

*Massachusetts*



*For Your Reference...*

*Updated 4/2010*

## ***INDEPENDENT EDUCATION EVALUATIONS (IEEs)***

The following pages include important special education administration information regarding:

Overview of Team Evaluation Services .....	Pages 1 and 2
Allowable Rates/Fees for Team Evaluation Services .....	Page 2
Hospital Cost-to-Charge Ratios for IEEs .....	Page 3
Massachusetts Sped Regulations pertinent to IEEs .....	Pages 4 & 5
2007 HHS Poverty Guidelines .....	Page 6

*Also on the ASE website ...*

*Of note regarding State “Bid Law” ... M.G.L Chapter 30B ... Uniform Procurement Act (Special Education exemption from the requirements of Chapter 30B)*

***Massachusetts Administrators for Special Education***

# *Massachusetts Administrators for Special Education*

## **OVERVIEW OF 114.3 CMR: DIVISION OF HEALTH CARE FINANCE & POLICY 114.3 CMR 30:00 TEAM EVALUATION SERVICES**

*January 2008*

### *Major points ...*

30.01 (1) ... governs rates of payment by governmental units for TEAM Evaluation Services, as mandated by MGL.c.71B and 603 CMR 28.00, provided to publicly-aided individuals by **authorized professionals** (*see 30.02 below*).

30:01 (3) ... **excludes rates of payment to hospitals**, community health centers and mental health centers (*see page 3 of this Overview*)

### 30:02 Definition of Authorized Professional:

- Medical Assessment:** A **pediatrician or other physician** (*other than an intern, resident, fellow, or house officer*)
- Psychological Assessment:** **Licensed psychologist** (*licensed by the Massachusetts Board of Registration of Psychologists*)  
or  
A **school psychologist** (*certified/licensed by the Mass DOE*)
- Home Assessment:** A **social worker** (*w. Master's degree in social work & who is licensed by the MA Board of Registration of Social Workers*)  
or  
A **nurse** (*registered by the MA Board of Registration in Nursing*)  
or  
A **counselor** (*w. a Master's degree in counseling education, counseling psychology, or rehabilitation counseling*)
- Rehab Services (PT):** A **physical therapist** (*licensed by the Board of Allied Health Professions*)
- Rehab Services (OT):** An **occupational therapist** (*licensed by the Board of Allied Health Professions*)
- Rehab Services (Sp/Lang):** A **speech/language therapist** (*licensed by the Board of Speech Language Pathology and Audiology*)
- Audiological Services:** An **audiologist** (*licensed by the Board of Speech Language Pathology and Audiology*)
- Educational Assessment:** A **teacher** (*certified by the MA Department of Education*)

..... continued .....

30:03 (3) ... **Written Assessment Report** ... considered an administrative duty associated with service and, in accordance with 114.3 CMR 30.03(2), **no additional payment will be received**

**30:04 Allowable Fees**

*Fees noted on website as of 1/2008... please check website noted below periodically for any revisions*

