

DHS Responses to Public Comments Regarding ADDT & EIDT Transportation Services

Charlie Green, Executive Director
Pathfinder, Inc.

Comment: The following proposed change stating that the ADDT covered services must be provided at the facility is not related to transportation and is a substantive change from what is stated in the Medicaid Manual and the ADDT Operations Manual. Service location restrictions are currently in dispute and attempting to add this restriction in a document entitled "ADDT and EIDT Transportation Services" does not seem in the best interest of the persons served by this program. Implementation of this restriction would make client participation in Special Olympics cost prohibitive. Exempting Special Olympic activities from this restriction could solve this issue.

214.000 Covered ADDT Services A. All covered ADDT services must be provided at the ADDT facility, or, in the case of ADDT transportation services, only involve the transportation of clients to or from the ADDT facility.

Additional Comment from Public hearing held remotely on May 24, 2022 at 10:30 a.m.

The proposed change, stating the ADDT must be provided as covered services by the facility 214.000, doesn't seem to be related to transportation, and is a substantive change from what states in the Medicaid manual and the ADDT Operations manual. Service location restrictions are currently in dispute and attempting to add this restriction on a document entitled transportation services don't seem to be in the best interest of the persons served. Implementation of these restrictions put my client's participation, to include in Special Olympics activities, including practices cost prohibitive for providers. Exempting Special Olympics practices and get in and participation would, could solve this problem without costing, or adding any fiscal impact to the changes. Thank you.

Response: Thank you for your comment. DDS does not believe this is a substantive change. This language adds the already existing state plan requirement that EIDT and ADDT services must be performed at the licensed EIDT or ADDT clinic to the ADDT Medicaid Manual and EIDT Medicaid Manual for clarification purposes. See the Arkansas Medicaid State Plan:

- Attachment 3.1-A, Page 1i: (3) on that page titled "Early Intervention Day Treatment (EIDT) Services" in the second sentence states, "Services are provided...in [a] multi-disciplinary clinic-based setting as defined in 42 CFR § 440.90." (my italics and underline emphasis).
- Attachment 3.1-A, Page 4a: sets out requirements for Adult Developmental Day Treatment (ADDT) Services under the title "9. Clinic Services".
- Attachment 3.1-B, Page 2h: (3) on that page titled "Early Intervention Day Treatment (EIDT) Services" for the second sentence states, "Services are provided...in [a] multi-

disciplinary *clinic-based setting* as defined in 42 CFR § 440.90.” (my italics and underline emphasis)

- Attachment 3.1-B, Page 4b: sets out requirements for Adult Developmental Day Treatment (ADDT) Services under the title “9. Clinic Services”.
- Attachment 4.19-B, Page 3a: sets out Methods and Standards of Care for establishing payment rates for Adult Developmental Day Treatment (ADDT) and Early Intervention Day Treatment (EIDT) under the title “9. Clinic Services.”

Leah Henderson, CEO
Civitan Services

Comment: Please consider the following comments and recommendations for changes in *ADDT / EIDT Transportation: ADDT - Pg. 38, D ii*: Change to read “Sign and date each transportation log verifying that each client WHO...” as opposed to “that each client that...”

Response: Thank you for your comment. Section 605(b)(3)(D) of the ADDT Rules and Section 604(b)(3)(D) of the EIDT Rules will be deleted in their entirety.

Comment: *ADDT - Pg 41, 2 A*: Consider changing to age 18 for attendants. In the past we have had several college students who performed this job with excellence. Under this rule they would have been disallowed employment. The job market is difficult enough now without adding unnecessary age limitations. (The same language is found in EIDT rules on top line of page 39.)

Response: Thank you for your comment. DDS agrees with reducing the attendant minimum age requirement from twenty-one (21) years of age to eighteen (18) years of age in Section 605(c)(2)(A)(i)(a) of the ADDT Rules and Section 604(c)(2)(A)(i)(a) of the EIDT Rules. This is also consistent with current practice and daycare licensing interpretation.

