



July 30, 2024

To: Texas Health and Human Services Commission
Attention: Provider Finance
Mail Code H-400
P.O. Box 149030
Austin, Texas 78714-9030

Email: ProviderFinanceSHARS@hhs.texas.gov

Subject: Feedback on Proposed Removal of Group Supports for Personal Care Services (PCS) under SHARS

Dear SHARS Provider Finance Team,

My name is Dr. Karlyn Keller. I am the Division Director of TASB School Medicaid Services and Student Solutions. I am here to address the proposed changes to Medicaid payment rates for School Health and Related Services (SHARS), specifically the removal of group supports for Personal Care Services (PCS). I have over 30 years of experience in education, serving as a provider, administrator, vendor, and advocate. The proposed removal of these supports is not in the best interest of the students or the educational community and contradicts both best practices and federal mandates. Today, I will be providing detailed arguments against this policy change, emphasizing its negative impacts on students with disabilities, the financial stability of school districts, and the overall efficiency and inclusiveness of our educational system.

Summary of Major Issues and Concerns

The removal of group supports for PCS under SHARS raises several major concerns that need to be addressed. Our detailed written comments, attached separately, outline sixteen specific points for consideration. Here, I will summarize the key issues and concerns:

Financial Impact and Resource Optimization

- **Issue:** Group services are more cost-effective and optimize resource use.
- **Impact:** Group settings provide efficient use of resources, addressing budget constraints and staffing shortages.
- **Recommendation:** Retain group settings for cost-effectiveness and optimal resource use.
- **Supporting Evidence:** Research shows that group services reduce costs and utilize resources more efficiently compared to individual services. By maintaining group settings, we can ensure that limited resources are used effectively to support a larger number of students.

Impact on Federal Funding and State Budget

- **Issue:** SHARS is federally funded, and drastic changes may decrease federal funding.
- **Impact:** Removal of group billing could lead to a decrease in federal funding, necessitating increased state funding to cover the gap.
- **Recommendation:** Maintain current group billing practices to ensure stable federal funding and avoid increased financial burdens on the state and school districts.
- **Supporting Evidence:** Federal funding stability is crucial for the financial health of school districts. Drastic changes in billing practices can disrupt this funding, leading to significant financial shortfalls. Ensuring continuity in group billing practices will help maintain steady federal support.

CMS Mandate to Decrease Administrative Burdens

- **Issue:** CMS emphasizes the need to decrease administrative burdens.
- **Impact:** The removal of group settings will increase administrative burdens on schools by complicating billing and documentation processes for PCS, distracting from student support. The need to provide services individually to students and document at the new required level will result in educational staff's need to increase paperwork which is a major concern of the legislature and people across our state.
- **Recommendation:** Adopt CMS flexibilities to streamline billing processes and maintain group settings.
- **Supporting Evidence:** CMS has provided guidelines to reduce administrative burdens, facilitating easier service delivery in schools. In addition, our state legislature who voiced concern with the amount of required paperwork educators must do which further pulls them away from working directly with students. Removing group settings contradicts these guidelines and imposes additional administrative tasks on school staff.

Access to Services

- **Issue:** Removing group settings will limit access to PCS.
- **Impact:** Schools face challenges in providing individualized services due to resource constraints.
- **Recommendation:** Implement federal strategies to expand access to PCS by maintaining group settings.
- **Supporting Evidence:** Group settings ensure broader access to essential services, particularly in under-resourced districts. Limiting services to individual settings can significantly reduce the availability of PCS.

Compliance with Federal Mandates: LRE and Inclusive Education

- **Issue:** LRE encompasses the entire educational experience, including social interactions and typical school activities.

- **Impact:** Removing group supports can conflict with LRE principles, reducing students' access to inclusive educational settings.
- **Recommendation:** Maintain group settings to ensure alignment with LRE principles, providing equitable experiences and supporting holistic development.
- **Supporting Evidence:** Federal mandates emphasize the importance of inclusive education, ensuring students with disabilities can participate in typical settings. Group supports are integral to fulfilling these mandates.

Successful Models in Other States (Colorado)

- **Issue:** Colorado has successfully implemented group settings for PCS.
- **Impact:** Other states' successful models provide evidence that group supports are beneficial and sustainable.
- **Recommendation:** Consider adopting practices from successful models in other states to retain group supports for PCS.
- **Supporting Evidence:** Colorado's implementation of group PCS demonstrates its effectiveness and sustainability, providing a viable model for Texas to follow.

Historical Context: TEA's One-Size-Fits-All Standard

- **Issue:** TEA's unofficial target led to the denial of services due to compliance-driven practices.
- **Impact:** Historical example of how one-size-fits-all standards can negatively impact educational practices.
- **Recommendation:** Avoid setting similar one-size-fits-all standards by maintaining group supports for PCS.
- **Supporting Evidence:** The historical context of the TEA's target highlights the dangers of arbitrary limits. Maintaining group supports will prevent similar detrimental practices and ensure better service delivery.

Conclusion

In conclusion, the removal of group supports for Personal Care Services under the Texas school Medicaid (SHARS) program would have far-reaching negative impacts. This policy change contradicts federal mandates, increases administrative complexity, and undermines the inclusive, effective, and efficient care that our students deserve. By maintaining group supports, we can ensure compliance with federal guidelines, promote holistic development, and optimize resource use to better serve our educational communities. I strongly urge HHSC to reconsider this policy change to continue providing the necessary support for our students and uphold the principles of inclusive education.

In addition to these points, I would like to refer to the written input we provided earlier this month, which outlines further concerns regarding this policy rewrite. We believe that maintaining group supports for Personal Care Services is essential for providing high-quality, inclusive care that meets the needs of students with disabilities.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink that reads "Karlyn Keller". The signature is written in a cursive style with a large initial "K" and a long, sweeping underline.

Karlyn Keller, Ed.D.
Division Director
TASB School Medicaid Services

Attachments:

Detailed Written Comments with 16 Specific Points for Consideration