

441—151.21(232) Certification process. The chief juvenile court officer or approved administrator shall determine the certification of the court for each ordered service.

151.21(1) Application for court-ordered services. Any party intending to request court-ordered services funds shall complete an application and receive approval for the funding request from the chief juvenile court officer or approved administrator.

a. The application form with instructions shall be available upon request from the office of each chief juvenile court officer.

b. The applicant shall have verified that there are no other alternative funding sources for the service.

c. The chief juvenile court officer or approved administrator may establish procedures for handling emergency or after-hours situations and for the handling of transports.

151.21(2) Determination. The chief juvenile court officer or approved administrator shall determine whether the requested service is eligible for reimbursement and shall certify that there are sufficient funds available to pay for the service. The chief juvenile court officer or approved administrator shall determine whether:

a. The requested service falls within the court-ordered services expenses defined in Iowa Code section 232.141, subsections (4) and (5), and subrule 151.22(1); and

b. There are sufficient funds in the district's fiscal year fund allocation to pay for the requested service.

151.21(3) Use of other funding sources. The department, in cooperation with the chief juvenile court officers, shall ensure that the funds allocated for court-ordered services are spent only after all other reasonable actions have been taken to use other funding sources. Services are not eligible for reimbursement when another payment source is available.

a. Medicaid. The department shall maximize the use of funds that may be available from the Medicaid program, including coverage for early and periodic screening, diagnosis, and treatment and for psychiatric medical institutions for children (PMIC), before requesting assistance through the court-ordered services fund. However, medical cost sharing for the one-time payment per court order of a deductible amount or a coinsurance amount for treatment specified in a court order is an allowable expense that may be paid through the court-ordered services fund when insurance or Medicaid is then available to pay the remainder of the cost.

b. Other third-party payments. The department shall recover payments from any third-party insurance carrier that is liable for coverage of the services, including health insurance coverage. The department shall submit claims to third-party insurance carriers liable for coverage of the services before the claims are submitted for payment through the court-ordered services fund.

c. The date of a medical claim's accrual for reimbursement through court-ordered services is the date the claim becomes a state liability. For example, a claim becomes a state liability on:

(1) The date of a court order for a contested claim; or

(2) The date of a determination by Medicaid or private insurance that Medicaid or private insurance denies partial or full payment for care and treatment for which an application has been made.

d. If eligible for reimbursement through the court-ordered services fund, medical claims that are submitted to, but are denied by, Medicaid or private insurance shall be paid at a rate not to exceed the rate set by Medicaid.

151.21(4) Certification. The chief juvenile court officer or approved administrator shall approve or disapprove the request for funds and shall sign and return the application to the applicant.

a. If the request is disapproved, the applicant must approach another service.

b. If the request is approved, the service plan may be presented to the court for a court order to be issued for the services.

151.21(5) Allowable rates not available. When the department has been unable to establish an allowable rate of reimbursement for a service or a provider, the chief juvenile court officer or approved administrator shall negotiate a reimbursement rate with the provider to obtain the service at a reasonable cost based on available community or statewide rates.

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