Comment: *ADDT – Page 42, 3 B*: “Wear or have visible AN (not and) easily readable....” Also in *EIDT on page 39, 3 A*.

Response: Thank you for your comment. DDS agrees with the suggested change to Section 605(c)(3)(A) of the ADDT Rules and Section 604(c)(3)(A) of the EIDT Rules.

Comment: *ADDT – Page 44, 3 C*: I do not feel that the State of Arkansas / Department of Human Services should be listed as an additional insure and loss payee on all vehicles. Why should DHS

benefit from an accident in which they have not been responsible for the payment of premiums? Again, this language is repeated in *EIDT on page 41. C 3*

Response: Thank you for your comment. The DHS Office of Chief Counsel requires this provision to provide DHS with coverage should DHS be added as a party to a lawsuit or Claims Commission filing in connection with ADDT or EIDT transportation services.

Martha McKenzie Hill

Mitchell, Williams, Selig, Gates & Woodyard, P.L.L.C.

On behalf of the CHMS Providers' Association

Comment: Please see the following comments on the proposed rules on ADDT and EIDT Transportation Services. Specifically regarding Proposed *EIDT Rule 212.200 Prescription*: For consistency within all Medicaid rules, the CHMS Providers' Association urges inclusion of a signature of a Nurse Practitioner to be added as an accepted signature on the DMS-640.

Response: Thank you for your comment. The revised Arkansas Code Annotated § 20-77-140(a) allows advanced practice registered nurses to enroll as primary care providers (PCP). As a result, the signature of an advanced practice registered nurse enrolled as primary care provider with the Arkansas Medicaid Program would be an accepted signature on the DMS-640 pursuant to the proposed language. Additionally, the proposed language tracks the "PCP or attending physician" language that is used on the DMS-640.

The language covering this topic in other program Medicaid Manuals will be changed to track this language whenever those manuals are next submitted through promulgation.

Comment: Specifically regarding Proposed *Rule 215.000 Individual Treatment Plan (ITP)* A. 3: The ECDS's original signature and the date signed must be recorded on the ITP. The CHMS Providers' Association urges that language including electronic signatures should be included.

Response: Thank you for your comment. Rule 215.000(A)(3) in the EIDT Medicaid Manual will be revised to delete the word "original". Since electronic signatures are already specifically deemed acceptable in Section 202.300 of the EIDT Medicaid Manual, this would permit electronic signatures on the ITP.

Comment: Specifically regarding the Proposed *Rule 215.00 Individual Treatment Plan (ITP)*: B.1. A. *Functional*, and B. *Measurable*. The CHMS Providers' Association urges that the word "functional" and "measurable" be defined or clarified as standards.

Response: Thank you for your comment. Section 215.000(B)(1)(a) of both the ADDT Medicaid Manual and EIDT Medicaid Manual shall be amended to state, “Written in the form of a regular function, task, or activity the client is working toward successfully performing;”

The Merriam-Webster definition of “measurable” is “that can be measured.” Each client goal and objective on an ITP must be able to be measured. A client goal of using their fingers more effectively would not comply because the goal is not written in a way that can be measured. Whereas a client goal of holding a round ball for ten (10) seconds would be acceptable because that task is able to be measured. DDS believes the word “measurable” provides sufficient clarity as to how the goal or objective must be written.

Comment: Specifically regarding Proposed Rule 305 Client Service Records: (b) (1)(C) The name, address, phone number, email address, and relationship of the client’s custodian or legal guardian; The CHMS Providers’ Association urges that “best efforts to ascertain the information” should be the standard when attempting to ascertain a client’s email address. Many parents and guardians do not have email addresses. Inclusion of this standard has caused review issues in the past. A “best efforts” standard with regard to email addresses should be included. This is a standard employed by the Federal government in many instances.

