

## Kansas 1915(c) HCBS Waiver Programs **COVID-19 Guidance**

**Date: Tuesday, April 14, 2020**

Most recent key revisions colored blue

**Time: 10:00 AM**

Recent Releases: 3/17/2020, 3/19/2020

### **Measures for I/DD Waiver Services**

Throughout the COVID-19 emergency period, to encourage social distancing and stop the spread of the pandemic, the agency recommends that providers and participants limit participation in congregate settings or activities.

1. The State will allow Day Support services and its sub-services to be provided wherever a participant authorized to receive such services is located.
2. During this timeframe, the MCO may authorize the Residential Service (T2016) provider to deliver Day Supports (T2021) to an authorized waiver participant if the participant's current Day Supports service provider is unable to provide such service due to the pandemic.
  - a. The agency waives all settings-related exception request processes relating to both services during the period of the emergency.
  - b. Day Supports (T2021) may be delivered via tele-video in a setting where Day Supports is not currently being delivered and do not overlap Personal Care Services.
3. The criteria to use a service at a minimum of every 30 days is waived.
4. All Personal Care Service (PCS) may be delivered in a person's home or a temporary setting, including a family member's home.
  - a. The EVV requirements for temporary staff or in temporary living arrangements is suspended.
5. Under this guidance, KDADS waives the daily limit for PCS for all HCBS waiver. The maximum of 12 hours per 24-hour period limit is suspended.
  - a. Managed Care Organizations may authorize PCS use for an unlimited number of hours per 24-hour period.
  - b. Agency-directed and Self-Directed Personal Care Services can be combined to meet the participant's needs
  - c. The total combination of Personal Care Services hours may exceed 12 hours per 24-hour period.
6. A Managed Care Organization can authorize Home-Delivered Meals as an in-lieu-of service where PCS hours are insufficient to provide meal preparation for a waiver participant.
7. Wellness Monitoring may be completed using telecommunications (phone), televideo consultations/telemedicine, or telehealth services methods that meet the following criteria:
  - a. Comply with the Health Insurance Portability and Accountability Act (HIPAA);
  - b. Such a process must provide interactive audio or video communications, permitting real-time contact between a distant provider, who is present and participating in the visit, and the individual receiving an appointment.

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- c. Telehealth Day Services-Telehealth Day Services may be delivered via televideo to a waiver participant in their home.
    - d. For a comprehensive list of waiver services authorized for telemedicine, see KDADS HCBS Waiver Services with Approved Telemedicine Guidance
  8. Waiver services that require direct contact between a provider, case manager, or caregiver should be conducted using methods that promote social distancing throughout the period of the pandemic.
  9. Choice process — Given that Community Developmental Disability Organizations (CDDOs) are responsible for giving choice of providers to waiver participants, where it is documented that a CDDO is unable to complete the choice process for a participant due to the pandemic, a Managed Care Organization may document waiver participant's choice of provider.
    - a. In this case, the MCO must also document the rationale for completing the choice process in place of a CDDO and must convey the information to the CDDO as soon as possible.
  10. For I/DD waiver participants that are in Foster Care—under the custody of the Department for Children and Families (DCF):
    - a. the foster parents may be reimbursed for the following waiver services:
      - i. Personal Care Services (for non-supervisory supports) if the personal care worker is not available to provide that care.
      - ii. Specialized Medical Care (as long as the foster parent providing the service is either a Registered Nurse or is a Licensed Practical Nurse providing the service under the supervision of a Registered Nurse).

The exception granted shall be in place until rescinded, or until the statewide State of Disaster Emergency proclaimed on March 12, 2020, relating to COVID-19 expires, whichever is earlier.

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