

	Addictive and Mental Disorders Division Severe and Disabling Mental Illness, Home and Community Based Services Waiver Manual
	Date effective: July 1, 2020 Date revised: March 1, 2021
Policy Number: <i>SDMI HCBS 370</i>	Subject: Private Duty Nursing

Definition

As defined in 42 CFR §440.80, private duty nursing (PDN) services means nursing services for members who require more individual and continuous care than is available from a visiting nurse or routinely provided by the nursing staff of the hospital or skilled nursing facility. These services are provided by a registered nurse or a licensed practical nurse, under the direction of the member’s physician, and may be provided at the member’s home.

Determination of Need

- (1) PDN is medically necessary services provided to members who require continuous in-home nursing care.
- (2) PDN Services are provided only when Medicaid state plan services are not available or appropriate.
- (3) PDN nurses may be employed by a home health agency, home care agency or self-employed.

Provider Requirements

- (1) PDNs must comply with the Montana Nurse Practice Act.
- (2) PDNs must be a Licensed Registered Nurse or Licensed Practical Nurse according to Administrative Rules of Montana, Title 8, Chapter 32, subchapter 4.
- (3) PDNs may be employed by a home health agency or self-employed and enrolled as a Montana Medicaid provider.
- (4) An LPN must be supervised by a registered nurse, physician, dentist, osteopath, or podiatrist licensed by the state of Montana.
- (5) A member's legally responsible person, relative, or legal guardian may provide PDN if:
 - (a) they are licensed in accordance with state regulation;
 - (b) they are employed by an agency or provided under self-direction with oversight of an agency; and

(c) they meet criteria one through four above.

Service Requirements

- (1) Use of a nurse to routinely check skin condition, review medication use, or perform other nursing duties in the absence of a specific identified need, is not allowable.
- (2) This service will not duplicate or replace services available under the Medicaid state plan.
- (3) A relative or legal guardian may not provide more than 40 hours of paid time in a seven-day period.
- (4) The provider must complete a progress note for each member receiving PDN services as required in ARM 37.85.414.

Utilization

- (1) PDN is based on the member's assessed need and are limited to additional services not otherwise covered under Medicaid state plan.
- (2) PDN must be prior authorized by the department or their designee.