

Massachusetts

FOR YOUR REFERENCE ...



October 2005

The following pages include important special education administration information regarding:

Overview of Team Evaluation Services	Pages 1 and 2
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Hospital Cost-to-Charge Ratios for IEEs	Page 3
Massachusetts Sped Regulations pertinent to IEEs	Pages 4 & 5
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Also on the ASE website ...

Of note regarding State “Bid Law” ... M.G.L Chapter 30B ... Uniform Procurement Act (Special Education exemption from the requirements of Chapter 30B)

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OVERVIEW OF 114.3 CMR: DIVISION OF HEALTH CARE FINANCE & POLICY 114.3 CMR 30:00 TEAM EVALUATION SERVICES

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Major points ...

30.01 (1) ... governs rates of payment by governmental units for TEAM Evaluation Services provided by **authorized professionals** (*see 30.02 below*).

30.01 (3) ... **excludes rates of payment to hospitals**, community health centers and mental health centers (*see page 3 of this Overview*)

30:02 Definition of Authorized Professional:

- | | |
|----------------------------------|--|
| Medical Assessment: | A pediatrician or other physician (<i>other than an intern, resident, fellow, or house officer</i>) |
| Psychological Assessment: | Licensed psychologist (<i>licensed by the Massachusetts Board of Registration of Psychologists</i>)
or
A school psychologist (<i>certified/licensed by the Mass DOE</i>) |
| Home Assessment: | A social worker (<i>w. Master's degree in social work & who is licensed by the MA Board of Registration of Social Workers</i>)
or
A school nurse (<i>registered by the MA Board of Registration in Nursing</i>)
or
A counselor (<i>w. a Master's degree in counseling education, counseling psychology, or rehabilitation counseling</i>) |
| Rehab Services (PT): | A physical therapist (<i>licensed by the Board of Allied Health Professions</i>) |
| Rehab Services (OT): | An occupational therapist (<i>licensed by the Board of Allied Health Professions</i>) |
| Rehab Services (Sp/Lang): | A speech/language therapist (<i>licensed by the Board of Speech Language Pathology and Audiology</i>) |
| Audiological Services: | An audiologist (<i>licensed by the Board of Speech Language Pathology and Audiology</i>) |
| Educational Assessment: | A teacher (<i>certified by the MA Department of Education</i>) |

..... continued

30:03 (3) ... **Written Assessment Report** ... considered an administrative duty associated with service and, in accordance with 114.3 CMR 30.03(2), **no additional payment will be received**

30:04 Allowable Fees

Fees noted on website as of 10/12/05 ... please check website noted below periodically for any revisions

ASSESSMENT	ALLOWABLE FEE
Home Assessment	\$80.37 \$32.15 (for participation at Team Meeting)
Educational Assessment	\$262.91
Vocational Interest Evaluation	\$47.03 \$62.70 (for Hearing Impaired)
Educational Achievement Test	\$62.70 \$125.40 (for Hearing Impaired)
Intelligence Testing only	\$125.40 \$156.75 (for Hearing Impaired)
Personality Evaluation (Projective)	\$250.80 \$188.10 (for Hearing Impaired)
Intellectual & Personality Eval.	\$376.20
Assessment of Brain Damage	\$250.80
Neurobehavioral Interview	\$62.70/hour* (Range: 1 – 2 hours)
Partial Neuropsych. Assessment	\$62.70/hour*
Comprehensive Neuropsych.	\$62.70/hour* (Range: 8 – 12 hours)
Consultation	\$62.70/hour* (Range: 2 – 4 hours)
Serial Brief Consultation	\$62.70/hour* (Range: 0.5 – 2 hours)
Physician's Comprehensive Eval.	\$129.08 (requires written report)
Physical Therapy Evaluation	\$124.53
Occupational Therapy Evaluation	\$124.53
Comprehensive Sp. Therapy Eval.	\$166.04

* can be billed in half hour increments

*The full text of 114.3 CMR 30:00 (Team Evaluation Services) can be found at
http://www.mass.gov/Eeohhs2/docs/dhcfp/word/114_30.doc*

See Massachusetts Special Education Regulations re. Independent Education Evaluations on page 4 of 6

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Hospital Cost to Charge Ratio for Team Evaluation Services

*(from the MA Office of Health Care Finance and Policy ... Outpatient Cost to Charge Ratios)
Rates provided 10/6/05*

FACILITY	PERCENTAGE OF CHARGE
Baystate Medical Center	46.56%
Boston Medical Center	49.88%
Cambridge Health Alliance	69.92%
Children's Hospital	38.29%
Franciscan Hospital for Children	70.52%
HealthSouth	50.92%
Mass General Hospital	32.20%
Morton Hospital	31.91%
New England Medical Center	39.88%
Salem Hospital	45.43%
Southcoast Health Systems	43.30%
St. Anne's Hospital	31.74%
UMass Medical Center	41.59%

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Massachusetts Special Education Regulations ... 603 CMR 28.04(5)

Highlights & bold print within highlights provided by Massachusetts ASE

(5) **Independent education evaluations.** Upon receipt of evaluation results, if a parent disagrees with an initial evaluation or reevaluation completed by the school district, then the parent may request an independent education evaluation.