<b>ASSESSMENT</b>	<b>ALLOWABLE FEE</b>
<b>Home Assessment</b>	<b>\$80.37</b> <i>\$32.15 (for participation at Team Meeting)</i>
<b>Educational Assessment</b>	<b>\$262.91</b>
<b>Vocational Interest Evaluation</b>	<b>\$74.94</b> <i>\$74.94 (for Hearing Impaired)</i>
<b>Educational Achievement Test</b>	<b>\$74.94</b> <i>\$149.88 (for Hearing Impaired)</i>
<b>Intelligence Testing only</b>	<b>\$149.88</b> <i>\$187.35 (for Hearing Impaired)</i>
<b>Personality Evaluation (Projective)</b>	<b>\$299.76</b> <i>\$224.82 (for Hearing Impaired)</i>
<b>Intellectual &amp; Personality Eval.</b>	<b>\$449.64</b>
<b>Assessment of Brain Damage</b>	<b>\$299.76</b>
<b>Neurobehavioral Interview</b>	<b>\$74.94/hour*</b> (Range: 1 – 2 hours)
<b>Partial Neuropsych. Assessment</b>	<b>\$74.94/hour*</b> (Range 2-8 hours)
<b>Comprehensive Neuropsych.</b>	<b>\$74.94/hour*</b> (Range: 8 – 12 hours)
<b>Consultation</b>	<b>\$74.94/hour*</b> (Range: 2 – 4 hours)
<b>Serial Brief Consultation</b>	<b>\$74.94/hour*</b> (Range: 0.5 – 2 hours)
<b>Physician’s Comprehensive Eval.</b>	<b>\$142.46</b> (requires written report)
<b>Physical Therapy Evaluation</b>	<b>\$156.48</b>
<b>Occupational Therapy Evaluation</b>	<b>\$156.48</b>
<b>Comprehensive Sp. Therapy Eval.</b>	<b>\$208.64</b>

*Updated January 2008*

**\* can be billed in half hour increments**

The full text of 114.3 CMR 30:00 (Team Evaluation Services) can be found at [http://www.mass.gov/Eeohhs2/docs/dhcfp/g/regs/114\\_3\\_30.pdf](http://www.mass.gov/Eeohhs2/docs/dhcfp/g/regs/114_3_30.pdf)

**See Massachusetts Special Education Regulations re. Independent Education Evaluations on page 4 of 6**

# Massachusetts Administrators for Special Education

January 2008

## Hospital Cost to Charge Ratio for Team Evaluation Services

(from the MA Office of Health Care Finance and Policy ... Outpatient Cost to Charge Ratios)  
Rates provided as of 1/2008

FACILITY	PERCENTAGE OF CHARGE
Baystate Medical Center .....	40.4%
Berkshire Medical Center .....	40.9%
Boston Medical Center .....	43.2%
Cambridge Health Alliance .....	54.1%
Cape Cod Hospital .....	37.2%
Caritas St. Anne's .....	29.7%
Children's Hospital .....	48.0%
Franciscan Hospital for Children .....	70.52%
Hallmark Health Systems .....	29.5%
HealthAlliance Hospitals, Inc. ....	28.2%
Mass General Hospital .....	27.8%
MetroWest Medical Center .....	26.0%
Morton Hospital .....	31.9%
Nashoba Valley Medical Center .....	23.9%
New England Medical Center .....	31.3%
North Shore Medical Center .....	25.5%
South Shore Hospital .....	45.3%
Southcoast Health Systems .....	39.6%
UMass Medical Center .....	34.4%

Massachusetts



## Massachusetts Special Education Regulations ... 603 CMR 28.04(5)

### **Highlights & bold print within highlights provided by Massachusetts ASE**

(5) **Independent education evaluations.** Upon receipt of evaluation results, if a parent disagrees with an initial evaluation or reevaluation completed by the school district, then the parent may request an independent education evaluation.

(a) All independent education evaluations shall be conducted by qualified persons who are registered, certified, licensed or otherwise approved and who abide by the rates set by the state agency responsible for setting such rates. Unique circumstances of the student may justify an individual assessment rate that is higher than that normally allowed.

(b) The parent may obtain an independent education evaluation at private expense at any time.

