

MLTSS Level of Care Requirements for Children (ages birth – 20)

The child exhibits functional limitations, identified in terms of developmental delay or functional limitations in specific age-appropriate activities of daily living, requiring nursing care over and above routine parenting and meets one of the following nursing care criteria.

- 1) Medical and/or intense therapeutic services for the medically complex child who exhibits a severe illness that requires complex skilled nursing interventions 24 hours per day, seven days per week.
 - A. Skilled Nursing Services shall be based upon, but not limited to, at least one of the following:
 - I. Dependence on mechanical ventilation
 - II. The presence of an active tracheostomy
 - III. The need for deep suctioning
 - IV. The need for around-the-clock nebulizer treatments with chest physiotherapy
 - V. Gastrostomy feeding when complicated by frequent regurgitation and/or aspiration, or is on a continuous feeding more than 4 hours at a time
 - VI. A seizure disorder manifested by a frequent prolonged seizures requiring emergency administration of anticonvulsant medication in the last 4 months; or
- 2) Medical and/or intense therapeutic services for the technology dependent child who requires a medical device that the Federal Food and Drug Administration has classified pursuant to 21 C.F.R. 860, as amended and supplemented, as a life supporting or life sustaining device that is essential to, or that yields information that is essential to the restoration or continuation of a bodily function important to the continuation of human life.
 - A. These services shall be provided if the life supporting or life sustaining device is necessary to compensate for the loss of a vital function, to avert death or further disability, and if the use of the device requires ongoing skilled nursing intervention.

The following services do not, in and of themselves, constitute Medical Necessity for Private Duty Nursing:

1. Observation, monitoring, recording, or assessment
2. Occasional suctioning
3. Gastrostomy feedings, unless complicated by frequent regurgitation and/or aspiration; and
4. Seizure disorders controlled with medication and/or seizure disorders manifested by frequent minor seizures not occurring in clusters not associated with status epileptics.