ALABAMA DEPARTMENT OF REHABILITATION SERVICES ADMINISTRATIVE CODE

CHAPTER 795-4-1 CHILDREN'S REHABILITATION SERVICES

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795-4-1-.01 General Information.

CRS is a program of a State agency providing medical and rehabilitation services, coordination and support services for children and adolescents with special health care needs and their families through a network of community-based offices located throughout Alabama.

Author: Alabama Board of Rehabilitation Services

Statutory Authority: Code of Ala. 1975, §§21-9-1 through 21-9-13 and 21-3-1 through 21-3-8 and 16-38-1 through 16-38-9.

History: Emergency adoption filed January 17, 1995; effective January 18, 1995. Permanent adoption filed April 13, 1995; effective May 18, 1995. **Repealed and Replaced:** Filed January 26, 1996; effective March 1, 1996. **Repealed and New Rule:** Filed June 17, 2019; effective August 1, 2019.

795-4-1-.02 Definitions.

The following words and phrases when used in this chapter shall, for the purpose of this chapter, have meanings respectively ascribed to them in this section, except when the context otherwise requires:

(1) CRS. Children's Rehabilitation Service.

(2) Children with Special Health Care Needs. Children who have chronic physical or developmental conditions and who require health and related service of a type or amount beyond that required by children generally.

(3) Agency. CRS including local offices throughout the state.

(4) Staff. Nurses, social workers, physical therapists, occupational therapists, speech-1anguage pathologists, audiologists and registered dietitian nutritionists; all licensed to practice in the State of Alabama. Additional staff are patient accounts managers and administrative support assistants.

(5) Client. An individual between birth and 21 years of age (with the exception of adults with hemophilia) who is receiving services through CRS.

(6) Advisory Committees.

(a) Medical Clinic Advisory Committee. Comprised of physicians who specialize in such areas as orthopedics, plastic surgery, pediatrics, neurosurgery, neurology, ophthalmology, otology, urology, surgery and other appropriate specialties. Members are CRS Clinic physicians and meet at least annually with staff to evaluate specific CRS medical clinics relative to the CRS medical program.

(b) State Parent Advisory Committee (SPAC). This committee is composed of the State Parent Consultant, Local Parent Consultants, and at least one other representative from each Local Parent Advisory Committee to make recommendations for the CRS program and bring concerns and suggestions from the Local Parent Advisory Committees.

(c) Local Parent Advisory Committees (LPAC). Each LPAC is composed of a CRS Parent Consultant and parents and/or guardians of children served by CRS and other families. LPAC representatives attend the SPAC.

(d) Youth Advisory Committee (YAC). Provides youth with the opportunity to inform CRS of the needs of youth with special health care needs through collaboration with a Youth Consultant.

(7) Clinic. An outpatient facility located at each CRS office to serve clients face-to-face through a multidisciplinary medical team. Diagnostic, medical, support and patient education services are provided to clients and their families. Clinics may also be held within the community at other locations and/or via Tele-Health.

(8) Vendor. A business, private individual practice, medical organization, or similar group providing services recommended through the CRS program to clients/families at mutually agreed rates.

(9) Purchased Services. CRS may authorize and pay for the purchase of items such as equipment, medication, allied health services including approved therapies, and other products as identified in a participant's plan of care and prescribed out of CRS clinics. CRS is the payor of last resort, unless application of this policy results in higher costs to the program. Purchased services eligibility must be in keeping with this policy, which is after all other resources such as insurance and patient assistance programs have been utilized or exhausted. If a family becomes financially ineligible for purchased services while the client is in active treatment, special approval for continued treatment through CRS purchased services should be sought through state office and if approved, reviewed annually.

(10) Plan of Care (POC). A written, family-centered, comprehensive document developed in partnership with the client/family and providers for the purpose of identifying health/medical and social needs, goals, and planned activities to achieve desired outcomes.

Author: Alabama Board of Rehabilitation Services
Statutory Authority: Code of Ala. 1975, §§21-9-1 through 21-9-13, 21-3-1 through 21-3-8 and 16-38-1 through 16-38-9.
History: Emergency adoption filed January 17, 1995; effective January 18, 1995. Permanent adoption filed April 13, 1995; effective May 18, 1995. **Repealed and Replaced:** Filed January 26, 1996; effective March 1, 1996. **Repealed and New Rule:** Filed June 17, 2019; effective August 1, 2019.

