



Division of Medical Services

P.O. Box 1437, Slot S295, Little Rock, AR 72203-1437

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MEMORANDUM

TO: Interested Persons and Providers

FROM: Elizabeth Pitman, Director, Division of Medical Services

DATE: January 12, 2024

SUBJ: Childrens Advocacy Center (CAC) Reimbursement

As a part of the Arkansas Administrative Procedure Act process, attached for your review and comment are proposed rule revisions.

Public comments must be submitted in writing at the above address or at the following email address: ORP@dhs.arkansas.gov Please note that public comments submitted in response to this notice are considered public documents. A public comment, including the commenter's name and any personal information contained within the public comment, will be made publicly available and may be seen by various people.

If you have any comments, please submit those comments in writing, no later than February 12, 2024.

All DHS proposed rules, public notices, and recently finalized rules may also be viewed at: [Proposed Rules & Public Notices](#).

NOTICE OF RULE MAKING

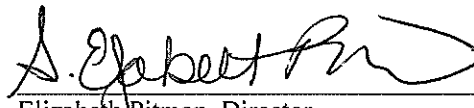
The Department of Human Services announces for a public comment period of thirty (30) calendar days a notice of rulemaking for the following proposed rule under one or more of the following chapters, subchapters, or sections of the Arkansas Code: §§20-76-201, 20-77-107, and 25-10-129.

The Division of Medical Services (DMS) proposes a Medicaid State Plan Amendment and provider manual updates to the Nurse Practitioner and Physician's Provider Manuals implementing coverage and reimbursement of medical evaluations for suspected sexual abuse by Pediatric Sexual Assault Nurse Examiner (SANE) when performed in Childrens Advocacy Centers (CACs). This service will benefit communities and the state by providing non-acute evaluations by specially trained and certified registered nurses to Medicaid-eligible children and youth. CACs may also provide assessments for other forms of suspected physical maltreatment when completed by a physician or advanced practice nurse practitioner. New sections regarding the above were added to the provider manuals. The state plan was updated similarly, and the coverage requirements and reimbursement methodology specify reimbursement will be limited to examinations needed to assess sexual assault, neglect or abuse of an individual under twenty-one (21) years of age. The projected annual cost of this change for the current state fiscal year is \$234,860.00 (State share \$65,761.00; Federal share \$169,099.00), and for the next state fiscal year \$939,439.00 (State share \$263,043.00, Federal share \$676,396.00). The proposed effective date of the rule is April 1, 2024.

The proposed rule is available for review at the Department of Human Services (DHS) Office of Rules Promulgation, 2nd floor Donaghey Plaza South Building, 7th and Main Streets, P. O. Box 1437, Slot S295, Little Rock, Arkansas 72203-1437. You may also access and download the proposed rule at ar.gov/dhs-proposed-rules. This notice also shall be posted at the local office of the Division of County Operations (DCO) of DHS in every county in the state. Public comments must be submitted in writing at the above address or at the following email address: ORP@dhs.arkansas.gov. All public comments must be received by DHS no later than February 12, 2024. Please note that public comments submitted in response to this notice are considered public documents. A public comment, including the commenter's name and any personal information contained within the public comment, will be made publicly available and may be seen by various people.

A public hearing by remote access only through a Zoom webinar will be held on January 31, 2024 at 10:00 a.m. and public comments may be submitted at the hearing. Individuals can access this public hearing at <https://us02web.zoom.us/j/82345596132>. The webinar ID is 82345596132. If you would like the electronic link, "one-tap" mobile information, listening only dial-in phone numbers, or international phone numbers, please contact ORP at ORP@dhs.arkansas.gov.

If you need this material in a different format, such as large print, contact the Office of Rules Promulgation at 501-320-6428. 4502172997



Elizabeth Pitman, Director
Division of Medical Services

TOC required**203.800 The Nurse Practitioner's Role in Children's Advocacy Centers****5-1-24**

Children's Advocacy Centers (CACs) provide a comprehensive interdisciplinary evaluation, assessment, and treatment of sexually and physically abused children under twenty-one (21) years of age. A team of professionals representing a variety of medical, social, and legal disciplines and advocates assesses the child and coordinates needed services. Sexual abuse, neglect, and physical abuse examinations are available to children under twenty-one (21) years of age through Medicaid providers who deliver and bill for the separate components of the service (physical examination). Medicaid coverage of services provided by CACs is limited to sexual abuse or neglect and physical abuse medical examinations, or both. The nurse practitioner's role in CACs includes the following:

- A. Serve as the medical director of the CAC;
- B. Perform medical examination for neglect and physical abuse of individuals under twenty-one (21) years of age; and
- C. Perform medical examination for sexual assault of individuals under twenty-one (21) years of age.

