

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
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**Item 3 Other Laboratory and X-ray Services**

- a. A professional component associated with laboratory services is covered only when the work is actually performed by a pathologist who is not billing for the complete procedure and is covered only for anatomic and surgical pathology (includes cytopathology and histopathology).
- b. Specimen collection fees are covered when drawn by venipuncture or collected by catheterization unless the eligible recipient is in a nursing home. Specimen collection fees are not payable for nursing home recipients.
- c. Laboratory tests are not covered if the tests are conveyed from an ordering physician's office to a non-certified laboratory. Physician and other private practitioners may not bill for laboratory tests which are sent to an outside laboratory or other facility.
- d. Laboratory specimen handling or mailing charges are not a benefit of the program.
- e. Individual lab procedures that are routinely considered to be included in a profile or panel must be billed as a panel.

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**Item 4b EPSDT Services Included In the State Plan**

Services already included in the state plan are described in Attachment 3.1A. Limitations to those services are described in the other sections of State Supplement A to Attachment 3.1A.

Under 1905(r) of the Act any limitation of services for EPSDT eligible recipients under age 21 may be exceeded based on medical necessity for EPSDT services.

Specific program coverage restrictions, limitations in duration or service, and limitations in frequency of service, as described elsewhere in State Supplement A to Attachment 3.1A.

- a) Experimental procedures are limited as described in Item 5, State Supplement A to Attachment 3.1A.
- b) Documentation requirements must be met for abortion services, sterilization services, and hysterectomies.
- c) Limitations in duration and frequency of service otherwise described in the state plan are not applicable when documented as medically necessary for the recipient.

**EPSDT Services Not Otherwise In The State Plan**

All services provided in Section 1905 (a) of the Act which are medically necessary to correct or ameliorate defects and physical and mental illnesses and conditions identified during an EPSDT screen, periodic or interperiodic, whether or not such services are covered or exceed the benefit limits in the state plan, are provided.

Specifically, the following services, which are not otherwise covered under the state plan, are provided when medically necessary:

1. EPSDT Case management services are for medically at risk recipients under 21 years of age. Recipients who are eligible for EPSDT case management must be considered medically at risk. "Medically at risk" is defined as those individuals who have a diagnosed physical or mental condition which has a high probability of impairing their cognitive, emotional, neurological, social or physical development.

Government or community agencies, Indian tribal governments, Indian Health Services and Federally Qualified Health Centers may provide EPSDT Case management services.

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2. Inpatient and residential services provided by institutions accredited by the Joint Commission (JC), the commission on accreditation of rehabilitation facilities (CARF), or the council on accreditation of services for families and children (COA), as well as licensed by the New Mexico Department of Health, including free standing psychiatric facilities and accredited residential treatment centers. Services must be provided under the direction of a physician or other licensed practitioner as allowed by state law.

Accredited Residential treatment center services are primarily for children or adolescents who have been diagnosed as having a severe emotional disturbance, mental disorder, or chemical dependency (drugs or alcohol), and for whom less restrictive settings are not appropriate. Services must be designed to reduce or control the individual's symptoms or maintain the individual's level of functioning. Also included is partial hospitalization in a free-standing psychiatric or general hospital.

3. Outpatient services provided by institutions accredited by the Joint Commission (JC), the commission on accreditation of rehabilitation facilities (CARF), or the council on accreditation of services for families and children (COA), as well as licensed by the New Mexico Department of Health, including free standing psychiatric facilities.
4. Psychosocial rehabilitation services (PSR) which are rehabilitative in nature and furnished in accordance with a written treatment plan. Specifically excluded from coverage are room and board, educational programs, and vocational training. Services are as defined in Dallas Regional Medical Services Letter (DRMSL) No. 92-73. They may be provided in either residential or home and community settings. Residential settings include Residential Treatment Centers and Group Homes. Non-residential settings include the home (natural, adoptive, or specialized therapeutic foster care), the school, or any other natural setting within the community.

Services consist of non - accredited Residential Treatment Centers and Group Homes; Treatment Foster Care; Behavior Management Skills Development Services; Day Treatment; Crisis services, Psychosocial Rehabilitation Services in groups or classrooms, PSR psychotherapy (individual and group), specialized consultations, assessment and initial treatment plan, treatment plan periodic updates, and pharmacological management.

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Each individual has a level of dysfunction determined by an interdisciplinary panel. The level is based upon diagnoses, psychological evaluations, and psychosocial criteria including current situations and past history concerning family and placements.

Activities include individual and group counseling and therapy; activities of daily living which facilitate age-appropriate skills re-development in the areas of household management, independent living, relaxation and self-care techniques; and crisis intervention.

Providers must be trained and certified in the services being provided, in accordance with the applicable certification standards adopted by the Department. The Department has adopted the certification standards for EPSDT psychosocial rehabilitation services promulgated and administered by the Children, Youth and Families Department. Providers must meet the qualifications for their particular services in these standards.

5. Private duty nursing services. Services must be provided through a licensed nursing agency, home health agency, or by a Federally Qualified Health Center. Services must be provided by a registered nurse or a licensed practical nurse.
6. Services of Christian Science Nurses.
7. EPSDT Personal Care services may be provided by licensed nursing or home health agencies that are public agencies, private for-profit agencies, or private non-profit agencies. Nurses who supervise personal care attendants must be licensed by the New Mexico Board of Nursing as Registered Nurses.
8. Chiropractic services. Services must be provided by chiropractors licensed by the state.
9. Orthodontic and other dental services not otherwise covered under the state plan. Services must meet criteria for medical necessity and must be provided by a licensed dentist or other licensed practitioner as allowed by state law.