795-4-1-.03 Eligibility.

Any individual with a special health care need who is a legal resident of the State of Alabama and between birth and 21 years of

age (with the exception of adults with hemophilia who are over 21) may be served by CRS through one or more of the agency's programs.
Author: Alabama Board of Rehabilitation Services
Statutory Authority: Code of Ala. 1975, §§21-9-1 through 21-9-13, 21-3-1 through 21-3-8 and 16-38-1 through 16-38-9.
History: Emergency adoption filed January 17, 1995; effective January 18, 1995. Permanent adoption filed April 13, 1995; effective May 18, 1995. **Repealed and Replaced:** Filed January 26, 1996; effective March 1, 1996. **Repealed and New Rule:** Filed June 17, 2019; effective August 1, 2019.

795-4-1-.04 Referral.

An oral or written referral may be received from a family, a physician, an agency, an interested individual or directly from a potential client and may be directed to any office of CRS.
Author: Alabama Board of Rehabilitation Services
Statutory Authority: Code of Ala. 1975, §§21-9-1 through 21-9-13, 21-3-1 through 21-3-8 and 16-38-1 through 16-38-9.
History: Emergency adoption filed January 17, 1995; effective January 18, 1995. Permanent adoption filed April 13, 1995; effective May 18, 1995. **Repealed and Replaced:** Filed January 26, 1996; effective March 1, 1996. **Repealed and New Rule:** Filed June 17, 2019; effective August 1, 2019.

795-4-1-.05 Enrollment.

CRS staff meet with clients/families during enrollment to obtain medical and social history information, complete a needs assessment to develop a POC, obtain written consent, determine the family's financial resources and determine the need for referral to other agencies. Clients may be enrolled in any CRS Office regardless of where the family resides in the State of Alabama.
Author: Alabama Board of Rehabilitation Services
Statutory Authority: Code of Ala. 1975, §§21-9-1 through 21-9-13, 21-3-1 through 21-3-8 and 16-38-1 through 16-38-9.
History: Emergency adoption filed January 17, 1995; effective January 18, 1995. Permanent adoption filed April 13, 1995; effective May 18, 1995. **Repealed and Replaced:** Filed January 26, 1996; effective March 1, 1996. **Repealed and New Rule:** Filed June 17, 2019; effective August 1, 2019.

795-4-1-.06 CRS Programs.

CRS provides services in the following program areas:

(1) Information and Referral. An information and referral program for children with special health care needs and their families is provided to direct individuals to all available resources.

(2) Clinical Medical. Medical and rehabilitative services are provided through CRS clinics. Care is based on a treatment plan and delivered to clients with an eligible diagnosis by way of a multidisciplinary team consisting of, as appropriate, a physician, discipline and clerical staff.

(3) Clinical Evaluation. Specialized evaluation services are provided to clients, including follow-up as appropriate through multidisciplinary teams. Physician referrals are obtained as appropriate.

(4) Patient/Family Education. Information is provided to clients and their families regarding diagnoses, treatment, resources, etc., as needed.

(5) Care Coordination. Care coordination services are provided to assist clients and families in identifying, accessing and utilizing community resources to effectively meet their needs.

(6) Parent Connection Program. Parent Consultants coordinate opportunities for CRS families to partner with CRS leadership by exchanging information through local and SPACs, newsletters and parent support networks.

(7) Youth Connection Program. Youth Consultants facilitate youth connections and involvement in policy development and decision making through the YAC and other mediums.

Author: Alabama Board of Rehabilitation Services
Statutory Authority: Code of Ala. 1975, §§21-9-1 through 21-9-13, 21-3-1 through 21-3-8, and 16-38-1 through 16-38-9.
History: Emergency adoption filed January 17, 1995; effective January 18, 1995. Permanent adoption filed April 13, 1995; effective May 18, 1995. **Repealed and Replaced:** Filed January 26, 1996; effective March 1, 1996. **Repealed and New Rule:** Filed June 17, 2019; effective August 1, 2019.

795-4-1-.07 Family Application For Additional Resources.

