



State of New Jersey

DEPARTMENT OF EDUCATION
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JON S. CORZINE
Governor

LUCILLE E. DAVY
Commissioner

February 11, 2009

TO: Director, Private Schools for Students with Disabilities

FROM: Beth Brooks, Director
Office of Fiscal Policy and Planning

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Roberta Wohle, Director
Office of Special Education Programs

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SUBJECT: Special Education Medicaid Initiative (SEMI)

This memo serves as a clarification regarding the role of approved private schools for students with disabilities in the Special Education Medicaid Initiative (SEMI) program. As part of SEMI documentation process, local school districts are required to obtain information from the private schools regarding provider certifications and licensures. It has been brought to our attention that concerns have been raised by the private schools about the disclosure of this information to the sending district.

In accordance with New Jersey Statutes Annotated 18A:55-3 school districts are required to maximize their participation in SEMI. The adopted Fiscal Accountability, Efficiency and Budgeting Procedures specified in New Jersey Administrative Code (N.J.A.C.) 6A:23A-5.3 include programmatic guidelines and standards for local school districts to maximize participation in SEMI. Please review these regulations at the following link: <http://www.nj.gov/education/code/current/title6a/chap23a.pdf>.

As part of the effort to maximize local school district SEMI reimbursement, N.J.A.C. 6A.:23A-5.3(e)5 mandates that every out-of-district placement, including approved private schools for students with disabilities, must provide copies of SEMI provider qualifications, certifications, and licenses. In addition, the mandated tuition contract for private schools for students with disabilities states that under the SEMI program, the sending district shall bill Medicaid for the related services that the approved private school provides to pupils pursuant to

the agreement and in accordance with each pupil's individualized education program. The sending district and approved private school agree to comply with all the requirements promulgated by the Commissioner of Education and the State Board of Education, as applicable.

Therefore, it is required that you coordinate the effort of forwarding all certifications and licenses for the practitioners providing the SEMI reimbursable services to the sending district. In addition, private schools must maintain supporting documentation including provider services logs, physician authorization for nursing services, and attendance records. The sending districts are not permitted to claim for services provided by the practitioners until all of the required certifications and licenses are entered into the SEMI system and the school has a paper copy on file for audit purposes. Not having the required documentation on file prohibits the sending district from maximizing participation in the SEMI program as required by New Jersey Law. Please refer to New Jersey Statutes Annotated 18A:55-3 for additional information.

Thank you for your prompt attention concerning this important matter. If you have any questions concerning this matter, please do not hesitate to contact Elaine Lerner at 609-984-7902 or Elise Sadler-Williams at 609-777-4483.

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