



SHARS Matters Webinar Series

April 2023 – Third Party Liability

Presented by Dario Avila, TASB Special Education Solutions



Special Education Solutions

This information is provided for educational purposes only to facilitate a general understanding of the law or other regulatory matter. This information is neither an exhaustive treatment on the subject nor is this intended to substitute for the advice of an attorney or other professional advisor. Consult with your attorney or professional advisor to apply these principles to specific fact situations.

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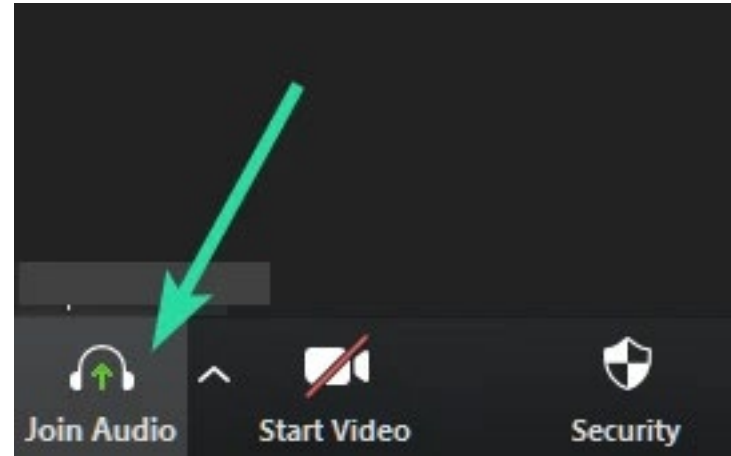
Housekeeping Items

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Housekeeping Items

- Audio options
 - Phone Audio
 - Computer Audio
- Got questions?
 - Submit questions through the Zoom Chat window or by email to shars@tasb.org.



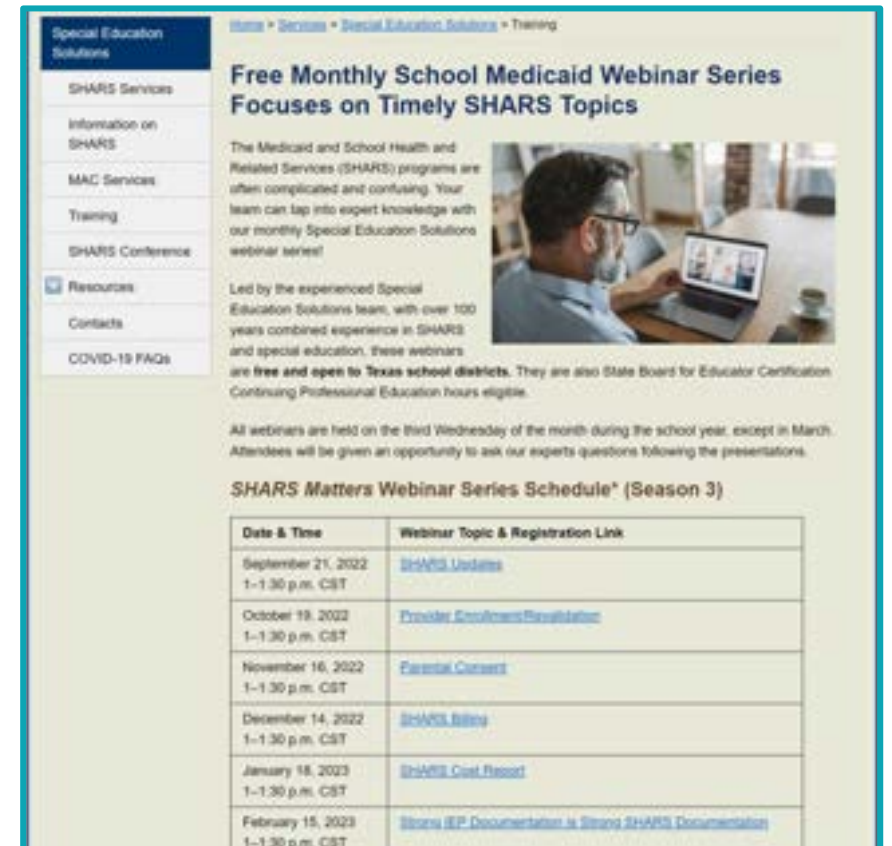


Housekeeping Items

- Need SBEC Credit?
 - Download certificate from the Chat window.
- Download today's presentation from the Chat window

Housekeeping Items

- Session being recorded
- All *SHARS Matters* webinars are available for download from the [TASB Special Education Solutions Training page](#).



The screenshot shows a webpage titled "Free Monthly School Medicaid Webinar Series Focuses on Timely SHARS Topics". The page includes a navigation menu on the left with options like "SHARS Services", "Information on SHARS", "MAC Services", "Training", "SHARS Conference", "Resources", "Contacts", and "COVID-19 FAQs". The main content area features an introductory paragraph about the complexity of Medicaid and School Health and Related Services (SHARS) programs, followed by a photo of a man in a blue shirt looking at a laptop. Below the photo, it states that the webinars are free and open to Texas school districts and are also eligible for State Board for Educator Certification Continuing Professional Education hours. A section titled "SHARS Matters Webinar Series Schedule* (Season 3)" contains a table with the following data:

