



**STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR**

CHRISTOPHER T. SUNUNU
Governor

**STATE OF NEW HAMPSHIRE
BY HIS EXCELLENCY
CHRISTOPHER T. SUNUNU, GOVERNOR**

Executive Order 2019-07

An order directing the improvement of licensing and credentialing processes and procedures for the purpose of enhancing the State's Medicaid to Schools Program

WHEREAS, RSA 186-C:25 establishes New Hampshire's Medicaid to Schools program (hereafter referred to as the "Medicaid to Schools Program"); and

WHEREAS, pursuant to RSA 186-C:25, I, the purpose of the Medicaid to Schools Program is to "seek Medicaid Reimbursement for services provided by local school districts and school administrative units to children which are reimbursable under federal law but which would otherwise be fully funded by such districts or administrative units;" and

WHEREAS, in 2017, the State of New Hampshire expanded eligibility for the Medicaid to Schools Program to include all students who are enrolled in Medicaid, pursuant to RSA 167:3-k; and

WHEREAS, on July 1, 2019, the Centers for Medicare and Medicaid Services ("CMS") issued guidance, which highlighted that in order for services to be reimbursable under a state's Medicaid program, the service must be provided through a Medicaid-participating provider that meets federal and/or state provider qualification requirements; and

WHEREAS, there are qualified practitioners that are authorized under state law to provide health related services in the school setting without licensure by a health-related licensing boards; and

WHEREAS, in light of the July 1, 2019 clarifying guidance schools may not claim federal matching dollars through the Medicaid to Schools Program unless the billing provider is licensed or certified by the appropriate health-related board; and

WHEREAS as a result, there are qualified practitioners currently providing services in the school setting that must obtain additional licensing in order for schools to claim federal matching dollars for services provided under the Medicaid to Schools Program; and

WHEREAS, due to the critical nature of the State's Medicaid to Schools Program, the State requires a coordinated and comprehensive effort to (a) expedite license and credential applications for certain applicants who seek to provide services under the State's Medicaid to Schools Program and (b) identify necessary reforms to the processes and procedures of certain health-related boards in order to streamline the licensing and credentialing process for individuals who provide services under the State's Medicaid to Schools Program; and

WHEREAS, many of the relevant health-related boards have expressed a willingness to work with the Office of Professional Licensure and Certification, the Department of Health and Human Services, and the Department of Education to institute necessary reforms.

NOW THEREFORE, I, CHRISTOPHER T. SUNUNU, GOVERNOR of the State of New Hampshire, by the authority vested in me pursuant to part II, article 41 of the New Hampshire Constitution, do hereby order, effective immediately, that:

1. For the purposes of the directives in this Order, the following boards are hereby designated Medicaid to Schools Boards:

- a. Occupational Therapy Governing Board
- b. Physical Therapy Governing Board
- c. Governing Board of Speech Language Pathologists
- d. Recreational Therapy Governing Board
- e. Governing Board of Respiratory Care Practitioners
- f. Board of Directors for Office of Licensed Allied Health Professionals
- g. Board of Hearing Care Providers
- h. Board of Dental Examiners
- i. Board of Licensed Dietitians
- j. Board of Registration in Optometry
- k. Board of Medicine
- l. Board of Nursing
- m. Board of Licensing for Alcohol and Other Drug Use Professionals ("LDAC")
- n. Board of Mental Health Practice
- o. Board of Psychologists

2. The Executive Director of the Office of Professional Licensure and Certification shall have the authority, for the purposes of this Order, to designate additional boards as Medicaid to Schools Boards.

3. To ensure the continued provision of services under the State's Medicaid to Schools Program, all Medicaid to Schools Boards shall work with the Office of Professional Licensure and Certification to:

- a. Immediately expedite review and approval of new license and credential applications for qualified applicants engaged in the provision of services for the State's Medicaid to Schools Program to the fullest extent permitted by applicable law or rule. This shall

- include, but not be limited to, prioritizing applications submitted by applicants who provide or intend to provide services under the State's Medicaid to Schools Program.
- b. To the fullest extent permitted by law or rule, expedite the issuance of permanent or temporary reciprocal licenses or other credentials to qualified applicants who provide or intend to provide services under the State's Medicaid to Schools Program and who are duly licensed or credentialed in another state.
 - c. Review the board's rules and processes and propose or institute reforms to licensing and credentialing processes and procedures which may be necessary to maintain or improve the provision of services under the State's Medicaid to Schools Program, including but not limited to the elimination of subjective components of applications for licenses and credentials.
4. Within 60 days of the date of this Order, the Office of Professional Licensure and Certification shall submit to the Governor, the Speaker of the House, the President of the Senate, and the Chairs of the House and Senate Committees on Education, Health and Human Services, and Executive Departments and Administration, a report which details the actions taken by each Medicaid to Schools Board to comply with the directives of this order.
5. Following submission of the report required by Section 4 of this Order, the Office of Professional Licensure and Certification shall submit to the Governor, the Speaker of the House, the President of the Senate, and the Chairs of the House and Senate Committees on Education, Health and Human Services, and Executive Departments and Administration, a monthly report which summarizes all actions taken by Executive Branch agencies and Medicaid to Schools Boards to carry out the directives of this Order. Such reports shall continue for a period of one year unless otherwise ordered by the Governor.
6. Beginning with the issuance of this Order, each Medicaid to Schools Board's compliance with the directives of this Order shall be considered as part of a review of any Medicaid to Schools Board member's application or request for reappointment.
7. The Department of Health and Human Services and the Department of Education shall take any and all actions necessary to assist the Office of Professional Licensure and Certification in carrying out the directives of this Order.

Given under my hand and seal at the Executive Chambers in Concord, this 4th day of December, in the year of Our Lord, two thousand and nineteen, and the independence of the United States of America, two hundred and forty-three.


GOVERNOR OF NEW HAMPSHIRE