

**PENNSYLVANIA SCHOOL-BASED ACCESS PROGRAM (SBAP) OCTOBER 2023 UPDATE
THE UNWINDING OF THE PUBLIC HEALTH EMERGENCY (PHE)**

Background:

The early days of the COVID-19 pandemic were marked by several emergency declarations made by the federal government, under several broad authorities, each of which has different requirements related to expiration. A public health emergency (PHE) was initially declared in late January 2020, which was renewed several times and expired on May 11, 2023.

As several allowances were extended and have recently expired or are expiring soon, the Department of Human Services (DHS) is sharing some key information on how these allowances affected SBAP reimbursement and how their expirations will again affect SBAP reimbursement.

The Families First Coronavirus Response Act (FFCRA):

The FFCRA of 2020 allowed states to receive an enhanced federal medical assistance percentage (FMAP) of 6.2% above the state's current rate and allowed Medical Assistance (MA) beneficiaries to maintain eligibility even when eligibility criteria were no longer met or when a renewal was not completed.

After passage of the Consolidated Appropriations Act of 2023, the continuous eligibility requirement ended on March 31, 2023, prompting the need to complete a full renewal and redetermination of eligibility, and outlined phase-down allowances of the enhanced FMAP. These changes will affect the amount of reimbursement LEAs receive through participation in the SBAP.

Enhanced FMAP

Reimbursement was increased by 6.2% over Pennsylvania's rate of 52.25% during the PHE, and is currently being phased down throughout 2023 in response to the Consolidated Appropriations Act of 2023.

- April – June 2023: FMAP increase phased down to 5% over 52.25% (57.25%)
- July – September 2023: FMAP increase phased down to 2.5% over 52.25% (54.75%)
- October – December 2023: FMAP increase phased down to 1.5% over 52.25% (53.75%)

Pennsylvania's FMAP will return to 52.25% as of January 1, 2024.

End of Continuous Eligibility

Students remained enrolled in MA throughout the PHE with no redetermination of eligibility, keeping enrollment numbers high. The overall number of students eligible for MA in your LEA will likely be reduced with the end of continuous enrollment.

This will affect your LEA's Medicaid Enrollment Rate (MER), which is applied to Medicaid Administrative Claiming (MAC) reimbursement **and** Annual Cost Settlement reimbursement.

Additionally, students may rely on MA coverage for services both in and out of schools. While their MA-enrollment does not affect your responsibility to provide health-related services identified in the Individualized Education Program (IEP), mandated by IDEA, this may affect the student's ability to access health services outside of schools. Many families may be confused by renewal processes and may need assistance from the LEA to renew or re-enroll.

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The American Rescue Plan (ARP):

The ARP Act of 2021 offered distribution of Elementary and Secondary School Emergency Relief (ESSER) Funds to schools in Pennsylvania during COVID-19. The use of these funds may have been broad, and could have affected LEA-specific SBAP reimbursement, depending on how those funds were used within the LEA. The ARP ESSER award period closed on September 30, 2023, and under the Tydings Amendment, funds may be obligated through September 30, 2024.

The Use of Telehealth Within the SBAP:

DHS issued guidance to LEAs regarding the use of telehealth for the provision of SBAP services on [April 3, 2020](#), and additional guidance on [December 23, 2020](#). Most recently, during the 2023 annual Statewide trainings, DHS announced additional changes to the use of telehealth within SBAP which will be included in the next updates of the SBAP Handbook:

- There is now an additional place of service to capture whether telehealth services were provided to a student who was in his/her own home or were provided to a student who was somewhere other than home at the time of the service; and
- Orientation, Mobility and Vision Services are no longer be reimbursable through the SBAP when provided via telehealth.

What Should My LEA Be Doing Now?

1. Remind parents/guardians to keep their address and contact information up to date with the County Assistance Office or through COMPASS.
 - Tip: Even if the parents are not eligible for MA, their student may be.
2. Assist families with completing the MA program application.
 - Tip: Staff that regularly assist with MA eligibility steps should be included on the Administrative Staff Pool List for the Random Moment Time Study (RMTS).
3. Evaluate how your LEA used ESSER Funds and determine if any steps must be taken to obligate any remaining funds and/or adjust funding sources.
 - Note: Remember that any staff who are 100% federally funded (such as with ESSER Funds) may not be included in either the Administrative or Direct Service Staff Pool Lists for the RMTS.