

## PUBLIC FACILITY USE CERTIFICATION

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AUTHORITY: [32 CFR 199.5\(h\)\(3\)\(v\)](#)

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### I. DEFINITION

The public facility use certification is a written confirmation that the requested ECHO services or items are either not available from public facilities or are not adequate to meet the needs of the beneficiary's qualifying condition.

### II. POLICY

A. The ECHO requires that public facilities be used first for services and items related to training, rehabilitation, special education, assistive technology devices, institutional care in private nonprofit, public, and state institutions and facilities and, if appropriate, transportation to and from such institutions and facilities to the extent that they are available and adequate.

B. Services available through State-administered plans for medical assistance under Title XIX of the Social Security Act (Medicaid) are not considered available and adequate facilities for the purpose of the ECHO.

C. Services and items available through the ECHO Home Health Care or Respite Care benefits do not require a public facility use certification.

D. The public facility use certification may be issued by the Commander of the local Military Treatment Facility (MTF) or an authorized administrator of the public facility.

E. No public facility use certification is required for medical services and items that are provided under Part C of the Individuals with Disabilities Education Act in accordance with the Individualized Family Service Plan (IFSP) and that are otherwise allowable under the TRICARE Basic Program or the ECHO.

F. For a beneficiary aged 3 to 21 who is enrolled in an education program, the local public education agency must certify that the services or items requested through the ECHO are not included on the beneficiary's Individualized Education Program (IEP), or if so, are not adequately available.

G. A public facility use certification is valid until such time as the Managed Care Support Contractor (MCSC) or the Director, TRICARE Area Office (TAO) determines that a

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new certification is necessary in order to insure that public facilities are used to the extent available and adequate.

H. The contractor will determine that services or items are not available from a specific public facility when the beneficiary provides a written statement that the facility refused to provide the required certification.

I. A care-specific determination of public facility availability is conclusive and is not appealable

III. EFFECTIVE DATE            September 1, 2005.

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