



Arkansas Department of Human Services

Division of Medical Services

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TO: Arkansas Medicaid Health Providers – Private Duty Nursing Services
DATE: January 1, 2005
SUBJECT: Provider Manual Update Transmittal No. 50

REMOVE

Section	Date
212.000 – 212.100	11-1-03

INSERT

Section	Date
212.000 – 212.200	1-1-05

Explanation of Updates

Section 212.000, titled “Scope”, has been updated to include a statement to clarify the definition of family member as it pertains to Private Duty Nursing Services.

The information in section 212.100, which was effective November 1, 2003, has been moved to the newly created section 212.200. Section 212.100 now contains the definition of a family member as it pertains to Private Duty Nursing Services.

Paper versions of this update transmittal have updated pages attached to file in your provider manual. See Section I for instructions on updating the paper version of the manual. For electronic versions, these changes will be automatically incorporated.

Thank you for your participation in the Arkansas Medicaid Program.

Roy Jeffus, Director

If you need this material in an alternative format, such as large print, please contact our Americans with Disabilities Act Coordinator at (501) 682-6789 or 1-877-708-8191. Both telephone numbers are voice and TDD.

If you have questions regarding this transmittal, please contact the EDS Provider Assistance Center at 1-800-457-4454 (Toll-Free) within Arkansas or locally and Out-of-State at (501) 376-2211.

Arkansas Medicaid provider manuals (including update transmittals), official notices and remittance advice (RA) messages are available for downloading from the Arkansas Medicaid website: www.medicaid.state.ar.us.

212.000**Scope**

1-1-05

Private duty nursing services are those medically necessary services that are provided by a registered nurse or licensed practical nurse under the direction of the recipient's physician, to a recipient in his or her place of residence, a Division of Developmental Disabilities Services (DDS) community provider facility or a public school. For purposes of the Medicaid program, private duty nursing services are those medically necessary services related to the coverage described in Section 213.000 and delivered by a registered nurse or licensed practical nurse, as required by the State Nurse Practice Act. The registered nurse or licensed practical nurse providing services may not be a family member or taking on the role of a family member of the Medicaid recipient as described in Section 212.100.

212.100**Provider Exclusions**

1-1-05

The following family members or persons acting as family members cannot provide care to a client through the Arkansas Medicaid Private Duty Nursing (PDN) program:

- A. A spouse
- B. A minor's parent or anyone acting as a minor's parent
- C. A minor's guardian or anyone acting as a minor's guardian
- D. An adult's guardian or anyone acting as an adult's guardian
- E. Anyone, regardless of relationship, who actually resides with the client

212.200**Private Duty Nursing Service Locations**

1-1-05

- A. Medicaid-eligible, ventilator-dependent recipients age 21 and older may receive Private Duty Nursing Services (PDN). PDN services may be provided only in the recipient's own home and as necessary when the Medicaid recipient's normal life activities temporarily take the recipient away from the home. For purposes of this rule, normal life activity means routine work, school, church, office or clinic visits, shopping and social interactions with friends and family. The private duty nurse may accompany the recipient but may not drive. Normal life activities do not include non-routine or extended home absences.
- B. For Medicaid-eligible recipients under the age of 21, PDN services are covered in the following locations:
 - 1. The recipient's home. PDN services may be provided only in the recipient's own home and as necessary when the Medicaid recipient's normal life activities temporarily take the recipient away from the home. For purposes of this rule, normal life activity means routine work, school, church, office or clinic visits, shopping and social interactions with friends and family. The nurse may accompany the recipient but may not drive. Normal life activities do not include non-routine or extended home absences.
 - 2. A public school. A school's location may be an area on or off-site based on accessibility for the student. When a student's education is the responsibility of the school district in which that student resides, "school" as a place of service for Medicaid-covered services is *any* location, on-site or away from the site of an actual school building or campus, at which the school district is discharging that responsibility.
 - a. When a child is attending school at a DDS community provider facility because the school district has contracted with the facility to provide educational services, the place of service is "school".
 - b. When the home is the educational setting for a child who is enrolled in the

public school system, "school" is considered the place of service.

- c. The student's home is **not** considered a "school" place of service when a parent elects to home school a child.

3. A DDS community provider facility.

- C. PDN services are **not** covered at/or in a hospital, boarding home, nursing facility, residential care facility, or an assisted living facility.