

**TITLE 471
SERVICES**

NEBRASKA MEDICAL ASSISTANCE PROGRAM

**CHAPTER 23
SERVICES**

SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY

001. SCOPE AND AUTHORITY. These regulations govern the services provided under Nebraska's Medicaid program as defined by Nebraska Revised Statute (Neb. Rev. Stat.) §§ 68-901 et seq.

002. DEFINITIONS. The following definitions apply:

002.01 AUDIOLOGIST. An individual who practices audiology and who presents themselves to the public by any title or description of services incorporating the words audiologist, hearing clinician, hearing therapist, or any similar title or description of services.

002.02 PRACTICE OF AUDIOLOGY. The application of evidence-based practice in clinical decision making for the prevention, assessment, habilitation, rehabilitation, and maintenance of persons with hearing, auditory function, and vestibular function impairments, and related impairments. Practice of audiology does not include the practice of medical diagnosis, medical treatment, or surgery. Practices do include:

- (A) Cerumen removal from the cartilaginous outer one-third portion of the external auditory canal when the presence of cerumen may affect the accuracy of hearing evaluations or impressions of the ear canal for amplification devices; and
- (B) Evaluation, selection, fitting, and dispensing of hearing instruments, external processors of implantable hearing instruments, and assistive technology devices as part of a comprehensive audiological rehabilitation program.

002.03 PRACTICE OF SPEECH-LANGUAGE PATHOLOGY. The application of principles and methods associated with the development and disorders of human communication skills and with dysphagia and cognition services, in which principles and methods include screening, assessment, evaluation, treatment, prevention, consultation, and restorative modalities for speech, voice, language, language-based learning, hearing, swallowing, cognition, or other upper aero-digestive functions for the purpose of improving quality of life by reducing impairments of body functions and structures, activity limitations, participation restrictions, and environmental barriers. Practice of speech-language pathology does not include the practice of medical diagnosis, medical treatment, or surgery.

002.04 SPEECH-LANGUAGE PATHOLOGIST. An individual who presents themselves to the public by any title or description of services incorporating the words speech-language pathologist, speech therapist, speech clinician, and who has completed all requirements of the American Speech-Language-Hearing Association to practice speech-language pathology.

002.05 TREATING PRACTITIONER. Providers licensed and authorized to order therapy services and to prescribe durable medical equipment, prosthetics, orthotics, and medical supplies (DMEPOS) include physicians, nurse partitioners (NP), clinical nurse specialists, and physician assistants (PAs).

003. PROVIDER REQUIREMENTS.

003.01 GENERAL PROVIDER REQUIREMENTS. To participate in Nebraska Medicaid, providers of speech-language pathology and audiology services must comply with all applicable provider participation requirements codified in these regulations. .

003.02 SPECIFIC PROVIDER REQUIREMENTS. If speech-language pathology or audiology services are provided outside Nebraska, the speech-language pathologist or audiologist must be licensed by the state in which the services are provided. If the applicable state does not provide licensure for speech-language pathologists or audiologists, the provider must:

- (A) Have been granted a certificate of competency by the American Speech-Language-Hearing Association, or equivalent as recommended by the Board of Speech-Language Pathology and approved by Nebraska Medicaid. A photocopy of the certificate of competency must be submitted to Nebraska Medicaid with a signed and completed Medical Assistance Provider Agreement;
- (B) Meet the equivalent educational and work experience requirements needed for a certificate of competency; or
- (C) Have completed the academic program requirements and be acquiring the supervised work experience needed for the certificate of competency.

003.03 PROVIDER AGREEMENT. The speech-language pathologist or audiologist must complete a Medical Assistance Provider Agreement, and submit it to Nebraska Medicaid .

003.03(A) OUT OF STATE PROVIDERS. Out of state providers who are not licensed must submit a photocopy of the certificate of clinical competency to Nebraska Medicaid with a signed and completed Medical Assistance Provider Agreement.

