

**Proposed amendment language submitted for consideration: April 24, 2017**

- a. In general – Section 1905 of the Social Security Act (42 U.S.C. 1396d) is amended by adding at the end the following new section:
- b. All children from birth through age 18 shall be enrolled as Medicaid – EPSDT – Service Recipients for the provision of early intervention / prevention service by Allied Health Care service practitioners. EPSDT – Service Providers shall have unequivocal access to federal Medicaid funds.
- c. The FMAP for Medicaid – EPSDT Services shall be at 80% of the health care service costs for all States.
- d. The term ‘early and periodic screening, diagnostic, and treatment services’ (early intervention / prevention services) includes the screening, diagnostic, and treatment services provided by the following allied health care professional disciplines: audiologists, nurses, physical therapists, occupational therapists, adaptive physical education therapists, behavioral therapists, psychologists, social workers, counselors, vocational habilitation counselors, speech language therapists, nutritionists, art therapists, music therapists, parent-infant / preschool screeners, juvenile probation officers who are certified by state licensure and / or designated state agency and / or the administrative office of the state’s supreme court.
- e. The provision of early intervention / prevention services shall include the following assistants to the professional disciplines: physical therapy assistants, certified occupational therapy assistants, speech language therapy assistants with bachelor degree, professional interns, behavioral case workers, case workers within the temporary juvenile detention centers, and community outreach youth workers.
- f. The provision of early intervention / prevention services shall include personal health aides, classroom behavior management aides, hearing and vision technicians, home health family crisis intervention staff, and non-professional supportive staff.
- g. The provision of allied health care ‘early and periodic screening, diagnostic, and treatment services’ (early intervention / prevention services) shall be based upon the professional person’s utilization of appropriate screening,

observational behaviors, or any such other methods pertaining to a child's / adolescent's growth and development. Emphasis is to note the child's / adolescent's social / emotional development / engagement with his / her peers and relationship with adults including participation in educational (school) and social community activities. The professionals shall utilize a holistic awareness as to the child's / adolescent's home and environment.

- h. The provision of early intervention / prevention shall be implemented as a short-term intervention (3-4 months) that promotes the development of the child's / adolescent's self confidence and self awareness. The intervention / prevention service may focus upon the individual child / an adolescent, the child's / adolescent's participation in a group activity, the family home including community, and / or the parent(s).
- i. The provision of early intervention / prevention services by EPSDT-Service agencies (EPSDT-Medicaid Service Agencies) shall include but not limited to the following:
  - 1. Community agencies serving children from birth through age 18.
  - 2. Local education agencies (Public School Districts, Private, Parochial and Charter Schools) serving students in their standard and special education programs.
  - 3. Regional special education cooperatives serving identified "at risk" student populations per IDEA (Individual Disability Education Act).
  - 4. Community, Parochial, Private and Not-for-Profit child service agencies.
  - 5. Juvenile Court Complexes including juvenile probation services and temporary detention (screening and diagnostic) centers.
  - 6. Residential treatment centers including day treatment programs.

Note: The EPSDT-Service Provider Agencies must employ licensed professionals or professionals certified by a state agency to provide EPSDT-Services. The early intervention / prevention services must be provided under the supervision of a professional person in the area of the service focus.

- j. The Center for Medicare and Medicaid Services (CMMS) shall establish a national data / information base for listing effective early intervention / prevention service models and techniques.

Nothing in this title shall be construed as limiting the allied health care service providers to the above listed disciplines as providers of 'early and periodic screening, diagnostic, and treatment services' (early intervention / prevention services). In addition, nothing in this title shall be construed as limiting the early intervention / prevention services, as this remains an open field of development that must be cognizant of each community's unique environmental / social make up. The early intervention / prevention services within EPSDT Services are provided under the EPSDT-Medicaid Recipient health care service category and not subject to the State's Medicaid plan.

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Author – April 24, 2017