

School Based ACCESS Program (SBAP/Project ACCESS)

Public Law 94-142 (PL 94-142), the Education for all Handicapped Children Act, was signed into law in 1975. One of the mandates established by this act is that local school districts are responsible for providing health-related services. The act states that individualized education programs (IEPs) shall be provided for each child with special needs. When this law was enacted, the federal government committed to funding 40 percent of the national per pupil expenses for these services. However, the Rand Corporation published a report in 1981 that revealed the federal government's contribution for these programs was less than seven percent of the national average. As a result of this report, it became clear that responsibility for financing health-related services required by this act had to be established because the federal government was not paying its intended share.

Consequently, Congress made a public statement that, "It was not Congress' intent in passing PL 94-142 that financial responsibility previously assumed by Health, Welfare, and other human service agencies be transferred to state and local education agencies." (General Accounting Office, Financing Health and Educational Services for Handicapped Children, HRD-86-62 BR, July 1986).

In 1988, Congress clarified this issue by passing the Medicare Catastrophic Coverage Act (PL 100-360). This law stated that federal Medicaid funds must be available to reimburse for the cost of health related services found in a child's IEP, individualized service plan, or individualized family service plan (IFSP). Therefore, state education agencies are eligible for federal reimbursement for the health related services they are providing to children who are eligible for Medicaid.

The Pennsylvania Department of Education initiated the School Based ACCESS Program (SBAP) during the 1991-1992 school year. This program is an avenue for school entities to receive additional federal funding through Medicaid dollars for medical/mental health-related special education services rendered by qualified staff to students enrolled in the PA Medical Assistance (MA) program.

Any participating School District, Intermediate Unit, State-Owned Schools, or EI MAWA may seek partial reimbursement from Medicaid for health care related services that they provide to students in the school setting under the terms of the child's Individual Education Plan (IEP). Eligible services include Occupational therapy, Speech therapy, Physical therapy, Nursing services (RN and LPN), Orientation and Mobility services, Personal Care Assistance, Psychological, Social Work, Psychiatry, Hearing Impaired services, and Specialized Transportation.

Parent Participation

Parents are required to provide their permission to bill medical assistance and once permission has been granted, parents must be notified annually of continued consent. Their participation in the SBAP is voluntary and can be withdrawn at any time. The one-time only Parental Consent form should be presented at the IEP meeting. If a parent does not sign the consent form, the LEA cannot submit claims to Medicaid for reimbursement for that student's services.

If a student does not have Medical Assistance, parents are educated on, and offered assistance through the application process that allows them coverage based on their child's disability and not the family's income. [Click here to access the Parent Information Page on "How to Apply for Medical Assistance"](#).

The Goal of the School Based ACCESS Program

Reimbursement funds received for services provided for students must be utilized to meet the increasing needs of all special education students. Federal and State regulations require that funding is invested in special education services and specific guidelines are provided for spending the money received. Therefore, the program is vital in helping us to provide education services for all students. Reimbursement received for eligible services is based upon the [Federal Medical Assistance Percentage \(FMAP\)](#) for Pennsylvania.

The majority of ACCESS money received by the IU for school-aged students is allocated for use by the school districts in Bucks County and spending must follow the Federal and State regulations.

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The Bucks IU currently assists seven (7) of the Bucks County School districts by acting as the billing agent, processing claims on behalf of these districts for services provided to their students by district staff. If you would like information or need assistance, please contact our Student Data/Access Department at 215-348-2940 ext. 1290.