



RI EOHHS MEDICAID POLICY

Subject:	<i>Service Animal Expenses, Cost of Care (LTSS)</i>		
Applicability:	Individuals with service animals, PETI calculation		
Issue Date:	Effective Date:	Transmittal #:	Supersedes #:
October 4, 2021	October 4, 2021	21-02	New

Purpose

The purpose of this policy is to establish guidelines for the consideration of service animal costs in the calculation of a Medicaid beneficiary's cost of care in the post-eligibility treatment of income (PETI) calculation.

Background

When an individual qualifies for Medicaid long-term services (LTSS), their share of the cost of their care must be calculated, pursuant to [42 CFR 435 Subpart H](#). This calculation is conducted according to the post-eligibility treatment of income (PETI) process. As part of the PETI process, portions of a Medicaid LTSS beneficiary's income may be protected in order to allow them to pay for some medical costs that are not covered by Medicaid. As stated in [210-RICR-50-00-8](#), some costs are allowable medical expenses as long as they meet certain criteria. An allowable medical expense must be:

- a medically necessary expense
- a non-Medicaid service
- cannot be eligible for payment by a third party
- must have been incurred during a month in which the applicant/beneficiary is receiving Medicaid-funded LTSS.

Furthermore, [210-RICR-50-00-8](#) specifies certain expenses as Charges Not Allowed that cannot be used to deduct income for the purposes of calculating cost of care for LTSS individuals. These include personal items (such as shampoo, toothpaste, or dental floss), elective or expanded services (such as a motorized wheel chairs or prescription sunglasses), and provider travel expenses when no medical service is provided.

Some Medicaid LTSS beneficiaries may have conditions for which a medical professional might recommend a service animal. [The Americans with Disabilities Act](#) (ADA) defines a service animal as "any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability.." Therefore, in order to qualify for a service animal, a person's disability must meet the ADA's definitions of a mental or physical disability and provide documentation from a medical professional that their disability could be improved or supported in some way by the service animal.

Scope

This policy pertains to any individual that qualifies for Medicaid LTSS under [210-RICR-50-00-1](#) and has a service animal at the recommendation of a medical professional who attests that use of the animal would enable the member to independently travel to work, school or other appointments and whose disease management would be positively impacted by the service animal.

Examples of disabilities for which a service dog might be considered appropriate treatment include but are not limited to:

- Blindness
- Deafness
- Seizure disorders
- Diabetes
- Paralysis

Statement of Policy or Procedure

Any Medicaid member that is eligible for LTSS and receives assistance from a service animal may submit costs incurred for the maintenance of a service animal for PETI calculation purposes to decrease their cost of care. EOHHS uses the definition of a service animal found in the Americans with Disabilities Act (ADA) which defines a service animal as:

“any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual’s disability.”

A support animal’s primary function is to provide companionship for the owner and in accordance with the ADA, any “emotional support, well-being, comfort, or companionship” provided by an animal do not constitute work or tasks for the purposes of their definition of a service animal.

Service animal associated costs that qualify for PETI calculation purposes are those necessary for the acquisition, use, and maintenance of the service animal, but do not include costs related to grooming or leisure (ex. dog toys, equipment not essential to performing their service tasks). Covered costs include but are not limited to:

- Acquisition costs
- Member training costs
- Animal training costs
- Animal medical care
- Animal food

Questions?

If you have any questions, please contact Katy Thomas via email at Kathryn.thomas@ohhs.ri.gov.