Response: Thank you for your comment. Section 305(b)(1)(C) of both the EIDT Rules and the ADDT Rules will be amended to read, “Telephone number and, if available, email address;”

Larry Stang, Executive Director

Developmental Disabilities Provider Association

Comment: 230.000 Reimbursement: A. A full unit of service must be rendered to bill a unit of service (Added language)

Scenario – James is in day habilitation from 11:00 to 11:30. He goes to lunch from 11:30 to 12:00. He then returns to day habilitation from 12:00 to 12:30. He then goes to occupational therapy from 12:30 until 1:15 pm. According to the language above, the provider cannot bill for the hour of day habilitation provided James. EIDT has the same added language in the Arkansas Medicaid Manual for Early Intervention Developmental Treatment under 231.000 Method of Reimbursement. This has been fought over once before and it was decided that day habilitation can be a cumulative total of day habilitation sessions during a day, as best practices encourage limiting the length of training sessions due to shortened attention spans and ability of individuals to remain focused for extended periods of time. DDPA urges DHS/DDS to remove this additional language so as not to jeopardize existing strategies for effectively delivering these type services.

Response: Thank you for your comment. Section 231.000(C) will be added in both the ADDT Medicaid Manual and EIDT Medicaid Manual will be revised to state, “Non-consecutive periods of service delivery over the course of single day may be aggregated when computing a unit of service.”

Comment: *605 Transportation:* Continue to require a monitor/supervisor designee to “sign off” on transportation logs to verify everyone is off the vehicle. When the last route of the day gets back to the center everyone else is gone for the day. An agency would have to pay an employee overtime so that person can sit and wait for the van to get back to the center so they can “sign off” that no one is on the vehicle. Some latitude needs to be allowed if this situation is occurring. It looks like regulations on disqualifications for van drivers will necessitate providers running MVR’s for all drivers annually as there are specific disqualifications that insurance companies do not flag. There is a change which requires adult maltreatment to be done every 2 (two) years instead of the current 5 (five) years.

Response: Thank you for your comment. Section 605(b)(3)(D) of the ADDT Rules and Section 604(b)(3)(D) of the EIDT Rules will be deleted in their entirety. Additionally, Section 202.200(F)(2) of the EIDT Medicaid Manual will be revised to state:

“2. The driver of each vehicle must sign and date the transportation log verifying that each client that received transportation services from the EIDT was safely transported to and from:

- a. The client’s home (or other scheduled pick-up or drop-off location); or
- b. The EIDT facility.”

Section 202.200(D)(2) of the ADDT Rules will be revised to state:

“2. The driver of each vehicle must sign and date the transportation log verifying that each client that received transportation services on the trip was safely transported to and from:

- a. The client’s home (or other scheduled pick-up or drop-off location); or
- b. The ADDT facility.”

Comment: *Page 41 – Each attendant on a vehicle transporting clients on behalf of an ADDT must meet the following requirements: A. Be at least twenty-one (21) years of age.*

ADDT’s can employ individuals who are 18 years of age to supervise clients at the ADDT center, but, according to this requirement, cannot supervise the same individuals on a van.

Response: Thank you for your comment. Section 604(c)(2)(A) of the ADDT Rules and Section 605(c)(2)(A) of the EIDT Rules will be amended to lower the minimum required attendant age to eighteen (18) years of age. This is also consistent with current practice and daycare licensing interpretation.

Comment: *Page 44 – Each commercial insurance policy must name Arkansas Department of Human Services as an additional insured and loss payee under this policy.*

Why? Additional insured are named on policies because they are a lender and hold title/deed to vehicle/property insured. This is not the case with DHS.

Response: Thank you for your comment. The DHS Office of Chief Counsel requires this provision to provide DHS with coverage should DHS be added as a party to a lawsuit or Claims Commission filing in connection with ADDT or EIDT transportation services.

Comment: *Page 47 – Any vehicle used by an ADDT to transport clients must have a camera system installed.*

DDPA requests a grace period for the purchase and installation of cameras for five (5) months (through December 31, 2022). A recent survey of DDPA members identified 586 vans that need to be equipped with camera systems. With limited installers we feel a grace period prior to the enforcement of this rule is warranted. Language limiting EIDT/ADDT activities in the community is detrimental to the overall goals of day habilitation and community living. With an emphasis on community participation and home and community-based services, this limitation would have to be removed if regulators allow some limited community-based activities in the future.