Clients/families are required to apply for other appropriate resources such as insurance and patient assistance programs which may be available to them.
Author: Alabama Board of Rehabilitation Services
Statutory Authority: Code of Ala. 1975, §§21-9-1 through 21-9-13, 21-3-1 through 21-3-8 and 16-38-1 through 16-38-9.
History: Emergency adoption filed January 17, 1995; effective January 18, 1995. Permanent adoption filed April 13, 1995;

effective May 18, 1995. **Repealed and Replaced:** Filed January 26, 1996; effective March 1, 1996. **Repealed and New Rule:** Filed June 17, 2019; effective August 1, 2019.

795-4-1-.08 Financial Participation.

Families are eligible for all CRS Programs (i.e., clinical medical, clinical evaluation, care coordination, etc.) regardless of income. Purchased services is income based. A CRS financial participation plan based on a sliding fee schedule will be established with each family to determine eligibility for purchased services.

(1) The amount of CRS financial participation is determined at the time of enrollment, annually, or as the family financial situation changes. A CRS financial participation co-pay is determined based upon family size and taxable annual family income.

(2) There is no CRS co-pay for Medicaid recipients, ALL KIDS enrollees, and families with taxable annual incomes under 200% of Federal Poverty Guidelines as published in the Federal Register by the United States Department of Health and Human Services.

(3) The CRS family participation co-pay will apply only to families that have received a purchased service (hospitalization, x-rays, dental, orthotics, therapy, etc.) from CRS during the previous calendar year. If the total amount of purchased services is less than the co-pay amount, the family will be responsible for the lesser amount. CRS may suspend purchased services and/or determine whether to bill for the family participation co-pay.

(a) Family Income. Household income will be determined based on a copy of the most recent U.S. Individual Income Tax Return that indicates the Taxable Income as filed with the Federal Internal Revenue Service or other documentation.

(b) Financial Responsibility Related to Custody Issues. CRS will make a financial participation plan with the parent who has the legal custody of the child. If this is not the parent who is court-ordered to provide medical care for the child, the CRS worker will work with the parent who has legal custody to get a resource contribution and information about insurance coverage.

1. When a child resides in a related home without custody, the parents or legal guardian must complete the enrollment form regardless of whether the parent

or legal guardian lives in or out of state. The caregiver's income will not be considered when establishing CRS family financial participation. If the parent or legal guardian cannot be located, the child's income will be deemed the family's annual taxable income.

2. A stepparent's income will be included in the taxable income of the family.

3. No CRS financial participation will be required for children with special health care needs with Medicaid who have been adopted through the State Department of Human Resources or are in temporary custody/foster care.

(c) Family Size and Multiple Children in CRS Programs. Parent(s) and/or legal guardian(s) and their children (adopted or natural) shall compose the family unit. Regardless of the number of family members served by CRS, only one CRS family participation amount will apply.

(d) Computing CRS Family Participation/Co-Pay. The CRS family financial participation policies provide uniform procedures for establishing yearly family participation co-pays. Annual income guidelines published in the Federal Register are used as the basis for the participation tables. The process for computing CRS family financial participation is as follows:

1. Determine taxable income.

2. Determine family size.

3. Using the participation tables, determine the level of percent of the Federal Poverty Guidelines (FPG) for a family. The co-pay amount, ranging from $0 - $500, represents the financial participation for families at 200% to over 450% of the FPG. The level of co-pay to percentage of FPG is as follows:

% Federal Poverty Guidelines	Co-Pay Amount
0 up to 200%	$0
250%	$50
300%	$100
350%	$200
400%	$300
450%	$400
over 450%	$500

4. A letter will be sent to the family specifying the annual financial plan. The letter will explain the CRS process for receiving services and whether the client/family is eligible for purchased services. CRS may suspend purchased services after appropriate review and will notify families should their purchased services eligibility be discontinued.

(e) Annual Billing. Annual family participation amount may be billed and will be based upon the CRS financial plan on record when the bill is generated or the plan on record for the majority of the billing period time frame, whichever benefits the family.

Author: Alabama Board of Rehabilitation Services
Statutory Authority: Code of Ala. 1975, §§21-9-1 through 21-9-13, 21-3-1 through 21-3-8 and 16-38-1 through 16-38-9.
History: Emergency adoption filed January 17, 1995; effective January 18, 1995. Permanent adoption filed April 13, 1995; effective May 18, 1995. **Repealed and Replaced:** Filed January 26, 1996; effective March 1, 1996. **Repealed and New Rule:** Filed May 7, 2003; effective June 11, 2003. **Amended:** Filed August 29, 2005; effective October 03, 2005. **Repealed and New Rule:** Filed June 17, 2019; effective August 1, 2019.

