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State/Territory Name:  South Dakota

State Plan Amendment (SPA) #: 21-0013

This file contains the following documents in the order listed:

1) Approval Letter
2) CMS 179 Form/Summary Form
3) Approved SPA Pages
March 22, 2022

Sarah Aker, Medicaid Director
Department of Social Services
Richard F. Kneip Building
700 Governors Drive
Pierre, SD 57501-2291

RE: TN 21-0013

Dear Ms. Aker:

The Centers for Medicare & Medicaid Services (CMS) has completed its review of South Dakota’s State Plan Amendment (SPA) Transmittal #21-0013, submitted on December 30, 2021. The SPA provides an assurance that the State complies with federal minimum requirements regarding medical transportation added by the Consolidated Appropriations Act, 2021. The SPA also clarifies language on the coverage and reimbursement transportation pages to better reflect current practice.

CMS approved SPA #21-0013 on March 22, 2022, with an effective date of December 27, 2021. Enclosed is a copy of the CMS-179 summary form, as well as the approved pages for incorporation into the South Dakota State Plan.

If you have any questions regarding this amendment, please contact Mandy Strom at mandy.strom@cms.hhs.gov or (303)844-7068.

Sincerely,

James G. Scott, Director
Division of Program Operations

cc: Matthew Ballard, South Dakota Medicaid
Renae Hericks, South Dakota Medicaid
Provides assurance that the State is in compliance with federal regulations regarding medical transportation.

* South Dakota requested pen & ink changes to the 179 in Box 7 and 8 on March 16, 2022.
AMOUNT, DURATION, AND SCOPE OF MEDICAL
AND REMEDIAL CARE AND SERVICES PROVIDED TO THE CATEGORICALLY NEEDY

24. Any other medical care and any other type of remedial care recognized under State law, specified by the Secretary.

a. Transportation.
   
   X Provided: _____ No limitations  X With limitations*  
   _____ Not provided.

b. Services provided in religious non-medical health care institutions.
   
   _____ Provided: _____ No limitations  _____ With limitations*  
   X Not provided.

c. Reserved.

d. Nursing facility services for patients under 21 years of age.
   
   X Provided: X No limitations  _____ With limitations*  
   _____ Not provided.

e. Emergency hospital services.
   
   _____ Provided: X No limitations  _____ With limitations*  
   _____ Not provided.

*Description provided in Supplement to this Attachment.

TN No. 21-0013  Approval Date 3/22/2022  Effective Date 12/27/21
Supersedes TN No. 17-03
25. Personal care services furnished to an individual who is not an inpatient or resident of a hospital, nursing facility, intermediate care facility for individuals with intellectual disabilities, or institution for mental disease that are (A) authorized for the individual by a physician in accordance with a plan of treatment, (B) provided by an individual who is qualified to provide such services and who is not a member of the individual’s family, and (C) furnished in a home.

___ Provided:

   ___ State Approved (Not Physician) Service Plan Allowed
   ___ Services Outside the Home Also Allowed
   ___ Limitations Described on Attachment 3.1-A

___ Not Provided.
24. Any Other Medical Care and Any Other Type of Remedial Care Recognized Under State Law, Specified by the Secretary

a. Transportation.

Ground and air ambulance services are covered if other methods of transportation are contraindicated by the recipient’s condition.

Secure medical transportation to or from a covered medically necessary appointment is covered for recipients who are confined to a wheelchair or stretcher. Community transportation to or from a covered medically necessary appointment is covered. Purchase of tickets from commercial carriers (airlines, bus, etc.) to or from a covered medically necessary appointment outside the recipient’s city of residence is covered. Mileage incurred by the recipient or a volunteer driver to or from a covered medically necessary appointment outside the recipient’s city of residence is covered. Meals and Lodging incurred as a result of travel of at least 150 miles or more one way from the recipient’s city of residence to receive covered specialty care or treatments and that result in an overnight stay is covered for the recipient and if necessary one escort or volunteer driver.

Transportation must be to the closest medical facility or medical provider capable of providing the necessary services, unless the recipient has a written referral or a written authorization from the recipient’s medical provider to seek treatment at a different facility or from a different provider.

b. Services provided in religious non-medical home health care institutions.

Not provided.

c. Reserved.

d. Nursing facility services for patients under 21 years of age.

No limitations.

e. Emergency hospital services.

No limitations.
25. **Personal care services**

   Personal care services are provided in accordance with 42 CFR 440.167.

   Personal care services are limited to a maximum of 500 hours of services annually.
TRANSPORTATION ASSURANCE

The State will ensure medical transportation for recipients to or from medically necessary appointments when the services are covered by Medicaid and are provided in accordance with the State's coverage policies. The State attests that all the minimum requirements outlined in 1902(a)(87) of the Act are met.
METHODS OF TRANSPORTATION

Refer to Supplement to Attachment 3.1-A, page 43 for covered methods of transportation
24. **Any Other Medical Care and Other Type of Remedial Care Recognized Under State Law, Specified by the Secretary**

   a. **Transportation.**

      The rates for transportation services paid based on a fee schedule are effective on the date listed on Attachment 4.19-B Introduction Page, Page 1. Reimbursement for air ambulance, ground ambulance, secure medical transportation, and community transportation is the lower of the provider’s usual and customary charge or the amount established on the State agency’s fee schedule. Mileage incurred by a recipient or volunteer driver is reimbursed in accordance with the rate on the fee schedule. Meals are reimbursed in accordance with the rate on the fee schedule. Lodging is the lower of the actual incurred cost or the fee schedule rate. The fee schedule is published on the agency’s website at https://dss.sd.gov/medicaid/providers/feeschedules/dss/. Tickets or fares for commercial carriers arranged for and purchased by the State at the market cost.

   b. **Services provided in religious non-medical home health care institutions.**

      Not provided.

   c. **Nursing facility services for patients under 21 years of age.**

      See Attachment 4.19-D.

   d. **Emergency hospital services.**

      See Outpatient Hospital Services or Attachment 4.19-A.
25. Personal Care Services

The rates for personal care services paid based on a fee schedule are effective on the date listed on Attachment 4.19-B Introduction Page, Page 1. Payment for services is the lower of the provider’s usual and customary charge or the amount established on the State agency’s fee schedule. The fee schedule is published on the agency’s website at https://dss.sd.gov/medicaid/providers/feeschedules/dss/.