Response: Thank you for your comment.

Comment: Transportation under NET - From the presentation Director Melissa Weatherton gave September 10, 2021, brokers in NET receive \$1.50 per passenger mile + \$7 passenger pick-up fee. We understand Milliman has developed and the State is proposing a “rate change” for brokers under NET. If it is lower than they get now, then that could cause real problems since clients who rely on NET to access ADDT/EIDT already have difficulty in obtaining reliable transportation at the current rate.

Response: Thank you for your comment.

Comment: EPSDT Option – DDS/Medicaid should disclose in the EIDT manual that if a child does not qualify for therapy or nursing, they may still qualify for day habilitation in EIDT by making application under the EPSDT process DDS presented to the court. It cannot be a “real” process if it is not disclosed openly. There should at least be a link to the EPSDT section.

Response: Thank you for your comment. The process is set out in Section 214.200 of the Child Health Services (EPSDT) Medicaid Manual. It would be outside of standard practice and potentially confusing to include information about another Medicaid program with a completely

different set of program coverage eligibility criteria and service offerings within the EIDT Medicaid Manual.

Comment: “Other Appropriate Location” – Under 202.200 in ADDT and EIDT manuals it says the client must be picked up at home, the ADDT center, or “other appropriate location.” Can you please clarify “other appropriate location”?

Response: Thank you for your comment. Section 605(b)(3)(D) of the ADDT Rules and Section 604(b)(3)(D) of the EIDT Rules will be deleted in their entirety. Additionally, Section 202.200(F)(2) of the EIDT Medicaid Manual will be revised to state:

“2. The driver of each vehicle must sign and date the transportation log verifying that each client that received transportation services from the EIDT was safely transported to and from:

- a. The client’s home (or other scheduled pick-up or drop-off location); or
- b. The EIDT facility.”

Section 202.200(D)(2) of the ADDT Rules will be revised to state:

“2. The driver of each vehicle must sign and date the transportation log verifying that each client that received transportation services on the trip was safely transported to and from:

- a. The client’s home (or other scheduled pick-up or drop-off location); or
- b. The ADDT facility.”

Comment: *Page 47 – Each vehicle used to transport a client must prominently display: A. ADDT name. B. ADDT contact information.*

Vehicles are interchanged among programs from time to time due to servicing requirements, repairs, and use of vehicles in multiple programs. It makes much more sense to have the name of the organization and contact information to be on the vans, and not specific programs. These comments should also apply to any similar EIDT regulations and rules that mirror those found in the ADDT regulations and rules.

Response: Thank you for your comment. Section 604(e)(5) of the EIDT Rules and Section 605(e)(5) of the ADDT Rules will be amended to state:

“(5) Each vehicle used to transport a client must prominently display:

- (A) Provider name; and
- (B) Provider contact information.”

Amy Denton, Pediatrics Plus

Bess Ginty, Kids for the Future

Mary Katherine Hardin, Stars Academy

Bill Sims, Grow Learning Centre
Justin Allen, Wright Lindsey Jennings

Comment: *101.(c)(2) DPSQA may perform regulatory functions regarding the monitoring of childcare centers that are licensed as Early Intervention Day Treatment programs on behalf of DCCECE.*

A sentence needs to be added that the DPSQA staff member must be adequately trained in or have experience with early childhood classrooms before monitoring on behalf of DCCECE

Response: Thank you for your comment.

Comment: *103.(23) "Serious injury" means any injury to a client that: May cause death; May result in substantial permanent impairment; Requires hospitalization; or Requires the attention of: (i) An emergency medical technician; (ii) A paramedic; or (iii) A doctor.*

(iii) is too broad...we may send a family to check on something minor or rule out something...just because a doctor is needed, doesn't make it serious. If the injury requires a doctor, then we would be sending them to the emergency room. Can this read "emergency room physician?"

