

Identical in Levin &
Bonior Bills in Senate
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To require the Secretary of Health and Human Services to promulgate regulations regarding allowable costs under the Medicaid program for school based services provided to children with... (Introduced in the Senate)

S 3088 IS

106th CONGRESS

2d Session

S. 3088

To require the Secretary of Health and Human Services to promulgate regulations regarding allowable costs under the Medicaid program for school based services provided to children with disabilities.

IN THE SENATE OF THE UNITED STATES

September 21, 2000

Mr. LEVIN introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To require the Secretary of Health and Human Services to promulgate regulations regarding allowable costs under the Medicaid program for school based services provided to children with disabilities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ALLOWABLE MEDICAID COSTS FOR SCHOOL-BASED SERVICES PROVIDED TO CHILDREN WITH DISABILITIES.

Not later than 90 days after the date of enactment of this Act, the Secretary of Health and Human Services and the Secretary of Education shall issue proposed regulations after consultation with the National Governors' Association, the National Association of State Directors of Special Education, the American Association of Educational Service Agencies, the American Public Human Services Administration, and other interested groups relating to

allowable costs under the administrative outreach program of the school based services program that is part of the Medicaid program established under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) with respect to services provided to children with disabilities. Any claim that is reasonably based on guidance provided orally or in writing by an officer or employee of a regional or national office of the Health Care Financing Administration submitted with respect to such services prior to the publication of final regulations may not be deferred or disallowed.

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To Dave 315-4875

Report Language

The committee is concerned that:

The Health Care Financing Agency (HCFA) has proposed administrative claiming guidelines that would substantially alter the administrative claiming program making it more difficult for schools to identify poor children.

HCFA has reduced its reimbursement to schools for the services they have provided to poor and disabled children.

HCFA has held back and delayed payments to local school districts and states for the administration and identification of (Medicaid eligible?) poor children.

HCFA has developed these guidelines without consultation from the relevant school practitioners and ignored requests from interested groups to participate in a process that would develop guidelines resulting in the continuation of a program that improved services and opportunities for poor and disabled children.

Therefore, upon enactment of this act, the Conferees direct the Department of Health and Human Services and the Department of Education to collaborate with the American Association of School Administrators, The American Public Human Services Association, the National School Boards Association, and the National Governor's Association and other interested parties to draft claiming guidance for Medicaid allowable cost under the administrative claiming section of the School Based Services program.

Prior to the issuance of the final form of such claiming guidance, HHS shall act promptly as set forth below to ensure that administrative claims are paid:

- 1) claims submitted to HHS prior to the effective date of this act shall not be deferred or disallowed and shall be paid within 90 days of the effective date of this act; and
- 2) claims submitted subsequent to the effective date of this act shall be paid within 120 days of the effective date of this act provided such submitted claims are prepared in a manner and method consistent with claims

previously paid by HHS to other states prior to the effective date of this act. .

Upon issuance of the final form of claiming guidance by HHS, such guidance shall apply prospectively to claims submitted to HHS subsequent to the effective date of the claiming guidance.

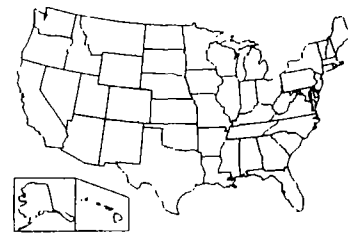
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State Policy Update



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF VOCATIONAL AND ADULT EDUCATION

NATIONAL INSTITUTE FOR LITERACY

How States are Improving Literacy Services for Adults with Disabilities

- July 15, 1999 -

Recently the Federal government has shifted significant responsibility to states in the area of adult education and workforce development. Faced with performance measures and expiring welfare time limits, many states are struggling with how to help clients who have low basic skills -- which may be manifestations of disabilities. As a result, states are looking at how to improve success rates for persons with disabilities in basic skills and job training programs. To aid clients with multiple barriers to employment, some states are looking at improving services in adult literacy programs for persons with disabilities as part of welfare and workforce development program efforts. As states have been faced with additional responsibilities, programs and services have been developed to help in addressing these new issues. This State Policy Update report examines the results of a national assessment of how states are working to increase success rates for adults with disabilities and improve access for adults with disabilities to adult literacy programs. Many states are using similar methods to approach these issues. This Update includes a focus on three states, Oklahoma, Illinois and Connecticut, and one particular aspect of what each of these states is doing to improve literacy programs for persons with disabilities. While this Update focuses on state activities, we hope it will also stimulate efforts on the part of local literacy programs to better address this issue.

Recent requirements of the Workforce

Investment Act¹ (WIA) and Welfare-to-Work legislation² have given states more responsibility to demonstrate success in helping adults with barriers to learning and work gain educational and occupational skills, as well as obtain and retain employment. Disability is clearly considered one of these barriers.

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