(c) Public funding of independent education evaluations - When the parent requests public funding for an independent education evaluation, the district shall abide by the following provisions for a sliding fee scale:

1. **If the student is eligible for free or reduced cost lunch or is in the custody of a state agency with an Educational Surrogate Parent appointed in accordance with federal law, then the school district shall provide, at full public expense, an independent education evaluation that is equivalent to the types of assessments done by the school district.** No additional documentation of family financial status is required from the parent.
2. If the family financial status is not known, the district shall offer the parent information about the sliding fee scale and the opportunity to provide family income information to determine if the family may be eligible for public funding of all or part of the costs of an independent education evaluation. Provision of financial information by the family is completely voluntary on the part of the family. The lack of financial information provided by the family will disqualify the family from such additional public funding of all or part of the costs of an independent education evaluation under 603 CMR 28.04(5)(c) but shall not limit the rights of parents to request public funding under 603 CMR 28.04(5)(d).
3. If the family agrees to provide financial information, such information shall include anticipated annual income of the family, including all sources of income and verifying documents. Financial information shall be reviewed by the district, shall be kept confidential during review by the district, shall not be copied or maintained in any form at the district except to note that information was provided and reviewed and met or did not meet sliding fee scale standards. Financial documents shall be promptly returned to the parent upon the district's determination of financial income status.
4. The district shall consider family size and family income information in relation to Federal Poverty Guidelines and shall contribute public funds to the costs of the independent education evaluation according to the following standards:
  - (i) **If the family income is equal to or less than 400% of the federal poverty guidelines, the district shall pay 100%** of the costs of an independent education evaluation. (*see next page*)

(ii) **If the family income is between 400% and 500% of the federal poverty guidelines, the district shall pay 75%** of the costs of an independent education evaluation. *(see next page)*

(iii) **If the family income is between 500% and 600% of the federal poverty guidelines, the district shall pay 50%** of the costs of an independent education evaluation. *(see next page)*

(iv) **If the family income is over 600% of the federal poverty guidelines, the district shall have no obligation to cost-share with the parent.** *(see next page)*

5. When the parent seeks and receives public funding for an independent education evaluation under these provisions, the parent may request independent assessments in one, more than one, or all of the areas assessed by the school district.
6. The right to this publicly funded independent education evaluation under 603 CMR 28.04(5)(c) continues for 16 months from the date of the evaluation with which the parent disagrees.

(d) If the parent is requesting an independent education evaluation in an area not assessed by the school district, the student does not meet income eligibility standards, or the family chooses not to provide financial documentation to the district establishing family income level, the school district shall respond in accordance with the requirements of federal law. The district shall either agree to pay for the independent education evaluation or within five school days, proceed to the Bureau of Special Education Appeals to show that its evaluation was comprehensive and appropriate. If the Bureau of Special Education Appeals finds that the school district's evaluation was comprehensive and appropriate, then the school district shall not be obligated to pay for the independent education evaluation requested by the parent.

(e) Whenever possible, the independent education evaluation shall be completed and a written report sent no later than 30 days after the date the parent requests the independent education evaluation. If publicly funded, the report shall be sent to the parents and to the school district. The independent evaluator shall be requested to provide a report that summarizes, in writing, procedures, assessments, results, and diagnostic impressions as well as educationally relevant recommendations for meeting identified needs of the student. The independent evaluator may recommend appropriate types of placements but shall not recommend specific classrooms or schools.

(f) Within ten school days from the time the school district receives the report of the independent education evaluation, the Team shall reconvene and consider the independent education evaluation and whether a new or amended IEP is appropriate.

*See 2008 HHS Poverty Guidelines on page 6 of 6*

## 2009 HHS Poverty Guidelines

Persons in Family or Household	48 Contiguous States and D.C.	Alaska	Hawaii
1	\$10,830	\$13,530	\$12,460
2	\$14,570	\$18,210	\$16,760
3	\$18,310	\$22,890	\$21,060
4	\$22,050	\$27,570	\$25,360
5	\$25,790	\$32,250	\$29,660
6	\$29,530	\$36,930	\$33,960
7	\$33,270	\$41,610	\$38,260
8	\$37,010	\$46,290	\$42,560
For each additional person, add	\$3,740	\$4,680	\$4,300

**SOURCE:** *Federal Register*, Vol. 75, No. 14, January 10, 2010, pp. 3734-3735; Federal Guidelines for 2009 were extended until at least May 31, 2010



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