



# SHARS Updates

SHARS Matters Webinar Series  
September 2021

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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# Change is Inevitable

STUDY  
HARD!



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## SHARS - Updates to Interim Claiming and Cost Reporting Requirements for SHARS PT, OT, ST, and Audiology Services

Last updated on 8/13/2021

The Texas Health and Human Services Commission (HHSC) must update interim claiming and cost reporting requirements for School Health and Related Services (SHARS) Physical Therapy (PT), Occupational Therapy (OT), Speech Therapy (ST), and Audiology services in accordance with Title 42 Code of Federal Regulations (CFR) §455.440 National Provider Identifier, CFR §455.410 Enrollment and Screening of Providers, and CFR §440.110 Physical Therapy, Occupational Therapy, and Services for Individuals with Speech, Hearing, and Language Disorders.

These updates are necessary to mitigate potential interim claiming and cost reporting denials due to a missing referring or prescribing provider National Provider Identifier (NPI). All referring and prescribing providers, regardless of direct employment with school districts, must obtain an NPI and must be enrolled in Medicaid as individual practitioners.

The following updates for SHARS PT, OT, ST, and Audiology services will be effective October 1, 2021:

## SHARS Updates to Audiology Services Under Section 504 Plan

Last updated on 8/13/2021

After implementation is pending Centers for Medicare & Medicaid Services (CMS) approval. The Texas Health and Human Services Commission (HHSC) is requesting an October 1, 2021 effective date. In the event of delayed CMS approval, HHSC will issue an updated notice to SHARS providers with additional information.

In accordance with Texas Education Code §38.013 (2019 AMO) H.B. 306, relating to the eligibility of certain children who are deaf or hard of hearing for audiology services under the School Health and Related Services (SHARS) program, HHSC is required to implement policy updates to eligibility criteria for certain audiology services.

The following updates for SHARS audiology services are pending CMS approval, with a requested effective date of October 1, 2021:

### NOTICE School Health and Related Services (SHARS): Parental Consent to Bill Medicaid

This notice is a clarification of what constitutes billing Medicaid under the School Health and Related Services (SHARS) program for purposes of parental consent to access a special education student's public benefits, as required by the Individuals with Disabilities Education Act (IDEA) and related federal regulations.

#### Re: 38 CFR 306.1546(a)(2)(i)-(iv)

Prior to assessing a child's or parent's public benefits or insurance for the first time, and after providing notification to the child's parents consistent with paragraph 1546(a)(2)(i) of the section, must obtain written parental consent that—

(1) Meets the requirements of §90.303 of this title and §300.602, which consent must specify the personally identifiable information that may be disclosed (e.g., reports or information about the services that may be provided to a particular child), the purpose of the disclosure (e.g., billing for services under part 300), and the agency to which the disclosure may be made (e.g., the State's public benefits or insurance program (e.g., Medicaid)); and

(2) Specifies that the parent understands and agrees that the public agency may access the parent's or child's public benefits or insurance to pay for services under part 300.

The guidance from the Office of Special Education and Rehabilitative Services of the U.S. Department of Education dated February 15, 2014, school districts participating in the SHARS program are NOT required to and may not obtain the above-referenced parental consent for all students in special education; rather, districts are required to obtain parental consent ONLY for special education students for whom the district will bill Medicaid for providing SHARS services.

H.B. No. 2458

1 AN ACT  
 2 relating to the Medicaid program, including the administration and  
 3 operation of the Medicaid managed care program,  
 4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS,  
 5 SECTION 1, Subchapter 8, Chapter 331, Government Code, is  
 6 amended by adding Sections 331.0501 and 331.0512 to read as  
 7 follows:  
 8 **SEC. 331.0501. MEDICAID WAIVER PROGRAMS; INTEREST LIST**  
 9 MANAGEMENT. (a) THE COMMISSION IN CONSULTATION WITH THE

## School Health and Related Services (SHARS) – Medicaid Draft Policy Comment Responses

The comment period for the Medicaid School Health and Related Services (SHARS) policy was from January 12, 2021 through January 26, 2021. During this period, the Texas Health and Human Services Commission (HHSC) received comments from stakeholders. A summary of comments relating to the proposed policy and HHSC's responses follow.

### Statement of Benefits

## SHARS Benefits to Change for Texas Medicaid October 1, 2021

Last updated on 8/13/2021

Effective for dates of service on or after October 1, 2021, School Health and Related Services (SHARS) benefits will change for Texas Medicaid.

### Overview of Benefit Changes

Major changes to this medical benefit include the following:

- New billable procedure codes for audiology evaluation and management services
- Clarification for Occupational Therapy (OT), Physical Therapy (PT), Speech Therapy (ST), and Audiology Services
- New documentation requirements for all SHARS services
- New documentation requirements for special transportation



# SHARS Updates

## IEP Ratio



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# IEP Ratio

Parental consent required to bill for a Medicaid-enrolled student with an IEP that prescribes SHARS services.

- District may not submit any interim claims or include the student in cost ratios until parental consent has been obtained.

## House Bill 2658 (Effective 9/1/2021)

- Requires HHSC to adopt rules requiring districts to obtain parental consent for services provided under the SHARS program to receive reimbursement for those services.
- Allows for an exemption process in the event a student does not have a parent or legal guardian who can give consent.