795-4-1-.09 Third Party Resources.

Third party resources such as insurance and/or patient assistance programs, etc., available to a client are utilized prior to CRS making an expenditure.
Author: Alabama Board of Rehabilitation Services
Statutory Authority: Code of Ala. 1975, §§21-9-1 through 21-9-13, 21-3-1 through 21-3-8 and 16-38-1 through 16-38-9.
History: Emergency adoption filed January 17, 1995; effective January 18, 1995. Permanent adoption filed April 13, 1995; effective May 18, 1995. **Repealed and Replaced:** Filed January 26, 1996; effective March 1, 1996. **Repealed and New Rule:** Filed June 17, 2019; effective August 1, 2019.

795-4-1-.10 Client Records.

Client records are maintained through accurate documentation of services provided to clients and families.
Author: Alabama Board of Rehabilitation Services
Statutory Authority: Code of Ala. 1975, §§21-9-1 through 21-9-13, 21-3-1 through 21-3-8 and 16-38-1 through 16-38-9.
History: Emergency adoption filed January 17, 1995; effective January 18, 1995. Permanent adoption filed April 13, 1995; effective May 18, 1995. **Repealed and Replaced:** Filed January 26, 1996; effective March 1, 1996. **Repealed and New Rule:** Filed June 17, 2019; effective August 1, 2019.

795-4-1-.11 Requests For Client Information.

Client information is requested when needed for evaluation or for continuation of care.
Author: Alabama Board of Rehabilitation Services
Statutory Authority: Code of Ala. 1975, §§21-9-1 through 21-9-13, 21-3-1 through 21-3-8 and 16-38-1 through 16-38-9.
History: Emergency adoption filed January 17, 1995; effective January 18, 1995. Permanent adoption filed April 13, 1995; effective May 18, 1995. **Repealed and Replaced:** Filed January 26, 1996; effective March 1, 1996. **Repealed and New Rule:** Filed June 17, 2019; effective August 1, 2019.

795-4-1-.12 Authorization For Payment Of Services.

Payment of services must be authorized by CRS prior to the provision of specified services.
Author: Alabama Board of Rehabilitation Services
Statutory Authority: Code of Ala. 1975, §§21-9-1 through 21 9-13, 21-3-1 through 21-3-8 and 16-38-1 through 16-38-9.
History: Emergency adoption filed January 17, 1995; effective January 18, 1995. Permanent adoption filed April 13, 1995; effective May 18, 1995. **Repealed and Replaced:** Filed January 26, 1996; effective March 1, 1996. **Repealed and New Rule:** Filed June 17, 2019; effective August 1, 2019.

795-4-1-.13 Interpreter Services.

Interpreter services are arranged in advance when known clients/ families not fluent in English, or who are d/Deaf or hard of hearing receive direct services provided by CRS staff and/or vendors or participate in CRS sponsored events. Interpreter services are also provided when requested in advance by families not known to CRS for participation in the intake process or related follow-up or for participation in a CRS sponsored event such as meetings or trainings.
Author: Alabama Board of Rehabilitation Services
Statutory Authority: Code of Ala. 1975, §§21-9-1 through 21-9-13, 21-3-1 through 21-3-8 and 16-38-1 through 16-38-9.
History: Emergency adoption filed January 17, 1995; effective January 18, 1995. Permanent adoption filed April 13, 1995; effective May 18, 1995. **Repealed and Replaced:** Filed January 26, 1996; effective March 1, 1996. **Repealed and New Rule:** Filed June 17, 2019; effective August 1, 2019.

795-4-1-.14 Supplemental Security Income Program.

Rehabilitation services covered by CRS are provided for blind and disabled individuals under the age of 16 years receiving benefits under Title XVI of the Social Security Act, to the extent that medical assistance is not provided under Title XIX (Medicaid).
Author: Alabama Board of Rehabilitation Services
Statutory Authority: Code of Ala. 1975, §§21-9-1 through 21-9-13, 21-3-1 through 21-3-8 and 16-38-1 through 16-38-9.
History: Emergency adoption filed January 17, 1995; effective January 18, 1995. Permanent adoption filed April 13, 1995; effective May 18, 1995. **Repealed and Replaced:** Filed January 26, 1996; effective March 1, 1996. **Repealed and New Rule:** Filed June 17, 2019; effective August 1, 2019.