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10. EPSDT Rehabilitative Services are physical, occupational and speech-language, hearing and other rehabilitative therapies by licensed individual therapists and rehabilitation centers. Included are rehabilitative services and therapies which are considered "maintenance" rather than "restorative" in nature.

EPSDT rehabilitative services include the following service providers:

- a) Physical therapists licensed by the physical therapy board under the state of New Mexico regulation and licensing department. Physical therapy assistants licensed by the physical therapy board under the state of New Mexico regulation and licensing department and working under the supervision of a licensed physical therapist.
  - b) Occupational therapists licensed by the occupational therapy board under the state of New Mexico regulation and licensing department. Occupational therapy assistants licensed by the occupational therapy board under the state of New Mexico regulation and licensing department and working under the supervision of a licensed occupational therapist.
  - c) Speech pathologists licensed by the board of speech-language pathology and audiology under the New Mexico regulation and licensing department. Speech language pathology apprentices, clinical fellows, and paraprofessionals licensed by the board of speech-language pathology and audiology under the New Mexico regulation and licensing department therapy board and working under the supervision of a licensed speech pathologist.
11. Nutritional assessment and nutritional counseling
12. Supplies, prosthetics, orthotics, and durable medical equipment to meet special physical needs.
13. Specific school services provided by school districts or local education agencies certified by the State Department of Education. Services include EPSDT screens (periodic, interperiodic and partial); skilled nursing services; mental health services; case management; occupational therapy; physical therapy; speech pathology; audiology services; and transportation to and from medically necessary services prescribed in an Individual Education Plan (IEP) or an Individualized Family Service Plan (IFSP).

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14. Special rehabilitation services are Family Infant Toddler program early intervention services for children birth through three years of age, who are developmentally delayed or at risk for delay. These services include evaluation, diagnostics and treatment necessary to correct or treat any defects or conditions or to teach compensatory skills for deficits that directly result from a medical condition. The appropriate information from evaluation and diagnostics is interpreted and integrated in the Individual Family Service Plan.

Special rehabilitation services (Family Infant Toddler early intervention services) include the following:

- a) **Speech, Language and Hearing:** These are services for individuals with speech, language and hearing disorders. The services are provided by or under the direction of a speech pathologist or audiologist as defined in 42 CFR 440.110(c) as a result of a referral from a physician or primary care provider (PCP). These services include evaluations to determine an individual's need for services and recommendations for a course of treatment. Treatment is provided for an individual with a diagnosed speech, language or hearing disorder adversely affecting the functioning of the individual.
- b) **Occupational Therapy:** These services are provided by or under the direction of a qualified occupational therapist as defined in 42 CFR 440.110(b) as a result of a referral from a physician or primary care provider. These services include evaluations to determine an individual's need for services and recommendation for a course of treatment. Treatment is provided for an individual with problems interfering with functional performance. Treatment is rehabilitative, active or restorative and designed to correct or compensate for a medical problem interfering with age appropriate functional performance.
- c) **Physical Therapy:** These services are provided by or under the direction of a qualified physical therapist as defined in 42 CFR 440.110(a) as a result of a referral from a physician or primary care provider (PCP). These services include evaluations to determine an individual's need for services and recommendation for a course of treatment. Treatment is provided for an individual with problems interfering with functional performance. Treatment is rehabilitative, active or restorative and designed to correct or compensate for a medical problem interfering with age appropriate functional performance.

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- d) **Psychological, Counseling and Social Work:** Psychological, counseling and social work services are performed by licensed or equivalent psychological, counseling, and social work staff acting within their scope of practice. These services are diagnostic or active treatments with the intent to reasonably improve the individual's physical or mental condition as the result of a referral from a physician or primary care provider (PCP) within the scope of his or her practice. Services are provided for individuals whose condition or functioning can be expected to improve with these interventions. Psychological, counseling and social work services are performed by licensed or equivalent psychological, counseling and social work staff acting within their scope of practice. These services include but are not limited to testing and evaluation that appraise cognitive, emotional and social functioning and self concept. Therapy and treatment includes planning, managing and providing a program of psychological services to individuals with diagnosed psychological problems.
- e) **Developmental Evaluation and Rehabilitation:** These services are performed by or under the supervision of a licensed physician or other provider acting within their scope of practice. These services are testing performed to determine if motor, speech, language and psychological problems exist or to detect the presence of any developmental lags. Services include diagnostic, evaluative and consultative services for the purpose of identifying or determining the nature and extent of rehabilitating an individual's medical or other health-related condition. These services are provided as a result of a referral from a physician or primary care provider (PCP) acting within their scope of practice.
- f) **Nursing:** These services are performed by a certified nurse practitioner (CNP), certified nurse specialist (CNS), advance practice nurse, registered nurse or licensed practical nurse within the scope of his/her practice relevant to the medical and rehabilitative needs of the individual. These services are provided as a result of a referral from a physician or other licensed practitioner as allowed by state law. Services include administration and monitoring of medication, catheterization, tube feeding, suctioning, screening and referral for health needs. Nursing services also include explanations to the family or other professional staff concerning treatments, therapies, and physical or mental conditions.

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- g) FIT Early Intervention special rehabilitation services are provided under the direction of professionals acting with their scope of practice as defined by State law; and in the most appropriate least restrictive environment.

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