

**CHAPTER 75-02-02
MEDICAL SERVICES**

SECTION 1. Section 75-02-02-09.4 is amended as follows:

75-02-02-09.4. General Limitations on Amount, Duration, and Scope.

1. Limitations on payment for occupational therapy, physical therapy, and speech therapy.
 - a. No payment will be made for occupational therapy provided to an individual except for twenty visits per individual per calendar year unless the provider requests and receives prior authorization from the department. This limit applies in combination to services delivered by independent occupational therapists and in outpatient hospital settings. This limit does not apply to school-based services for children.
 - b. No payment will be made for physical therapy provided to an individual except for fifteen visits per individual per calendar year unless the provider requests and receives prior authorization from the department. This limit applies in combination to services delivered by independent physical therapists and in outpatient hospital settings. This limit does not apply to school-based services for children.
 - c. No payment will be made for speech therapy provided to an individual except for thirty visits per individual per calendar year unless the provider requests and receives prior authorization from the department. This limit applies in combination to services delivered by independent speech therapists and in outpatient hospital settings. This limit does not apply to school-based services for children.
2. Limitation on payment for eye services.
 - a. No payment will be made for eyeglasses for individuals twenty-one years of age and older except for one pair of eyeglasses no more often than once every ~~three~~ two years. No payment will be made for the repair or replacement of eyeglasses during the ~~three-year~~ two-year period unless the provider has secured the prior approval of the department and the department has found that the repair or replacement is medically necessary.
 - b. No payment will be made for refractive examinations for individuals twenty-one years of age and older except for one refractive examination no more often than every ~~three~~ two years after an initial examination paid by the department unless the provider has secured the prior approval of the department.
3. Limitation on chiropractic services.
 - a. No payment will be made for spinal manipulation treatment services except for twelve spinal manipulation treatment services per individual per calendar year unless the provider requests and receives the prior approval of the department.
 - b. No payment will be made for radiologic examinations performed by a chiropractor except for two radiologic examinations per individual per year

unless the provider requests and receives the prior approval of the department.

4. No payment will be made for psychological visits except for forty visits per individual per calendar year unless the provider requests and receives the prior approval of the department.

History: Effective September 1, 2003; amended effective July 1, 2006; July 1, 2009.

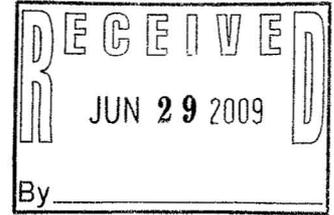
General Authority: NDCC 50-24.1-04

Law Implemented: NDCC 50-24.1-04



— State of —
North Dakota
Office of the Governor

John Hoeven
Governor



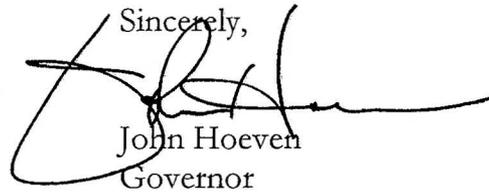
June 29, 2009

Carol Olson
Executive Director
Department of Human Services
600 East Boulevard Avenue
Bismarck, ND 58505-0250

Dear Carol,

On June 26, 2009, I received your request for approval of emergency rulemaking to increase reimbursement under Medicaid for eye services.

I have reviewed the request pursuant to N.D.C.C. § 28-32-03(2) and find that emergency rulemaking is necessary to implement the additional appropriations in House Bill 1012 to increase reimbursement rates for eye services effective July 1, 2009.

Sincerely,

John Hoeven
Governor

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