



Date: November 17, 2021

Topic: Temporary Service Modifications

Temporary modifications, enacted April 9, 2020, continue and are projected to end June 30, 2022. Further adjustments indicated in red are effective January 1, 2022 and projected to end June 30, 2022 as well. Dates are subject to change if the Federal Public Health Emergency is extended past December 31, 2021.

These temporary modifications apply to waiver services defined in Section 17 of the Supports Program and Community Care Program policy manuals. All other policy manual service definitions, qualifications, documentation requirements and limitations remain in place.

Relaxing of Requirements for Services to be Delivered In-Person and/or in Community Settings

The requirement that services be delivered in person and the requirement that service delivery take place in a community-based setting outside of an individual’s home continue to be temporarily relaxed for the following services, as applicable. Individuals may continue to receive one-to-one in-home supports. Effective January 1, 2022, in-home support for individuals receiving Individual Supports-Daily Rate (IS-Daily Rate) and individuals living in a provider-managed residential settings (e.g. group homes, supervised apartments, etc.) are permitted so long as there is not a reasonable out-of-home option for services as determined by the planning team. In all cases, the planning team shall continue to carefully consider the potential health risks and be in agreement with adding or continuing in person in-home supports.

In-home supports and remote delivery, via telephone or other medium, is temporarily an option for the services listed below regardless of living situation:

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| <ul style="list-style-type: none"> <li>• Behavioral Supports</li> <li>• Career Planning</li> <li>• Cognitive Rehabilitation</li> <li>• Community Based Supports</li> <li>• Community Inclusion Services</li> <li>• Day Habilitation*</li> <li>• Goods and Services (Classes)</li> <li>• Individual Supports – Hourly</li> <li>• Interpreter Services</li> </ul> | <ul style="list-style-type: none"> <li>• Natural Supports Training</li> <li>• Occupational Therapy</li> <li>• Physical Therapy</li> <li>• Prevocational Training (Individual and Group)</li> <li>• Speech, Language &amp; Hearing Therapy</li> <li>• Support Coordination</li> <li>• Supported Employment-Individual Only</li> <li>• Support Brokerage</li> </ul> |
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\*Modified Day Habilitation services may take place outside of daytime hours and/or on weekends, as follows:

- Remote-only for individuals living in a provider-managed residential setting.
- Remote or one-to-one in-person in the home or in an alternative socially distanced setting for an individual living in their own home or family home.

\*Effective January 1, 2022, Modified Day Habilitation services may take place outside of daytime hours and/or on weekends, as follows:

- Remote or in-person (which can include one-to-one) in the home or in an alternative socially distanced setting for an individual living in their own home, family home, or for those receiving Individual Supports-Daily Rate and individuals living in a provider-managed residential setting.

PLEASE NOTE: Day services delivered in a congregate day program facility can only take place during daytime hours.

## Overlapping Services

### For individuals living on their own or with family:

- Day services can be delivered in-person, one-to-one in the home or in an alternative, socially distanced setting, or can be delivered remotely.
- Where appropriate, remote day services can temporarily overlap with Community Based Supports or Individual Supports-Hourly, as long as the individual's need for one-to-one support to participate in remote services is documented in a COVID note.

### Through December 31, 2021 for individuals receiving Individual Supports-Daily Rate and individuals living in provider-managed residential settings (e.g. group home, supervised apartment, etc.):

- Modified day services can only be delivered remotely. There is no in-person option.
- Remote day services can overlap with IS-Daily Rate **only when** the provider staff delivering the remote day services are not the same staff who are delivering the IS-Daily Rate service.
- IS-Daily Rate and remote day services can be delivered by the same agency or by different agencies.

### Effective January 1, 2022 the following guidance supersedes the above for individuals receiving Individual Supports-Daily Rate and individuals living in provider-managed residential settings (e.g. group home, supervised apartment, etc.):

- Modified day services can be delivered remotely or in-person option.
- Remote or in-person day services can be provided in the residence during the period not covered by IS-Daily Rate.
- Remote or in-person day services can be delivered by the same agency or by different agencies.

### In all cases:

- Videoconferencing\* must be delivered through a secure platform.
- Services must fit within the individual's overall plan year budget.
- Services cannot begin until prior authorized in an approved plan.
- Providers are expected to claim only for the actual number of modified day service units each individual is present for/receives/participates in.
  - All service plans must be revised to reflect the actual number of modified day service units the individual is expected to receive.
  - Providers cannot claim for live or pre-recorded "streaming" of day services for individuals who are not present/participating.
- Self-directed employee wages should continue to fall below or within the reasonable and customary threshold of \$20 to \$25 per hour. The service review team evaluates each request independently using the supporting documentation received from the support coordinator.
- Providers of Career Planning, Community Inclusion, Day Habilitation and Prevocational Training can deliver those services remotely or one-to-one in-person to individuals **living on their own or with family**. Providers of these services can submit claims for the actual units of service delivered to and received by each individual. One-to-one in-person services can occur in the residence or an alternative, socially distanced setting at the discretion of the planning team. Agencies providing one-to-one staff shall ensure that employees are screened before starting work and wear face coverings while working with individuals (see [Residential and Day Program Screening Policy](#) and [Universal Masking and Cohorting of Staff](#)).

- Providers of Career Planning, Community Inclusion Services, Day Habilitation or Prevocational Training can deliver those services remotely to individuals **living in provider-managed settings** (e.g., group homes, supervised apartments, etc.). Providers of these services can submit claims for the actual units of service delivered to and received by each individual, as long as the staff delivering the remote day service is not the staff delivering the Individual Supports-Daily Rate services within the residential setting.
- Effective January 1, 2022, providers of Career Planning, Community Inclusion Services, Day Habilitation, or Prevocational Training can deliver those services remotely or in person to individuals **living in provider-managed settings** (e.g. group homes, supervised apartments, etc.). Providers of these services can submit claims for the actual units of service delivered to and received by each individual.
- Providers rendering any services are reminded that they **must** continue to carefully review the service definition and requirements (including documentation requirements) to ensure compliance. For example, Day Habilitation requires Individualized Goals, Activities log, etc. Section 17 of the [Supports Program](#) or [Community Care Program](#) Policies and Procedures Manuals contain this information. The Division reserves the right to audit providers rendering services.
- Support Coordinators should:
  - Document any modified service delivery in iRecord using the COVID note type and every month in the Monthly Monitoring Tool, including the alternative service delivery method used.
  - Stop services in an existing service plan if funding needs to be made available for other needed services.
  - Revise service plans to reflect the actual number of units of day services, modified or otherwise the individual will receive. If a day services prior authorization was in place before the pandemic, modified day services can begin prior to the revised plan approval.

**\*Videoconferencing (Remote Delivery):**

Any technology used for the remote provision of waiver services must be secure and HIPAA compliant.