(a) All independent education evaluations shall be conducted by qualified persons who are registered, certified, licensed or otherwise approved and who abide by the rates set by the state agency responsible for setting such rates. Unique circumstances of the student may justify an individual assessment rate that is higher than that normally allowed.

(b) The parent may obtain an independent education evaluation at private expense at any time.

(c) Public funding of independent education evaluations - When the parent requests public funding for an independent education evaluation, the district shall abide by the following provisions for a sliding fee scale:

1. **If the student is eligible for free or reduced cost lunch or is in the custody of a state agency with an Educational Surrogate Parent appointed in accordance with federal law, then the school district shall provide, at full public expense, an independent education evaluation that is equivalent to the types of assessments done by the school district.** No additional documentation of family financial status is required from the parent.
2. If the family financial status is not known, the district shall offer the parent information about the sliding fee scale and the opportunity to provide family income information to determine if the family may be eligible for public funding of all or part of the costs of an independent education evaluation. Provision of financial information by the family is completely voluntary on the part of the family. The lack of financial information provided by the family will disqualify the family from such additional public funding of all or part of the costs of an independent education evaluation under 603 CMR 28.04(5)(c) but shall not limit the rights of parents to request public funding under 603 CMR 28.04(5)(d).
3. If the family agrees to provide financial information, such information shall include anticipated annual income of the family, including all sources of income and verifying documents. Financial information shall be reviewed by the district, shall be kept confidential during review by the district, shall not be copied or maintained in any form at the district except to note that information was provided and reviewed and met or did not meet sliding fee scale standards. Financial documents shall be promptly returned to the parent upon the district's determination of financial income status.
4. The district shall consider family size and family income information in relation to Federal Poverty Guidelines and shall contribute public funds to the costs of the independent education evaluation according to the following standards:
 - (i) **If the family income is equal to or less than 400% of the federal poverty guidelines, the district shall pay 100%** of the costs of an independent education evaluation. (*see next page*)

(ii) **If the family income is between 400% and 500% of the federal poverty guidelines, the district shall pay 75%** of the costs of an independent education evaluation. (*see next page*)

(iii) **If the family income is between 500% and 600% of the federal poverty guidelines, the district shall pay 50%** of the costs of an independent education evaluation. (*see next page*)

(iv) **If the family income is over 600% of the federal poverty guidelines, the district shall have no obligation to cost-share with the parent.** (*see next page*)

5. When the parent seeks and receives public funding for an independent education evaluation under these provisions, the parent may request independent assessments in one, more than one, or all of the areas assessed by the school district.
6. The right to this publicly funded independent education evaluation under 603 CMR 28.04(5)(c) continues for 16 months from the date of the evaluation with which the parent disagrees.

(d) If the parent is requesting an independent education evaluation in an area not assessed by the school district, the student does not meet income eligibility standards, or the family chooses not to provide financial documentation to the district establishing family income level, the school district shall respond in accordance with the requirements of federal law. The district shall either agree to pay for the independent education evaluation or within five school days, proceed to the Bureau of Special Education Appeals to show that its evaluation was comprehensive and appropriate. If the Bureau of Special Education Appeals finds that the school district's evaluation was comprehensive and appropriate, then the school district shall not be obligated to pay for the independent education evaluation requested by the parent.

(e) Whenever possible, the independent education evaluation shall be completed and a written report sent no later than 30 days after the date the parent requests the independent education evaluation. If publicly funded, the report shall be sent to the parents and to the school district. The independent evaluator shall be requested to provide a report that summarizes, in writing, procedures, assessments, results, and diagnostic impressions as well as educationally relevant recommendations for meeting identified needs of the student. The independent evaluator may recommend appropriate types of placements but shall not recommend specific classrooms or schools.

(f) Within ten school days from the time the school district receives the report of the independent education evaluation, the Team shall reconvene and consider the independent education evaluation and whether a new or amended IEP is appropriate.

See 2005 HHS Poverty Guidelines on page 6 of 6

2005 HHS Poverty Guidelines

Persons in Family Unit	48 Contiguous States and D.C.	Alaska	Hawaii
1	\$ 9,570	\$11,950	\$11,010
2	12,830	16,030	14,760
3	16,090	20,110	18,510
4	19,350	24,190	22,260
5	22,610	28,270	26,010
6	25,870	32,350	29,760
7	29,130	36,430	33,510
8	32,390	40,510	37,260
For each additional person, add	3,260	4,080	3,750

SOURCE: *Federal Register*, Vol. 70, No. 33, February 18, 2005, pp. 8373-8375.



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