

TITLE 467 - MEDICALLY HANDICAPPED CHILDREN'S PROGRAM

CHAPTER 1 - ADMINISTRATION

001. SCOPE AND AUTHORITY. The Medically Handicapped Children's Program includes Title V Services for Medically Handicapped Children's Program, Genetically Handicapped Persons Program, and Disabled Children's Program.

001.01 PURPOSE. The purpose of the Medically Handicapped Children's Program is to develop, improve, and strengthen standards and services for children with special health care needs and:

- (A) To promote systems development to improve the organization and delivery of high quality services for children with special health care needs and their families with an emphasis on community-based services;
- (B) To promote coordinated comprehensive care within a medical home;
- (C) To provide culturally competent services and support by assisting families of children with special health care needs within a community and to identify and meet their needs through coordination of informal and formal supports;
- (D) To develop, promote, and improve the standards of care for children with special health care needs;
- (E) To promote efforts that emphasize early evaluation and treatment, health-related education and advocacy in order that children with special health care needs and their families may maximize their full potentials; and
- (F) To increase public awareness through the establishment of outreach efforts.

001.02 LEGAL BASIS. Title V Services for the Medically Handicapped Children's Program is administered under Public Law 97-35, Subtitle D, 42 United States Code (U.S.C.) §§ 701-713, "Title V Maternal and Child Health Services Block Grant", and Nebraska Revised Statute (Neb. Rev. Stat.) §§ 43-522, 68-309, and 68-717. The Genetically Handicapped Persons Program is a program for adults with cystic fibrosis, hemophilia, and sickle cell disease established by Neb. Rev. Stat. §§ 68-1401 to 68-1406. The Disabled Children's Program is administered by the Department as part of the Title V Maternal and Child Health Services Block Grant.

001.03 FUNDING. The Medically Handicapped Children's Program and Disabled Children's Program are funded by a federal block grant and state funds appropriated by the legislature. The Genetically Handicapped Persons Program is funded by state funds appropriated by the legislature. The Department has the authority to set priorities of services and service components based on available funding. Donations may be accepted.

002. APPLICANT AND RECIPIENT RIGHTS. Applicants and recipients applying for or receiving services have the right to confidentiality, non-discrimination, grievance and fair hearing.

002.01 CONFIDENTIALITY. Applicants and recipients have the right to have their information treated confidentially.

002.02 NON-DISCRIMINATION. No individual may be subjected to discrimination on the grounds of his or her race, color, national origin, sex, age, disability, religion, or political belief.

002.03 GRIEVANCE AND FAIR HEARING. Applicants and recipients have the right to a Fair Hearing on any action or inaction with regard to an application, the amount of assistance, or failure to act with reasonable promptness. The appeal must be filed in writing within 90 days of the Department's action or inaction.

002.04 APPLICANT AND RECIPIENT RESPONSIBILITIES. Applicants, recipients, parents, and legal guardians must comply with the following:

- (A) Report accurate financial information;
- (B) Report accurate information about the applicant's or recipient's needs;
- (C) Report a change of address, household size, or income within ten days following the change;
- (D) Participate in any financial or medical eligibility review;
- (E) Notify the Department before receiving services at scheduled appointments and tests;
- (F) Keep all appointments for care and services related to the special health care need;
- (G) Follow the individual medical treatment plan;
- (H) Notify the Department of any emergency care or hospitalizations within five working days;
- (I) Obligate payment for any part of treatment which has been determined to be the recipient's responsibility;
- (J) Assume responsibility for the general health care of the recipient; and
- (K) Ensure the Department and medical providers have any third party liability information prior to care, if applicable, and supply necessary documentation for filing claims before the Medically Handicapped Children's Program, Genetically Handicapped Persons Program, and Disabled Children's Program pays for any service.