Response: Thank you for your comment. Section 103(23)(D)(iii) of the EIDT Rules and Section 103(15)(D)(iii) of the ADDT Rules will be changed to read "An emergency room."

Comment: *201.(a)(1) An EIDT must have an EIDT license issued by the Division of Provider Services and Quality Assurance, pursuant to these standards, for the location at which the EIDT will provide services. 201.(b)(1) An EIDT license is specific to a single location.*

Location needs to be defined as being at a different address

Response: Thank you for your comment. Section 201(a)(1) and Sections 202(b)(1) through (3) of both the EIDT Rules and ADDT Rules will be amended to replace the word "location" with the word "address" wherever used.

Comment: *202. (a)(1)(E) Documentation of all required Child Maltreatment Central Registry checks and Adult and Long-term Care Facility Resident Maltreatment Registry checks for employees and operators;*

Please clarify if this is a new title for this check, or is this two separate checks? The check we currently complete is called the Arkansas Adult Maltreatment Central Registry.

Response: Thank you for your comment. It is just a single check. Arkansas Code Annotated § 12-12-1716 refers to the registry as the Adult and Long-term Care Facility Resident Maltreatment Central Registry, so that is the term that will be used throughout in the ADDT Rules and EIDT Rules. For that reason, Section 302(c)(3) of the ADDT Rules will be changed to use the term “Adult and Long-term Care Facility Resident Maltreatment Central Registry” for consistency purposes.

Comment: *302.(c)(5) An EIDT must conduct an Arkansas Sex Offender Central Registry search on each employee prior to hiring and at least every two (2) years thereafter.*

Clarify if this is a form we need to complete or just review the registry and print that the person is not on it.

Response: Thank you for your comment. Printing the page from the registry showing a search was conducted and the employee or applicant searched was not on the registry is one method of complying with Section 302(c)(5). However, nothing would prohibit a provider from creating a form that could be completed with information sufficient to demonstrate a registry search was performed and the employee or applicant searched was not on the registry that would also comply with Section 302(c)(5).

Comment: *302.(f)(2) The documentation required for Employee staffing includes without limitation employee: (A) Names; (B) Job title or credential; (C) Shift role; (D) Shift days; and (E) Shift times.*

Is an offer letter or documentation with days/hours of employment sufficient here? Most EIDT staff work set hours/days, not in shifts.

Response: Thank you for your comment. Section 302(f)(2) of both the EIDT Rules and ADDT Rules will be amended to state:

“(2) The documentation required for Employee staffing includes without limitation employee:
(A) Names;
(B) Job title or credential;
(C) Job duties; and
(D) Typical working days and hours.”

Comment: *604.(b)(1)(B) Notwithstanding the foregoing, a three to one (3:1) minimum client to attendant ratio is required for clients three (3) years of age or younger, on any vehicle used by an EIDT for transportation.*

This ratio is intended for infants and toddlers. This language requires this ratio up to 4 years old. It needs to be consistent with the CCL manual which reads: “In a vehicle transporting infants and

toddlers, the driver may be counted in the staff to child ratio but shall not be the only adult. A ratio of one (1) adult for each of the three (3) infants and toddlers shall be maintained.”

Response: Thank you for your comment. Section 604(b)(1)(B) of the EIDT Rules will be amended to state:

“(B)

(i) Notwithstanding the foregoing, a three to one (3:1) minimum client to attendant ratio is required for clients under three (3) years of age on any vehicle used by an EIDT for transportation.

(ii) The driver may be counted towards the minimum client to attendant ratio for these purposes, but under no circumstances can the driver be the only adult on a vehicle transporting one (1) or more clients under three (3) years of age.”

