities (those without direct one-to-one continuous contact) that are provided on the same day as modalities requiring constant attendance or on the same day as any other therapeutic procedure are not billable. Billing for supervised modalities as stand-alone treatment is limited to one (1) unit per modality per day.

Members receiving occupational therapy may not receive more than up to five (5) treatment visits and one (1) evaluation within twelve (12) months based on medical necessity. This limit may be exceeded with prior authorization based on a demonstration that the services is medically necessary.