795-4-1-.15 Physician\Dentist Enrollment.

CRS enrolls only Board eligible/Board certified physicians and licensed dentists. Except through special exception programs, physicians/dentists providing CRS authorized services for clients outside the CRS setting will be responsible for billing to the client's insurance (i.e., Medicaid, CHIP and/or private insurance) based on the CRS payor of last resort policy.
Author: Alabama Board of Rehabilitation Services
Statutory Authority: Code of Ala. 1975, §§21-9-1 through 21-9-13, 21-3-1 through 21-3-8 and 16-38-1 through 16-38-9.
History: Emergency adoption filed January 17, 1995; effective January 18, 1995. Permanent adoption filed April 13, 1995; effective May 18, 1995. **Repealed and Replaced:** Filed January 26, 1996; effective March 1, 1996. **Repealed and New Rule:** Filed June 17, 2019; effective August 1, 2019.

Ed. Note: Rule 795-4-1-.15, Advisory Committees was repealed and Rule .16 was renumbered to .15 per certication filed June 17, 2019; effective August 1, 2019.

795-4-1-.16 Resident Physicians.

Physicians-in-training must work under the direct supervision of a CRS vendor physician in CRS clinics, making recommendations and/or issuing orders only with the approval of the CRS vendor physician.
Author: Alabama Board of Rehabilitation Services
Statutory Authority: Code of Ala. 1975, §§21-9-1 through 21-9-13, 21-3-1 through 21-3-8 and 16-38-1 through 16-38-9.
History: Emergency adoption filed January 17, 1995; effective January 18, 1995. Permanent adoption filed April 13, 1995;

effective May 18, 1995. **Repealed and Replaced:** Filed January 26, 1996; effective March 1, 1996. **Repealed and New Rule:** Filed June 17, 2019; effective August 1, 2019.

Ed. Note: Rule .17 was renumbered to .16 per certification filed June 17, 2019; effective August 1, 2019.

795-4-1-.17 Payment For Services.

CRS will withhold payment from any provider or person who has knowingly or willfully made or caused to be made, any false statement in application for payment under Title XVIII of the Social Security Act; or, who has submitted, or caused to be submitted, bills or requests for payment under Title XVIII of the Social Security Act in excess of customary charges; or who has furnished services or supplies substantially in excess of the needs of the client, or harmful, or of grossly inferior quality.
Author: Alabama Board of Rehabilitation Services
Statutory Authority: Code of Ala. 1975, §§21-9-1 through 21-9-13, 21-3-1 through 21-3-8 and 16-38-1 through 16-38-9.
History: Emergency adoption filed January 17, 1995; effective January 18, 1995. Permanent adoption filed April 13, 1995; effective May 18, 1995. **Repealed and Replaced:** Filed January 26, 1996; effective March 1, 1996. **Repealed and New Rule:** Filed June 17, 2019; effective August 1, 2019.

Ed. Note: Rule .18 was renumbered to .17 per certification filed June 17, 2019; effective August 1, 2019.

795-4-1-.19 Operating Funds (REPEALED).

(REPEALED)
Author: Alabama Board of Rehabilitation Services
Statutory Authority: Code of Ala. 1975, §§21-9-1 through 21-9-13, 21-3-1 through 21-3-8 and 16-38-1 through 16-38-9.
History: Emergency adoption filed January 17, 1995; effective January 18, 1995. Permanent adoption filed April 13, 1995; effective May 18, 1995. **Repealed and Replaced:** Filed January 26, 1996; effective March 1, 1996. **Repealed:** Filed June 17, 2019; effective August 1, 2019.

795-4-1-.20 Forms Appendix (REPEALED).

(REPEALED)
Author: Alabama Board of Rehabilitation Services
Statutory Authority: Code of Ala. 1975, §§21-9-1 through 21-9-13, 21-3-1 through 21-3-8 and 16-38-1 through 16-38-9.

History: Emergency adoption filed January 17, 1995; effective January 18, 1995. Permanent adoption filed April 13, 1995; effective May 18, 1995. **Repealed and Replaced**: Filed January 26, 1996; effective March 1, 1996. **Repealed**: Filed May 7, 2003; effective June 11, 2003.