



STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

**Date:** 03/23/2018  
**Time:** 02:55 PM  
**Location:** 229  
**Committee:** Senate Education  
Senate Human Services

**Department:** Education

**Person Testifying:** Dr. Christina M. Kishimoto, Superintendent of Education

**Title of Resolution:** SCR 081 REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO EXAMINE HOW THE DEPARTMENT OF EDUCATION CAN MAXIMIZE MEDICAID REIMBURSEMENT FOR SUPPORT SERVICES OFFERED TO ELIGIBLE STUDENTS DURING SCHOOL HOURS.

**Purpose of Resolution:**

**Department's Position:**

The Department of Education (Department) strongly supports SCR 081.

The Department is committed to maximizing Medicaid reimbursement for support services offered to eligible students. As a result of a proviso included in Act 119, Section 23 (2015), the Department established an internal working group beginning in 2015 to analyze current practices and develop a plan to pursue Medicaid reimbursement. This report was submitted to the Legislature in 2016: [http://www.hawaiipublicschools.org/Reports/LEG15\\_medicaid.pdf](http://www.hawaiipublicschools.org/Reports/LEG15_medicaid.pdf)

In the time since, the internal working group had continued its work to explore and pursue the opportunities outlined in the legislative report. This included a positive collaboration with the Department of Human Services which yielded deeper understanding and partnership on this issue.

To that end, the Department of Education welcomes the opportunity to continue this collaboration with the Department of Human Services, and to now include our Education legislative leadership, the Department of Health, and the Department of the Attorney General as we continue to work towards improved implementation of the Medicaid reimbursement program to maximize Medicaid reimbursement for medically necessary support services for the State of Hawaii.

We respectfully ask for your consideration in expanding the Deputy Attorneys General (DAGS) representation to include the DAGs representing the Department of Education as part of the working group.

Thank you for the opportunity to provide testimony on SCR 081.

The Hawaii State Department of Education seeks to advance the goals of the Strategic Plan which is focused on student success, staff success, and successful systems of support. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at [www.hawaiipublicschools.org](http://www.hawaiipublicschools.org).

DAVID Y. IGE  
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PANKAJ BHANOT  
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CATHY BETTS  
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STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
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March 22, 2018

TO: The Honorable Senator Michelle N Kidani, Chair  
Senate Committee on Education

The Honorable Senator Josh Green, Chair  
Senate Committee on Human Services

FROM: Pankaj Bhanot, Director

SUBJECT: **SCR 81/SR 49 REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO EXAMINE HOW THE DPEARTMENT OF EDUCATION CAN MAXIMIZE MEDICAID REIMBURSEMENT FOR SUPPORT SERVICES OFFERED TO ELIGIBLE STUDENTS DURING SCHOOL HOURS**

Hearing: Friday, March 23, 2018, 2:55 p.m.  
Conference Room 229, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) appreciates the intent of the resolutions and offers comments.

**PURPOSE:** The purpose of the resolutions are that a working group be established to examine how the Department of Education can maximize Medicaid reimbursement for support services offered to eligible students during school hours, to include at least occupational and physical therapy, speech pathology, applied behavioral analysis, and other wellness supports that benefit a student's well-being and growth; and that this working group consist of administrative staff and/or their representatives from the Department of Education(DOE), Med-QUEST, Deputy Attorneys General representing DHS and Department of Health or their respective designees, and Chairs of the Senate and House Committees on Education, who will also be the c-chairs of the working group.

For background information, today, the Hawaii State Departments of Education (DOE) and Med-QUEST (MQD) are already collaboratively working together to maximize Medicaid reimbursements for eligible services provided to students attending Hawaii's public school system. Currently DOE already does and continues to actively process claims for eligible services for Medicaid covered children by licensed providers in the areas of physical therapy, occupational therapy, auditory and speech language therapy, and behavioral health services. For Fiscal Year (FY) 2017, the DOE received a total net federal reimbursement of \$324,340; with FY 2018 totaling \$172,549 to date.

In addition, DOE has been working with DHS to obtain billing rates and codes from MQD in order to receive Medicaid reimbursement for Medicaid covered services of applied behavior analysis, skilled nursing, and transportation. DOE has been tasked with identifying eligible billable services applicable in the educational setting for applied behavior analysis. To bill and claim for transportation, a Medicaid State Plan amendment is being submitted by us for approval by the Medicaid federal approving agency, the Centers for Medicare and Medicaid Services. DOE will be able to bill Medicaid for reimbursement of the aforementioned services up to twenty-four (24) months prior to the date the claim is submitted for payment.

We support your commitment to ensure that Hawaii's public school system optimizes all available opportunities to maximize Medicaid reimbursements and will continue our work with DOE to achieve this goal.

We further clarify that reimbursement from Medicaid presumes the child is eligible for and a recipient of Medicaid health insurance coverage. Medicaid reimbursement would not be available to a child who is not eligible to receive Medicaid coverage.

Thank you for the opportunity to comment on these resolutions.

**SCR-81**

Submitted on: 3/21/2018 1:52:14 PM

Testimony for EDU on 3/23/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| cheryl              | Individual          | Support                   | No                        |

Comments:

In addition to a group being formed, there needs to be a check to make sure that services are provided and that the educator or parent has the right to know these services and request them.

**SCR-81**

Submitted on: 3/21/2018 9:51:26 PM

Testimony for EDU on 3/23/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b>   | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---|---------------------------|---------------------------|
| Melodie Aduja       | Testifying for Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i | Support                   | No                        |

Comments:

**SCR-81**

Submitted on: 3/20/2018 5:51:31 PM

Testimony for EDU on 3/23/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b>                            | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|--|---------------------------|---------------------------|
| Louis Erteschik     | Testifying for Hawaii Disability Rights Center | Comments                  | No                        |

Comments:

We think this Work Group has value – but we are supporting the current provision in SB 2925 which directs the DOE to develop a plan to provide ABA services to children diagnosed with autism spectrum disorder and we certainly do not want to see this Work Group become a substitute for the action plan mandated in the bill. If anything, we believe that it would be good for the DOE in the context of developing that plan to have a stakeholder group provide input, in which case perhaps there may be an opportunity to overlap this Resolution with the provision in the bill.