

# Early Childhood Intervention (ECI) Services - Medicaid

The 14-day comment period for the Early Childhood Intervention (ECI) Services – Medicaid policy ended June 15, 2022. During this period, HHSC received multiple comments from stakeholders. A summary of comments relating to the proposed policy and HHSC's responses follow.

## Policy Comment Responses

- 1. Comment:** Multiple commenters express support for the addition of telehealth language to clarify services that can be provided through synchronous audiovisual technology.

**Response:** HHSC acknowledges these comments and appreciates the support for the draft policy.

- 2. Comment:** Three commenters request a revision of policy language to allow Specialized Skills Training (SST) and Nutrition services to be provided using synchronous audio-only technology, including telephone. One commenter states, "Provision of audio-only services are helpful for us to establish equity and inclusion" and "Families without access to technology or internet could have access to a provider over the phone for SST or Nutrition." Another commenter states, "in conditions that preclude in-person services [...], families should not be limited in the services they receive simply due to a lack of technology."

**Response:** HHSC declines to revise the policy at this time. The provision of SST using the coaching method depends on the early intervention specialist's ability to both visually witness the parent-child relationship and demonstrate skills and techniques to help the parent or caregiver enhance the child's development.

Although the implementation of HB 4 ensures the provision of Nutrition via telehealth, the visual component of a face-to-face telehealth or in-person service is necessary. It is important for the practitioner to be able to see how the child is being fed, how the parent is mixing formula to determine if there is a weight gain or weight loss correlation, etc.

- 3. Comment:** Two commenters request the list of telehealth exclusions, or procedure codes not allowable by telehealth, be removed. Additionally,

these commenters request the removal of any language stating these procedure codes are not allowable as telehealth services and are in-person only. One commenter states, "Both the Texas Board of Physical Therapy Examiners and the Texas Board of Occupational Therapy Examiners allow the licensed provider to determine whether a given service should be performed in person or via telehealth." Another commenter states, "Medicaid should not determine what services are not allowable when those determinations do not align with the licensure of the provider of those services.

**Response:** HSC acknowledges these comments regarding the list of procedure codes not allowable via telehealth and agrees to implement minor language revisions to improve clarity. HHSC will remove language specifying procedure codes that are "in-person only" or "not allowable by telehealth" and replace these instances with language explaining that these procedure codes are "not reimbursable" when provided via telehealth.

However, HHSC declines to update policy to allow reimbursement for the procedure codes listed as telehealth exclusions. The services that will be allowed via synchronous audiovisual or telephone (audio-only) technology are indicated in the Telehealth Synchronous Audiovisual Services' section of the ECI policy.

HHSC strives to remain current and responsive to the latest evidence-based, peer-reviewed, patient-centered research, and best practices. If new evidence should become available on this topic, we strongly encourage you to submit a Topic Nomination Form through our HHSC Texas Medicaid Medical and Dental Policy webpage so that we may formally review and consider any new evidence you provide along with your nomination. Thank you again for providing your input.

- 4. Comment:** One commenter requested that procedure code 97542, Wheelchair Management, be reimbursable by Medicaid for wheelchair management when provided through synchronous audiovisual technology.

**Response:** Thank you for your comment. HHSC declines to revise the ECI policies to allow for the reimbursement of procedure code 97542 as a telehealth service. A change to policy language may be considered in the future. The services that will be reimbursed via synchronous audiovisual or telephone (audio-only) technology are indicated in the 'Telehealth Synchronous Audiovisual Services' section of the ECI policy. Providers should determine if services align with the procedure code description.

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