

“Medical Necessity” or “Medically Necessary”

<i>Medical Necessity or Medically Necessary services are those reasonably necessary medical and remedial services that are:</i>	By definition in both federal and state regulations OT, PT, Speech, Behavioral Health, etc. are “medical” services and help to lessen the effects of a disability.
<i>Provided in an appropriate setting;</i>	The regulations define this, and schools meet all definitions of “setting.”
<i>Recognized as standard medical care, based on national standards for best practices and safe, effective, quality care;</i>	State Practice Acts are based on national standards. Practitioners in the school setting operate within their practice acts.
<i>Required for the diagnosis, prevention and/or treatment of illness, disability, infirmity or impairment and which are necessary to improve, restore or maintain health and well-being;</i>	Special education related services are for the treatment of a disability and improve well-being.
<i>A MaineCare covered service (subject to age, eligibility, and coverage restrictions as specified in other Sections of this manual as well as Prevention, Health Promotion and Optional Treatment requirements as detailed in Chapter II, Section 94 of this Manual);</i>	By definition, the services that schools deliver are deemed “covered services” per each applicable section of the MaineCare Benefits Manual.
<i>Performed by enrolled providers within their scope of licensure and/or certifications; and</i>	By definition, schools must utilize properly licensed staff.
<i>Provided within the regulations of the Maine Care Benefits Manual.</i>	Schools that follow the mandates of the regulations from a documentation perspective should have no difficulty with medical necessity.

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Those services listed in an IEP, which meet all other requirements of Medicaid coverage and the MCBM definition of “Medical Necessity,” satisfy the medical necessity requirement except in those instances where the ordered services are deemed Non-Covered Services by Medicaid. According to Chapter I of the MaineCare Benefits Manual; Section 1.06-5.B.3: Non-covered services are those “*services that are primarily custodial care, respite care, socialization, academic, religious, vocational, or educational . . .*” The Section goes even further in defining Academic/Educational Services in Section 1.06-5.B.3.c:

“Any services or components of services provided to members that are academic or educational in nature. Academic services include, but are not limited to, those traditional subjects such as science, history, literature, foreign languages, and mathematics.”