



PRESENCELEARNING
TESTIMONY TO THE HEALTH AND HUMAN SERVICES COMMITTEE
FEBRUARY 1, 2018

Members of the Committee, I thank you for allowing me to testify on the importance of telemedicine and Medicaid reimbursement in Kansas on behalf of PresenceLearning.

Using PresenceLearning's online platform, a network of highly qualified clinicians provides speech and occupational therapy, behavioral and mental health services, and assessments to children with special needs on behalf of K-12 districts nationwide, including in Kansas.¹ These services help education agencies fill service gaps related to acute and chronic shortages of special education and clinical services personnel, reduce high caseloads for onsite personnel, reduce their backlog of assessments, improve outcomes, and improve program efficiency.

HB 2512

We applaud your new telemedicine legislation, HB 2512², for not limiting originating sites, however, we are concerned that services are limited to physicians and mental health providers and thus most school based special education services are not included in this legislation. While online mental health services would be reimbursable by Medicaid at schools, online speech and occupational teletherapy would not be reimbursable.

PresenceLearning would recommend including Medicaid reimbursement for all school based special education teletherapy services.

All School Based Special Education Teletherapy Services Should Be Covered By Medicaid

Under the federal Individuals with Disabilities Education Act (IDEA) schools must fulfill a student's individualized educational plan (IEP).³ Medicaid reimbursement is permitted for services specified in an IEP when conducted in person at school.⁴ The recommendation to include schools as an originating site for purposes of telemedicine reimbursement simply ensures that the **same services, the type and amount of which are dictated by the student's IEP**, is reimbursable whether conducted in-person or online. Schools should not have to give up

¹ PresenceLearning currently services approximately 600 students in the following school districts: Southwest Kansas Area Cooperative District 613; Central Kansas Cooperative In Education; Lawrence School District; Harvey County Special Education Cooperative. PresenceLearning has previously served the following school districts: Garden City Unified School District 457; Geary County Schools 475; Manhattan-Ogden Unified School District 383; and K12 KSVA Kansas Virtual Academy.

² http://www.kslegislature.org/li/b2017_18/measures/hb2512/

³ <https://www2.ed.gov/policy/speced/reg/idea/part-b/index.html>

⁴ <http://www.ksde.org/Portals/0/ECSETS/FactSheets/FactSheet-Medicaid.pdf>



Medicaid funds if they wish to provide IEP-mandated services using an innovative and effective telehealth delivery model.

In some cases, the failure to permit Medicaid reimbursement for school-based telehealth may result in students' receiving no or insufficient IEP-mandated services if in-person clinicians cannot be found.⁵ There is an approximate 10% national shortage of special education providers, and this number often jumps even higher in rural and inner city communities.⁶ Kansas currently has over 69,000 students who are served under IDEA, which is approximately 14% of all enrolled students,⁷ and 27% of Kansas children are covered by Medicaid/CHIP.⁸ Kansas has reported shortages of speech language, occupational therapy, and behavioral health providers since the mid-1990s.⁹ And as recently September of 2017 the Kansas Department of Education reported to the school board that the shortage of special education providers continues to be a concern.¹⁰

Notably, for online speech, occupational, and behavioral and mental health services, schools need not purchase large amounts of equipment; the service is conducted in a secured cloud setting, with standard broadband services, and a computer camera. The inclusion of schools as an originating site therefore would have a limited fiscal impact on the state.

By including schools as an originating site Kansas will join 26 other states and the District of Columbia which have included schools as Medicaid reimbursable locations for telehealth services.¹¹

Thank you for your time and the consideration of this important recommendation.

Sincerely,

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 On Behalf of PresenceLearning
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⁵ Including school as an originating site does not eliminate or attempt to reduce the use of in-person providers but allows schools to more easily address their short and long term staff shortages.

⁶ 51% of all school districts and 90% of high poverty school districts report difficulty attracting highly qualified special education teachers; <http://specialedshortages.org/about-the-shortage/>

⁷ https://nces.ed.gov/programs/digest/d16/tables/dt16_204.70.asp

⁸ <https://ccf.georgetown.edu/location/indiana/>

⁹ <https://www2.ed.gov/about/offices/list/ope/pol/bteachershortageareasreport201718.pdf>

¹⁰ <http://cjonline.com/news/state-government/education/2017-09-11/teacher-shortages-persist-kansas-state-board-education>

¹¹ The states are: Alaska, Arkansas, California, Colorado, Florida, Georgia, Hawaii, Idaho, Maine, Michigan, Minnesota, Missouri, Montana, Nevada, New Jersey, New Mexico, New York, North Dakota, Ohio, Oklahoma, Tennessee, Texas, Washington, West Virginia, Virginia, and Vermont.