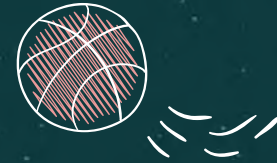


# SHARS Updates

## Audiology



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# Audiology

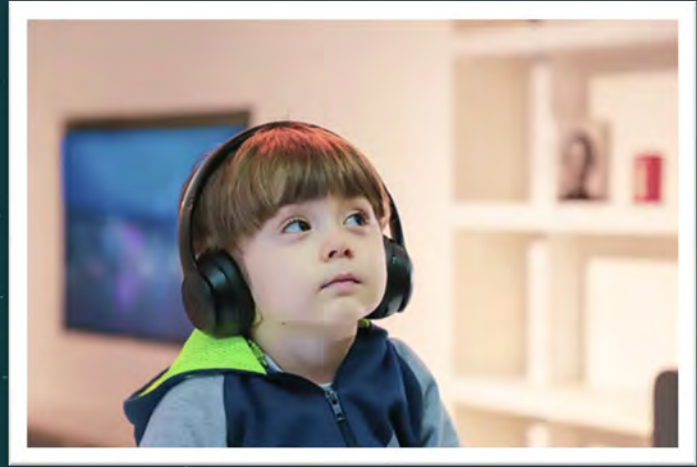
- Referrals from a physician or eligible provider required
  - Valid for 3 years
  - Audiologists whose evaluations serve as the referral must be enrolled in Medicaid as individual practitioners and must use their individual National Provider Identifier (NPI) for claim submission.
- New procedure codes for new services



# Audiology

Reimbursement to be provided for students with Section 504 plans that include the student's disability and the service's medical necessity

- Only applies to audiology evaluations and management procedures
- Pending final approval from CMS





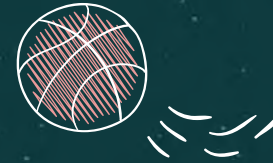


# SHARS Updates

## NPIs & Medicaid Enrollment



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# NPIs & Medicaid Enrollment



- Related Service prescriptions and referrals must include a National Provider Identifier (NPI), and the provider must be enrolled with Medicaid to bill evaluation and/or authorize the billing of related services therapy.
- One year grace period to become compliant begins November 1, 2021.



# SHARS Updates

## OT & PT Prescription

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# OT & PT Prescription



- Need a new prescription every 3 years
- Must have maximum billable time on the prescription





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# SHARS Updates Reevaluations & Co-Treatment/Therapy

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# Reevaluations & Co-Treatment/Therapy



- Confirmation that reevaluations may be billed
- A physician's prescription is NOT needed for a reevaluation, so long as the prescription/referral occurred in the previous 3 years
- Effective 11/1/2021, PT, OT, and/or ST services prescribed in a student's IEP may be reimbursed when delivered as co-treatment
- Reason for co-treatment should be documented in session notes



# SHARS Updates Documentation

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# Documentation



- Documentation of services must occur within 1 week (7 days) of the time the service is rendered.
- Effective 11/1/2021, student observations will be required in service log documentation of ALL SHARS services.





# ☆ Documentation: Specialized Transportation

- Service itself remains unchanged
- Trip log requirements will be made official on 11/1/2021
- Most requirements were listed in SHARS FAQs



# ☆ Documentation: Specialized Transportation



## New requirements to note:

- Date of service and day of the week
- Student should be marked absent if service is not provided
- Medicaid number should be included on log or if not possible, a separate ledger with certain student information must be maintained and provided to HHSC
- Indication if a bus aid or monitor was needed
- If personal care services are provided on the bus, documentation of the type of personal care service (type of activity and group/individual) that was performed must be included



# ☆ Documentation: Electronic Signature

- Check all systems you document in for SHARS that they meet the necessary eSignature requirements.
- Have documentation on the methodology.
- Be able to pull logs from the system.

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# SHARS Updates

## Random Moment Time Study

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# Random Moment Time Study

- 1st Quarter (of FFY 2022) participant list due TODAY, September 15, 2021
- Training requirement to be enforced starting with FFY 2022
- [Training schedule online](#)

## Random Moment Time Study (RMTS)

MANDATORY ANNUAL TRAINING FOR INDEPENDENT SCHOOL DISTRICTS (ISD)

Federal Fiscal Year 2022

(October 2021 to September 2022)



### RMTS Training Compliance

In reviewing the previous FFY 2021 training compliance, several districts were non-compliant, therefore we want to make sure districts are informed of the Random Moment Time Study training requirements.

Annual training is mandatory for at least **two district employees** designated by the entity as a RMTS Contact. If your district is contracted with a Co-op, SSA or third-party vendor, the district's RMTS Contact(s) is still required to complete annual training. The RMTS Contact is responsible for ensuring the district complies with all RMTS requirements and serves as a communicator between HHSC and their district participants.

As a Primary RMTS Contact, the role is to be the overseer of Random Moment Time Study as it relates to their district. The role includes making sure themselves, secondary RMTS Contacts and participants are annually trained, assign secondary RMTS Contact roles, ensures the participant list is certified, communicates to other RMTS Contacts and district participants of any new information provided by HHSC.

**NEW!** For FFY 2022, a Primary RMTS Contact will now be required to take annual training every FFY. A Primary RMTS Contact will have until the end of the 1st quarter RMTS training period to complete their annual training (May 2021 – August 2021). Early FFY 2022 RMTS training begins in May 2021. A Secondary RMTS Contact will be required to complete annual training before the end of the FFY training period (May 2021 – February 2022). If your district has multiple secondary RMTS Contacts, you can select one person who will be responsible for completing the annual training to complete the required 2 district employees. Please see the FFY 2022 RMTS ISD training schedule for specific training dates. RMTS Contacts can view training dates and register for training at the link below. Again, if a district is contracted with an SSA, Co-op or third-party vendor, each district is still required to have at least 2 employees from their

Questions???



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

Sign up at [tasb.org/specialeducation](https://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





**Save the Date**

# **SHARS 2022 Conference**

**Our first ever hybrid conference**

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**April 28 -29, 2022**



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THANK YOU!!





# Contact Information



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