203.801 Sexual Assault Nurse Examiner Pediatric (SANE-P) Certification and Enrollment as a Provider for Arkansas Medicaid**5-1-24**

Registered Nurse Certified as a Sexual Assault Nurse Examiner-Pediatric (SANE-P)

- A. Registered Nurses (RNs-) must have specialized training in the evaluation and treatment of neglect and abuse of children;
- B. Registered Nurses must have specialized training on the use of a colposcope;
- C. Registered Nurses must be certified as Sexual Assault Nurse Examiners- Pediatric (SANE-P) by the International Association of Forensic Nurses; and
- D. Enrolled as a provider with Arkansas Medicaid.

TOC required**203.400 Physician's Role in Children's Advocacy Centers****5-1-24**

Children's Advocacy Centers (CACs) provide a comprehensive interdisciplinary evaluation, assessment, and treatment of sexually and physically abused children under twenty-one (21) years of age. A team of professionals representing a variety of medical, social, and legal disciplines and advocates assesses the child and coordinates needed services. Sexual abuse, neglect, and physical abuse examinations are available to children under twenty-one (21) years of age through Medicaid providers who deliver and bill for the separate components of the service (physical examination). Medicaid coverage of services provided by CACs is limited to sexual abuse or neglect and physical abuse medical examinations, or both. The physician's role in CACs includes the following:

- A. Serve as the medical director of the CAC;
- B. Perform medical examination for sexual assault or neglect and physical abuse, or both;
- C. Provide supervision of other rendering providers at the CAC who perform medical examination for neglect and physical abuse;
- D. Provide supervision of Sexual Assault Nurse Examiners-Pediatric (SANE-P). Only physicians or Registered Nurses with SANE-P certification are qualified to conduct sexual assault medical examination at a CAC.

203.401 Sexual Assault Nurse Examiner Pediatric (SANE-P) Certification and Enrollment as a Provider for Arkansas Medicaid**5-1-24**

Registered Nurse Certified as a Sexual Assault Nurse Examiner-Pediatric (SANE-P)

- A. Registered Nurses (RNs or APRNs) must have specialized training in the evaluation and treatment of neglect and abuse of children;
- B. Registered Nurses must have specialized training on the use of a colposcope;
- C. Registered Nurses must be certified as Sexual Assault Nurse Examiners- Pediatric (SANE-P) by the International Association of Forensic Nurses; and
- D. Enrolled as a provider with Arkansas Medicaid.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM
STATE ARKANSAS

ATTACHMENT 3.1-A
Page 3b

AMOUNT, DURATION AND SCOPE OF
SERVICES PROVIDED

Revised: ~~June 1, 2022~~
April 1, 2024

CATEGORICALLY NEEDY

6. Medical Care and any other type of remedial care recognized under State law, furnished by licensed practitioners within the scope of their practice as defined by State law. (Continued)
- 6.d. Other Practitioners' Services (Continued)
- (5) Psychologists
Refer to Attachment 3.1-A, Item 4.b. (13).
- (6) Obstetric - Gynecologic and **Gerontological** Nurse Practitioner
Refer to Attachment 3.1-A, Item 24 for coverage limitations.
- (7) **Pharmacists**
- (8) **Licensed Registered Nurse Sexual Assault Nurse Examiner-Pediatric/Adolescent (SANE-P)** certified by the **International Association of Forensic Nurses working under the supervision of a licensed Advanced Practice Registered Nurse (APRN).**

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM
STATE ARKANSAS

ATTACHMENT 3.1-B
Page 3d

AMOUNT, DURATION, AND SCOPE OF
SERVICES PROVIDED

Revised: ~~June 1, 2022~~
April 1, d024

MEDICALLY NEEDY

6. Medical care and any other type of remedial care recognized under State law, furnished by licensed practitioners within the scope of their practice as defined by State law. (Continued)

6.d. Other Practitioners' Services (Continued)

(5) Psychologists

Refer to Attachment 3.1-A, Item 4.b.(13).

