

# The Medical-Legal Partnership for Children | Miami Valley

## WORKING TOGETHER FOR CHILDREN'S HEALTH

The MLPC is a partnership among: Advocates for Basic Legal Equality, Inc. (ABLE), Legal Aid of Western Ohio, Inc. (LAWO), Dayton Children's Hospital, Five Rivers Health Centers, and the Community Health Centers of Greater Dayton.

## EPSDT: MEDICAID COVERAGE FOR CHILDREN

### What is EPSDT?

EPSDT is the Federal Medicaid Act's Early and Periodic Screening, Diagnosis and Treatment benefit available to children under the age of 21. In Ohio, we call this Healthchek. EPSDT requires that states cover services necessary to "correct or ameliorate" a child's physical or mental condition. 42 U.S.C. § 1396d(r)(5).

### What does *Ameliorate* mean?

To improve or maintain the recipient's health in the best condition possible, compensate for a health problem, prevent it from worsening, or prevent the development of additional health problems.

### What does Medicaid for Children Cover?

- » *Early and Periodic Screening (well-child visits);*
- » *Vision screenings and services;*
- » *Dental screenings and services;*
- » *Hearing screenings and services; and*
- » *Other necessary care as identified through screening:*
  - » Rehabilitative services for developmental disabilities;
  - » PT and OT services;
  - » Speech pathology services;
  - » Mental health and substance abuse services;
  - » Medical and adaptive equipment – glasses, helmets, wheelchairs, communication devices;
  - » Transportation to medical appointments;
  - » In-home nursing, personal care, specialized therapies;
  - » Out-of-home residential, facility and hospital services;
  - » Other medically necessary care.

### If your child's Medicaid Provider denies coverage for any medical services, devices, therapy, medication, etc. you have the right to file an appeal to challenge the denial:

- » *Appeals can be filed directly with the Managed Care plan and/or with the Department of Job and Family Services (file within 15 days to maintain coverage, 90 day appeal deadline).*
- » *If the appeal filed with Managed Care plan is denied, another appeal can be filed with the Department of Job and Family Services (90 day deadline)*
- » *For urgently needed care, make sure to request an expedited appeal.*
- » *Appeals filed with DJFS will result in an administrative hearing. You must attend the hearing and present your case or your appeal will be denied.*
- » *Ask your child's health care provider for a referral to the MLPC if you want an advocate to assist you with the appeal hearing.*

### Restrictions of EPSDT services:

- » *Must be determined to be medical in nature;*
- » *Must be generally recognized as an accepted method or medical practice or treatment;*
- » *Must not be experimental, investigational;*
- » *Must be safe and effective.*

### Resources:

- MLPC-Miami Valley** [mlpc.ablelaw.org](http://mlpc.ablelaw.org) (888) 534-1432
- Disability Rights Ohio** [disabilityrightsohio.org](http://disabilityrightsohio.org) (800) 282-9181
- National Health Law Project (NHELP)** [healthlaw.org](http://healthlaw.org)



Any legal information provided in this publication is the sole responsibility of ABLE. This publication is intended only as general information and should not be relied on as specific legal advice for any individual case or circumstances. **For legal advice applicable to your individual situation, please ask your medical provider for a referral to the MLPC, contact Legal Aid Line at 1-888-534-1432, or consult with an attorney of your choice.**

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