



Memorandum of Understanding

Idaho State Department of Education and the Idaho Department of Health and Welfare as Related to IDEA and Medicaid School-Based Services

PURPOSE OF THE MEMORANDUM OF UNDERSTANDING

Students, families, and communities are best served when agencies communicate to facilitate relationships and interagency collaboration. The purpose of this Memorandum of Understanding (MOU) is to define and clarify responsibilities of each agency to ensure a coordinated, comprehensive service delivery system focusing on students, ages 3-21, who meet qualifications for the Individuals with Disabilities Education Act (IDEA) and Medicaid School-Based Services.

The Idaho State Department of Education (SDE) serves as the lead state agency for the provision of a free and appropriate public education for students, ages 3-21, who are eligible for special education services in Idaho. The SDE also provides oversight to agencies and programs that provide special education and related services to students, ages 3-21, under Part C of IDEA.

The Idaho Department of Health and Welfare (DHW) serves as the lead state agency for the provision of Medicaid School-Based Services policy development, adherence to IDAPA rule related to Medicaid School-Based and related services, and the fiscal reimbursement of eligible Medicaid School-Based Services.

With respect to both parties and their obligations regarding the provision of quality special education and medically necessary services to students and families, the SDE and the DHW commit to the following Provisions.

PROVISION A: MEDICAID ADVISORY COMMITTEE

The SDE and the DHW commit to an ongoing Medicaid Advisory Committee (MAC) that meets at least quarterly. The purpose of the MAC is to facilitate collaboration among Local Educational Agencies (LEAs), the SDE, and the DHW related to Medicaid School-Based Services and providers. The MAC's role is to serve as a consulting body for matters of Medicaid School-Based Services policy and practice and to recommend changes to Medicaid School-Based Services policy, within the scope of applicable state and federal rules.

MAC Members will include:

- DHW, Division of Medicaid, Bureau of Developmental Disability Services: Bureau Chief and Medicaid Program Policy Analyst for School-Based Services;
- DHW, Medicaid Program Integrity Unit;

- SDE: Special Education Director and Medicaid Coordinator;
- LEA Special Education Directors or Designees (representation to reflect small, large, rural and urban districts);
 - 1 Representative from each of the six SDE Educational Regions,
 - 2 Representatives from Charter Schools (1 virtual and 1 brick and mortar); and
- Parent Representation from Idaho Parents Unlimited.

LEA representatives will serve a three-year term. In their first year, LEA representatives will participate in an orientation training and be invited to attend the Annual National Alliance for Medicaid in Education (NAME) Conference.

PROVISION B: QUALITY ASSURANCE AND DESK REVIEW

The SDE and the DHW commit to collaboratively develop a quality assurance and desk review process. The desk reviews conducted jointly by the SDE and the DHW are for quality assurance purposes. Findings from the desk review process will inform professional development opportunities designed to improve Medicaid School-Based Services implementation. This desk review process does not prohibit or replace other surveys or audits as identified in IDAPA 16.03.09.857 and IDAPA 16.05.07. The DHW will continue to follow all rules and regulations identified in Idaho code and statutes.

PROVISION C: PROFESSIONAL DEVELOPMENT

The SDE and DHW jointly commit to developing and delivering professional development opportunities for LEA personnel related to Medicaid School-Based Services rules, policies, and implementation practices. The SDE and the DHW will collaborate to determine LEA professional development needs as identified through the desk review process, analysis of questions from LEAs, and/or recommendations from the Interagency Student Services Support Committee.

Joint professional development opportunities will include, but not be limited to, those described below.

- Face-to-face training during academic years following significant legislative changes to IDAPA rule in each of the six SDE Educational Regions.
- Annual web-based, online, and/or face-to-face training.
- The DHW will maintain resources on the DHW Medicaid School-Based Services website.
- The SDE will maintain resources on the School-Based Medicaid Idaho Training Clearinghouse webpage.

PROVISION D: PROCEDURAL PROTOCOL FOR RESPONDING TO LEAS

An LEA representative may submit a written recommendation, question, or concern (hereafter known as a Clarification) to the SDE or the DHW for clarification of a given rule or policy governing Medicaid School-Based Services. The SDE and the DHW will jointly respond to written Clarifications from LEAs using the following process:

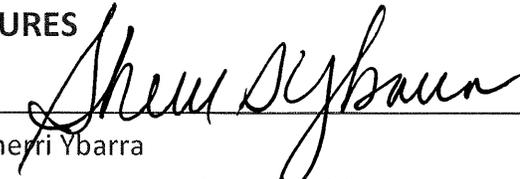
1. An LEA may submit a written Clarification to the DHW Medicaid Program Policy Analyst for School-Based Services or the SDE Medicaid Coordinator.
 - a. The SDE and the DHW will jointly assign the appropriate staff to provide a written response to the originating entity.
 - b. A summary of written Clarifications, with joint SDE and DHW responses, submitted for each quarter will be a standing agenda item for all MAC meetings.
2. If appropriate and/or necessary, written Clarifications may be discussed at MAC meetings. If additional action is indicated, a subcommittee may be formed to include additional SDE or DHW staff not otherwise represented on the MAC.
3. SDE staff will post written Clarifications, with joint SDE and DHW responses, to the SDE School-Based Medicaid Idaho Training Clearinghouse webpage, with all LEA identifiable information redacted.

The SDE and the DHW are committed to jointly supporting LEA implementation of Medicaid School-Based Services by maintaining open communication between the two agencies. The two agencies will collaboratively address LEA implementation concerns to provide cohesive guidance. Any issues of implementation shall be resolved based on the rules and written policy of IDAPA regulations governing Medicaid School-Based Services.

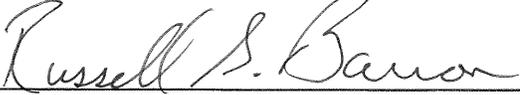
GENERAL PROVISIONS

The provisions of this MOU may be extended, modified, or changed by a written amendment signed by both parties. Such amendments, when so signed, will become a part of this agreement. This MOU becomes effective on the date signed by all parties. The MOU automatically renews on July 1 of each year, unless either party requests a review of the MOU before June 1. Either party may terminate this agreement with a 30-day written notice to the other party.

SIGNATURES

By: 
 Sherri Ybarra
 State Superintendent of Public Instruction

Date: 12/10/18

By: 
 Russell S. Barron
 Director, Idaho Department of Health and Welfare

Date: 12-12-18