(6) Obstetric - Gynecologic and **Gerontological** Nurse Practitioner

Refer to Attachment 3.1-B, Item 21 for coverage limitations.

(7) **Pharmacists**

(8) **Licensed Registered Nurse Sexual Assault Nurse Examiner-Pediatric/Adolescent (SANE-P)** certified by the **International Association of Forensic Nurses working under the supervision of a licensed Advanced Practice Registered Nurse (APRN).**

METHODS AND STANDARDS FOR ESTABLISHING PAYMENT RATES -
OTHER TYPES OF CARE

Revised: ~~August 1, 2008~~ April 1, 2024

6.d. Other Practitioner's Services (Continued)

(5) Psychologist Services

Refer to Attachment 4.19-B, Item 4.b. (17).

- (a) Additional Reimbursement for Psychologists Services Associated with UAMS – Refer to Attachment 4.19-B, item 5.

(6) Obstetric-Gynecologic and Gerontological Nurse Practitioner Services

Reimbursement is the lower of the amount billed or the Title XIX maximum allowable.

The Title XIX maximum is based on eighty percent (80%) of the physician fee schedule except EPSDT procedure codes. Medicaid maximum allowables are the same for all EPSDT providers. Immunizations and Rhogam RhoD Immune Globulin are reimbursed at the same rate as the physician rate since the cost and administration of the drug does not vary between the nurse practitioner and physician.

Refer to Attachment 4.19-B, Item 27 (Attachment 4.19-B, page 14) for a list of the advanced practice nurse and registered nurse practitioner.

Except as otherwise noted in the plan, state developed fee schedule rates are the same for both governmental and private providers of services provided by Advanced Practice Nurse. The agency's fee schedule rate was set as of April 1, 2004 and is effective for services provided on or after that date. All rates are published on the agency's ~~website@~~ www.medicaid.state.ar.us - fee schedules website.

- (7) Advanced Practice Nurses Services Associated with UAMS – For additional reimbursement refer to Attachment 4.19-B, item 5.

- (8) Licensed Clinical Social Workers' Services Associated with UAMS – For additional reimbursement refer to Attachment 4.19-B, item 5.

- (9) Physicians' Assistant Services Associated with UAMS – For additional reimbursement refer to Attachment 4.19-B, item 5.

- (10) Registered Nurse Sexual Assault Nurse Examiner-Pediatric (SANE-P) Certified by the Internal Association of Forensic Nurses For additional reimbursement refer to Attachment 4.19-B, item 5 (Attachment 4.19-B, pages 1 www 2, 2.1, 2a-)

7. Home Health Services

- a. Intermittent or part-time nursing services furnished by a home health agency or a registered nurse when no home health agency exists in the area;
b. Home health aide services provided by a home health agency; and
c. Physical therapy

Reimbursement is based on the lesser of the amount billed or the Title XIX (Medicaid) maximum charge allowed. State developed fee schedule rates are the same for both public and private providers of home health services.

The initial computation (effective July 1, 1994) or the Medicaid maximum for home health reimbursement was calculated using audited 1990 Medicare cost reports for three high volume Medicaid providers, Medical Personnel Pool, Arkansas Home Health, W. M. and the Visiting Nurses Association. For each provider, the cost per visit for each home health service listed above in items 7.a., b. and c. was established by dividing total allowable costs by total visits. This figure was then

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM
STATE **OF** ARKANSAS

ATTACHMENT 4.19-B
PAGE 3b(1)

METHODS AND STANDARDS FOR ESTABLISHING PAYMENT RATES -
OTHER TYPES OF CARE

Revised: April 1, 2024

11. Children's Advocacy Centers

Refer to Attachments 4.19-B, Item 5 and 4.19-B, Item 27.

The agency will reimburse for physician's and advance practice nurse practitioner's services provided through Children's Advocacy Centers in adherence to attachment 4.19-B, Item 5 (pages 2, 2.1, 2a) for physician services and attachment 4.19-B, Item 27 (page 14) for advance practice nurse practitioner services of this plan. -Reimbursement will be limited to examinations needed to assess sexual assault, neglect or abuse of an individual under twenty-one (21) years of age.

TN: _____ Approved: _____ Effective: _____
Supersedes: None - New page