Comment: *604.(b)(4)(B) Any vehicle, with a maximum capacity of more than seven (7) passengers and one (1) driver, that is used by an EIDT to transport clients, must have the driver or an attendant complete a walk-through inspection of each seat on the vehicle in one (1) of the following ways upon arrival at the final unloading destination:*

These are similar to CCL but they are not good. We do not do it this way at all. We do a triple check that starts with the attendant checking all seats and engaging the seatbelts/straps on every seat on the van, followed by someone from inside the building and this person deactivates the alarm, and then the driver checks the van. So, I’m not sure if we should try and change the wording or I’ll just keep doing what I do and if they tell me it isn’t what we need to be doing, go from there.

Response: Thank you for your comment. The requirements track those in the childcare licensing regulations.

Comment: *604.(d)(3)(C) Each commercial insurance policy must name the Arkansas Department of Human Services as an additional insured and loss payee under the policy.*

This should not be necessary

Response: Thank you for your comment. The DHS Office of Chief Counsel requires this provision to provide DHS with coverage should DHS be added as a party to a lawsuit or Claims Commission filing in connection with ADDT or EIDT transportation services.

Comment: *604.(d)(3)(E) Each vehicle used to transport a client must have the following safety equipment on board: (A) Fire extinguisher (B) First-aid kit (C) Reflective triangles (D) Flashlight; and (E) Reflective safety.*

**This is incorrectly cited. This should be 604.(d)(5)(E)?? And, this needs to be clarified – reflective safety, what?

Response: Thank you for your comment. The formatting and numbering of EIDT Rules Section 604 was thrown off as part of the markup. Additionally, the word “vest” was accidentally omitted from the subsection mentioned in the comment. (E) should state “Reflective safety vest.” The formatting will be corrected, and the word “vest” inserted in what will be EIDT Rules Section 604(e)(1)(E) after the words “Reflective safety.”

Comment: *(B) The safety alarm device must: (i) Always be in working order and properly maintained; (ii) Installed so that the driver is required to walk to the very back of the vehicle to reach the switch that deactivates the alarm; (iii) Be installed in accordance with the device manufacturer’s recommendations; and (iv) Sound the alarm for at least one (1) minute after the activation of the safety alarm device.*

This one also seems to be incorrectly cited. Can (B) (ii) read: “Driver or designee” It is not always the driver that deactivates that alarm. It could be a designated person that checks the van which is someone from inside the building as a second check. Never does the driver or rider deactivate the alarm.

Response: Thank you for your comment. The formatting and numbering of Rule 604 was thrown off as part of the markup and will be corrected. The Section referred to in the comment will be Section 604(e)(3)(B)(ii). This language tracks that used in Section 1301(14) of the childcare licensing regulations.

Comment: *701. Incidents to be Reported. (a) An EIDT must report all alleged, suspected, observed, or reported occurrences of any of the following events:*

This language needs to be clarified. The incident report needs to be completed when the incident occurs when the client is in the care of/under the supervision of the EIDT center, otherwise technically we would need to report 701.(a)(6) and (7) every day for every client when they go home. And, we cannot accurately fill out a report if we did not witness the incident. We can call the hotline for any incident that is reported to us that we do not witness for anything that needs to be investigated.

Response: Thank you for your comment. The introductory sentence to Section 701(a) of the EIDT Rules will be amended to state, “An EIDT must report all alleged, suspected, observed, or reported occurrences of any of the following events while a client is in the care or under the supervision of an EIDT:”. The introductory sentence to Section 701(a) of the ADDT Rules will be amended to state, “An ADDT must report all alleged, suspected, observed, or reported

occurrences of any of the following events while a client is in the care or under the supervision of an ADDT:”

Comment: 702. *Reporting Requirements. (a) An EIDT must: (1) Submit all reports of the following events, within one (1) hour of the event: (A) Death of a client; (B) Serious injury to a client; or (C) Any incident that an EIDT should reasonably know might be of interest to the public or the media. (2) Submit reports of all other incidents within forty-eight (48) hours of the event.*

This language needs to be clarified. We need the same language here where we report incidents that occur when a client is in the care of/under the supervision of the EIDT center. We cannot accurately fill out a form for a report if we did not witness an incident. We can call the hotline for any incident that is reported to us that we do not witness for anything that needs to be investigated.

