



**MEDICAL CARE POLICY ADMINISTRATION
DEPARTMENT OF HEALTH AND MENTAL HYGIENE**

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**MARYLAND MEDICAL ASSISTANCE PROGRAM
EPSDT PRIVATE DUTY NURSING PROGRAM
TRANSMITTAL NO. 2
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Private Duty Nursing Agencies

FROM: Joseph M. Millstone, Director
Medical Care Policy Administration

NOTE: Please ensure that appropriate staff members in your organization are informed of the contents of this transmittal.

Maintenance of Records

Providers of private duty nursing services are subject to all general Medical Assistance provider participation criteria described in the Code of Maryland Regulations COMAR 10.09.36. These regulations require that providers of services to Medicaid recipients "maintain adequate records for a minimum of 6 years and make them available, upon request, to the Department or its designee" (subsection .03A). Also in chapter 10.09.36, under .05D(1), "the provider shall keep all records available for inspection or audit by the Department or the Department's designee at any reasonable time during normal business hours."

In order to appropriately support any claims of payment for services provided to a Medicaid recipient, a private duty nursing agency shall maintain complete patient and employee records, which include, but are not limited to, the following:

- 1) Current, signed orders from the recipient's primary medical provider for treatments, medications and services;
- 2) Documentation of the qualifications of the individual providing care (per COMAR 10.09.53.03C.), which include:
 - a) a current, unrestricted nursing license from the jurisdiction where services are rendered;
 - b) a skills checklist that demonstrates sufficient training and experience to deliver the level of service required by the recipient; and
 - c) annual recertification in infant and adult CPR;
- 3) Progress notes signed, and dated by the individual providing care, which document that nursing services are "directly related to the plan of care" (per COMAR 10.09.53.04-EPSDT Private Duty Nursing);
- 4) Copies of all plans of care for the recipient; and
- 5) Copies of time sheets for the nurses who provided the services billed.

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