Date & Time	Webinar Topic & Registration Link
September 21, 2022 1-1:30 p.m. CST	SHARS Updates
October 19, 2022 1-1:30 p.m. CST	Provider Enrollment/Revalidation
November 16, 2022 1-1:30 p.m. CST	Parental Consent
December 14, 2022 1-1:30 p.m. CST	SHARS Billing
January 18, 2023 1-1:30 p.m. CST	SHARS Cost Report
February 15, 2023 1-1:30 p.m. CST	Strong IEP Documentation & Strong SHARS Documentation



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Agenda

- SHARS Overview
- What is Third Party Liability?
- Pay and Recover Later
- Why Does TPL Matter to Me?
- Resources / Contact Info / Reminders

SHARS Overview

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SHARS Overview

- Medicaid provides health coverage to millions of Americans, including eligible low-income adults, children, pregnant women, elderly adults and people with disabilities.
- Medicaid is administered by states, according to federal requirements.
- The program is funded jointly by states and the federal government.





SHARS Overview

The School Health and Related Services (SHARS) program is Texas' school-based Medicaid program. It gives local school districts and public charter schools the opportunity to obtain Medicaid reimbursement for certain health-related services provided to students that:

- Are Medicaid eligible;
- Are 20 years of age and younger;
- Meet eligibility requirements for special education as described in the Individuals with Disabilities Education Act (IDEA); and
- Have an Individualized Education Program (IEP) that documents the needed services.





SHARS Overview

The services reimbursable by SHARS include:

- Audiology Services
- Counseling Services
- Nursing Services
- Occupational Therapy
- Personal Care Services
- Physical Therapy
- Physician Services
- Psychological Services
- Speech Therapy
- Specialized Transportation



What is Third Party Liability?

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What is Third Party Liability (TPL)?

- TPL refers to the obligation of third parties, such as a client's other insurance, to pay part or all of the expenditures for medical assistance provided under a state's Medicaid plan.
- Medicaid is the payor of last resort.
- Texas uses the Pay and Recover Later method for all SHARS claims submitted for payment.

Pay and Recover

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Pay and Recover Later

- Medicaid providers (districts) bill Texas Medicaid & Healthcare Partnership (TMHP) for services provided to eligible clients.
- TMHP pays claims that meet all requirements (eligibility, provider licensure/credentials, documentation, etc.).
- TMHP determines if a client has another healthcare provider (insurance). If another insurance plan is found, it is billed for the services provided to the client that it has already paid.
- Whether or not payment is remitted to TMHP from the other insurance, no action is ever taken to collect payment from the provider (district) or the client (student and parent(s)/guardian(s)).



Why Does TPL Matter to Me?

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Why Does TPL Matter to Me?

- Parents need to be informed of TPL because there is a possibility that their insurance benefits could be impacted by this policy.
- Nothing will be billed to a client as a result of TPL. If a co-pay or deductible is charged as a result of a SHARS claim submitted to a client's other insurance, that amount will be paid by the Health and Human Services Commission.
- When a TPL claim is submitted (regardless of whether it is paid) to a client's other insurance, the insurance agency will typically send the client an Explanation of Benefits (EOB).
 - The EOB is for the client's records but should not be considered a bill.





Why Does TPL Matter to Me?

- TPL is required of all Medicaid programs.
- Districts must obtain parental consent from a student's parent/guardian before billing for Medicaid/SHARS services provided to their student.
- Once consent is provided, any services billed to TMHP by the district will be subject to TPL.





Why Does TPL Matter to Me?

- TPL is not optional, but parental consent is.
- If a parent/guardian is concerned about the implications the TPL policy can have on their other insurance, they can deny/withdraw consent.
- If consent is denied/withdrawn by a student's parent/guardian, no (SHARS) claims will be billed to TMHP for services provided to the student and so TPL will have no impact on the client's other insurance.
- We have yet to see TPL impact a client's other insurance, but it is always a possibility.
- Denial/withdrawal of consent does not free a district from providing services to a student.
- By law, school districts must provide IEP prescribed services for special education students to receive a free and appropriate public education.

Resources / Contact Info / Reminders

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Resources

- SHARS Handbook (Section 2.6 – Third Party Liability):
http://www.tmhp.com/sites/default/files/file-library/resources/provider-manuals/tmppm/pdf-chapters/2023/2023-04-april/2_SHARS.pdf
- TEA – Update to HHSC Third Party Liability for SHARS Interim Claims:
<https://tea.texas.gov/about-tea/news-and-multimedia/correspondence/taa-letters/update-to-hhsc-third-party-liability-for-shars-interim-claims>
- Medicaid.gov – Coordination of Benefits & Third Party Liability:
<https://www.medicaid.gov/medicaid/eligibility/coordination-of-benefits-third-party-liability/index.html>



Get the latest School Health and Related Services (SHARS) news and trends!

Sign up at tasb.org/specialeducation.



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SHARS MATTERS



September 2020

SHARS Amidst COVID-19

All of us have been impacted by the COVID-19 pandemic in some way, shape, or form. Even the School Health and Related Services (SHARS) program has been temporarily modified to accommodate for the changes school districts have had to implement to ensure the health and safety of their students and communities. Throughout the ongoing global pandemic, we have remained in constant contact with state and federal agencies to stay informed of all the latest



SHARS Matters quarterly e-newsletter



Free Monthly School Medicaid Webinar Series

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**2023
SHARS
CONFERENCE**

SIGN UP TODAY!

**COME ONE,
COME ALL!**

MAY 4-5, 2023



Special Education Solutions

bit.ly/SHARS-2023

Contact Information



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