Response: Thank you for your comment. The introductory sentence to Section 701(a) of the EIDT Rules will be amended to state, “An EIDT must report all alleged, suspected, observed, or reported occurrences of any of the following events while a client is in the care or under the supervision of an EIDT:”. The introductory sentence to Section 701(a) of the ADDT Rules will be amended to state, “An ADDT must report all alleged, suspected, observed, or reported occurrences of any of the following events while a client is in the care or under the supervision of an ADDT:”.

Comment: 202.200 *EIDT Documentation Requirements D. EIDT providers must maintain in each client’s service record the following documentation for all day habilitative and nursing services performed pursuant to Sections 214.120 and 214.140 of this manual: 1. The specific services furnished each day; 2. The date and beginning and ending time for each of the services performed each day; 3. Name(s) and credential(s) of the person(s) providing each service each day; The relationship of each day’s services to the goals and objectives in the client’s ITP; and **

#4 has created some problem in audits due to the interpretation. Can we take out the word “relationship” and state “the goals and/or objectives from the client’s ITP that the day habilitation services are addressing.

*We need to clarify #4 and #5

Response: Thank you for your comment. EIDT Medicaid Manual Section 202.200(D)(4) and ADDT Medicaid Manual Section 202.200(B)(4) will both be amended to state, “Which client ITP goal(s) and objective(s) the day’s services are intended to address; and”

Comment: 212.200 Prescription. A. Covered EIDT services require a written prescription signed and dated by the client's primary care provider (PCP) or attending licensed physician. B. The prescription must identify the client's medical needs that covered EIDT services can address.*

We are concerned about how this might be interpreted, or if a physician fills out the DMS-640 incorrectly. Can it just read the prescription must identify the client's "diagnosis." The DMS-640 is completed by the physician and the language on the form reads something like diagnosis related to the service prescribed. We believe this language should be consistent to the language on the DMS-640 form.

*How does the script list medical needs - should we change to diagnoses, etc? Need to clear up

Response: Thank you for your comment. Section 212.200(A) of the EIDT Medicaid Manual will be amended to begin "EIDT core services require a written...". Section 212.200(B) of the EIDT Medicaid Manual will be deleted in its entirety. Section 212.200(A) of the ADDT Medicaid Manual will be amended to begin, "All covered ADDT services other than ADDT Transportation services under Section 214.230 require a written..." Section 212.200(B) of the ADDT Medicaid Manual will be deleted in its entirety.

Comment: 212.400 Comprehensive Developmental Evaluation for Clients yet to Reach School Age. D. Each evaluator must document that they were qualified to administer each instrument and that the test protocols for each instrument used were followed.*

Will a simple clause on the bottom of the developmental eval that states the evaluator is qualified and the protocols are followed, work?...then the evaluator signs the entire evaluation?

*How do we document the qualification of the evaluator?

Response: Thank you for your comment. The qualifications required to administer an evaluation instrument vary from instrument to instrument. A statement demonstrating how the evaluator met the administering qualifications of the evaluation instrument that was used, along with a separate statement that the evaluator followed all required protocols when administering the evaluation instrument would be an example of one way to comply with the requirements of EIDT Medicaid Manual Section 212.400(D).

Comment: 212.500 Qualifying Diagnosis for School Age Clients

Since Institutional Level of Care has been added for a reason a child can be waived from a screen, can it also be a qualifier for a child for the summer program. There are children that are tested and meet institutional level of care that don't fall under one of the listed diagnoses, but still could benefit from the program.

Response: Thank you for your comment. There is no plan to change current EIDT qualifying diagnosis criteria for school age clients.

Comment: 214.140 *Nursing Services*

Would DDS provide EIDT programs with a billing code for the nursing evaluation as they do for the other core service evaluations? Nurses are expensive and a great deal of their time is spent evaluating clients and writing up reports to send to doctors to prescribe nursing services.

Response: Thank you for your comment.