004. SERVICE REQUIREMENTS.

004.01 MEDICAL NECESSITY. Nebraska Medicaid incorporates the definition of medical necessity set forth in these regulations . Services and supplies that do not meet the definition of medical necessity are not covered.

004.02 SERVICE CRITERIA. Nebraska Medicaid covers speech-language pathology and audiology services when the following criteria are met :

- (i) The service is an evaluation; or

- (ii) The service is restorative therapy with a medically appropriate expectation that the beneficiary's condition will improve significantly within a reasonable period of time.

004.03 COVERED SERVICES. Nebraska Medicaid covers speech-language pathology and audiology services when the following criteria are met:

- (1) The services are ordered by a licensed physician, nurse practitioner (NP), physician assistant (PA), or a treating practitioner;
- (2) The services are medically necessary;
- (3) The services are such that only a licensed speech-language pathologist or audiologist can safely and effectively perform the service;
- (4) The speech-language pathology or audiology service meets at least one of the service criteria; and
- (5) The services are offered through a home health agency.

004.03(A) MAINTENANCE PROGRAM. The speech pathologist or audiologist must:

- (i) Evaluate the beneficiary's needs;
- (ii) Design a maintenance program; and
- (iii) Instruct the beneficiaries, family members, or nursing facility staff in carrying out the program.

004.03(B) SERVICES FOR BENEFICIARIES AGE 21 AND OLDER. For beneficiaries age 21 and older, Nebraska Medicaid limits coverage to a combined total of 60 therapy sessions per fiscal year. The combined total of 60 therapy sessions per fiscal year includes all occupational therapy (OT), physical therapy (PT), speech-language pathology, and audiology sessions provided to the recipient.

004.04 NON-COVERED SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY SERVICES. Nebraska Medicaid does not cover the following speech-language pathology or audiology services:

- (A) Maintenance therapy ;
- (B) Therapy for vocational and prevocational assessment and training;
- (C) Therapy for functional capacity evaluations, educational testing, drivers training, or training in non-essential self-help or recreational activities, visual perception training, or treatment of psychological conditions;

- (D) Therapy for dysfunctions that are self-correcting ;
- (E) Therapy for delays in speech development that is not due to a specific medical condition or brain injury; or
- (F) Therapy for the following conditions or diagnosis categories:
 - (ii) Behavior problems;
 - (iii) Attention disorders;
 - (iv) Conceptual handicap; or
 - (v) Learning disability.

005. BILLING AND PAYMENT FOR SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY SERVICES.

005.01 GENERAL BILLING REQUIREMENTS. Providers must comply with all applicable billing requirements codified in these regulations .

005.02 BILLING INSTRUCTIONS. The provider must bill Nebraska Medicaid, using the appropriate claim form or electronic format.

005.03 USUAL AND CUSTOMARY CHARGE. The provider, or their authorized agent, must submit the provider's usual and customary charge for services rendered.

005.04 MEDICAL NECESSITY DOCUMENTATION. The provider must list the following information when submitting a claim for speech-language pathology or audiology services:

- (1) The date of illness or injury onset;
- (2) The date speech-language pathology or audiology plan was established;
- (3) The date speech-language pathology or audiology services started; and
- (4) The number of speech-language pathology or audiology visits from onset.

005.05 HOME HEALTH AGENCY. Services offered through home health agencies require prior authorization.

005.06 GENERAL PAYMENT REQUIREMENTS. Nebraska Medicaid will reimburse the provider for services rendered in accordance with these regulations .

005.07 PAYMENT FOR INDIVIDUAL PROVIDERS. Claims are paid by Nebraska Medicaid for covered speech-language pathology and audiology services in

the amount equal to the lesser of:

- (1) The provider's submitted charge; or
- (2) The allowable amount for that procedure code in the Nebraska Medicaid Practitioner Fee Schedule in effect for that date of service.

