
North Carolina Department of Public Instruction

Exceptional Children Division

Supporting Teaching and Related Services

Guidance for LEAs regarding Durable Medical Equipment (DME)

Related service providers are asked by parents and community-based case managers to write letters of medical necessity (LMN) for equipment and devices. These letters are required to justify the purchase of equipment used at school, at home or both (such as mobility and positioning devices, ramps, adaptive equipment for hygiene and daily living, augmentative communication devices, and assistive technology) When justifying DME, related service providers must assess the student, investigate equipment options, visit and assess all locations where the equipment will be used, and coordinate a meeting with the family and vendor to discuss and select specific equipment. There are issues with scope of practice, licensure, staffing, insurance and liability to consider when related service providers employed by a local educational agency (LEA) are asked to assess need and provide these letters. These letters draw upon assessment information from the student and environment(s), the medical expertise and professional license of the therapist to determine if and what equipment/device should be purchased.

It is important that each LEA review what is required to assess and provide these letters. To avoid misunderstanding it is critical to:

- communicate the roles and responsibilities of each person
- confirm ownership of the equipment
- establish responsibilities for maintenance of the equipment

To clarify responsibilities for each party, NCDPI ECD encourages the following:

- Collaboration between the Exceptional Children Program Director, related service providers and school board attorney to develop a local policy delineating roles and responsibilities of LEA staff regarding letters of medical necessity
- The local policy should outline the position of the LEA as to responsibilities for both personal, school equipment/devices and equipment/devices that are used at home, school and in the community, related to:
 - Allowable instances for writing letters of medical necessity
 - Allowable home visits to assess, deliver, and monitor DME
 - Equipment ownership, maintenance and use (DME used at school only, DME for home, community & school uses, DME used at home only, etc.)
 - Practitioner's ability to visit homes to assess for DME and monitor or follow up
 - Scope of LEA responsibility for DME training, monitoring, and repair
 - Loaning equipment owned by the LEA to the student for use at home over weekends, holidays or summer break (in order to ensure FAPE is provided)
 - Appropriate insurance coverage
- LEAs may want to develop procedures and/or documentation to:
 - outline the respective responsibilities of the school and the family for maintenance and repair of DME when purchased:
 - by the school
 - by the family with assistance from a related service provider
 - via a 3rd party, hospital or specialty clinic
 - establish perimeters for loans over weekends/summer
 - clearly define 'working condition'
 - document training for DME use, precautions and safety, as well as any monitoring or follow-up that is required

DPI Consultants are available to provide technical assistance:

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- Bridgette LeCompte, Occupational Therapy Consultant, bridgette.lecompte@nc.dpi.gov
- Perry Flynn, Speech-language Pathology Consultant, pfflynn@uncg.edu

NOTE: Durable Medical Equipment purchased with Special State Reserve funds (PRC 63) or Risk Pool Funds (PRC 114):

Special State Reserve and Risk Pool funds are student-specific and must be used as specified in the funding application. DME purchased with Special State Reserve or Risk Pool funds follow the student for whom the equipment was purchased. When a student transfers to another LEA, the equipment is sent to the new LEA for the student's use. Should the student move out of North Carolina, the equipment will remain with the LEA. If the student outgrows the equipment or equipment is no longer appropriate, the equipment may be offered for use by another student in North Carolina.