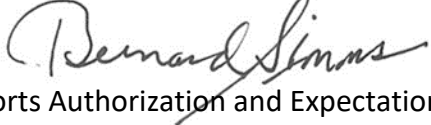




MEMORANDUM

To: DDA Stakeholders
From: Bernard Simons, Deputy Secretary 
Re: DDA Appendix K #3-Personal Supports Authorization and Expectations
Release Date: January 29, 2021
Effective: March 13, 2020

NOTE: Please inform appropriate staff members of the contents of this memorandum.

BACKGROUND

On March 5, 2020, Governor Lawrence J. Hogan, Jr., declared a state of emergency due to disease (“COVID-19”) caused by the novel coronavirus. The COVID-19 outbreak was declared a national emergency on March 13, 2020 and was previously declared a nationwide public health emergency on January 31, 2020 (retroactive to January 27, 2020).

The purpose of this guidance is to inform Developmental Disabilities Administration (DDA) stakeholders of temporary changes to the DDA’s Home and Community-Based Services (HCBS) Waiver programs (i.e. Community Pathways Waiver, Community Supports Waiver, and Family Supports Waiver) and State funded services and operations in response to health and safety concerns related to the COVID-19 pandemic.

This guidance implements temporary modifications to DDA’s Waiver programs in Appendix K, submitted to and approved by the Centers for Medicare and Medicaid Services, and DDA State Funded services to address the state of emergency.

OVERVIEW

Due to [Governor’s orders](#) including program closures and [Stay at Home Executive Order](#), the DDA may authorize additional hours for participants who are currently authorized to receive Personal Supports to support their health and safety. In addition, the DDA is making exceptions to specific service requirements to address needs and staffing challenges.

Additional authorizations to address a participant’s specific needs may be requested based on the participant’s needs using the service authorization request form and process.

This guidance applies to both the self-directed and traditional service delivery models.

Standards and Requirements:

1. Services can be provided in a variety of settings, instead of the community, including but not limited to the participant's home, family and friend's homes, acute care hospital or short term institution stay, other community settings, or in neighboring states as per DDA's Appendix K.
2. Personal care assistance can comprise the entirety of the service, as appropriate.
3. Service may be provided over the phone, or via video teleconferencing (e.g. Skype, Zoom, Facetime, etc.), to allow services to continue to be provided remotely in the home and community settings.
4. To maintain and support expansion of the current workforce, staffing qualification and onboarding requirement flexibilities are available as outlined in the [DDA Appendix K #6 - Staff Training and On-boarding Flexibility Guidance](#)
5. Retainer payments may be authorized for providers who normally provide services but are currently unable as provided in [DDA Appendix K #1 - Retainer Payments Guidance](#).
6. Under the self-directed services delivery model, Paid Time Off (PTO) may be authorized by the participant for staff who normally provide services but are currently unable due to the pandemic.
(New June 1, 2020)
7. Increased rate for supporting people who have determined positive for COVID-19 is available as per [DDA Appendix K - Increased Rate for Supporting Person with COVID-19 Virus](#).
8. Participant currently authorized Personal Supports may:
 - a. Exceed the 82 hours per week within their authorized budget without DDA's prior authorization; and
 - b. Exceed current DDA authorization within person's overall authorized funding budget (i.e. move funds within budget) without DDA's prior authorization.
9. Participants and providers may hire legal guardians and relatives for the delivery of services, as provided in the [DDA Appendix K #6 - Staff Training and On-boarding Flexibility Guidance](#), for greater than 40-hours per week without DDA's prior authorization.
10. Beginning March 13, 2020, the DDA may authorize additional service hours when the participant was receiving Meaningful Day services prior to the State of Emergency as follows:
 - a. Participants that currently receive **28 hours** or more of Personal Supports per week may be authorized for **six (6) additional hours** per day, Monday through Friday for a total of **30 hours** per week. **(Revised January 29, 2021)**
 - b. From March 13, 2020 until the Personal Support services was transitioned to LTSS*Maryland*, for participants currently authorized to receive Personal Supports using the Traditional Service Delivery Model, the DDA will authorize additional service hours via a data patch in PCIS2. **(Revised January 29, 2021)**
 - c. After the service transitions to LTSS*Maryland*, these additional COVID-19 Personal Support hours shall be requested with a Revised or Annual PCP using the [Detail Service Authorization Tool](#) and noted under the "Personal Supports – Appendix K Add-on—COVID-19" title. **(New January 29, 2021)**
 - d. Under the Self-Directed Service Delivery Model: **(Revised May 28, 2020)**

- i) Participants have the ability to (1) move funding to different services to meet needs including moving funds from meaningful day services or other services that can be used for increased personal supports; and (2) access additional \$2000 funds added to budgets for personal supports;
 - ii) Personal supports and meaningful day services can vary weekly, therefore the DDA will consider request for increases to personal supports to meet needs; and
 - iii) To request an increase in Personal Supports for immediate COVID-19 health and safety related need, the Revised Person Centered Plan (PCP) is used; and **(Revised January 29, 2021)**
11. For all participants, Annual and Revised Person-Centered Plans *are required* to request these additional COVID-19 related hours. **(Revised January 29, 2021)**
 12. LTSSMaryland Person-Centered Plan (PCP) updates prior to implementation of the Electronic Visit Verification (EVV) and the DSAT: **(Revised January 29, 2021)**
 - a. For Non-Pilot participants, the DDA RO will upload the service authorization into the LTSSMaryland Client Attachment.
 - b. For Pilot participants, the DDA will coordinate with Coordinators of Community Services to create Revised PCPs.
 13. Since the implementation of EVV and the DSAT, a Revised PCP is needed for any changes in service need. **(New January 29, 2021)**
 14. Providers shall maintain documentation of service delivery as per the [DDA - Service Authorization and Provider Billing Documentation Guidelines](#).

PCIS2 Billing Process: (Revised January 29, 2021)

For Personal Supports services, there are two calendars in the legacy PCIS2 process. Providers shall:

- Enter regularly authorized services into the Base Calendar;
- Enter 15-minute units for retainer payment on the new “COVID-19 Retainer Calendar”

LTSS Billing Process: (Revised January 29, 2021)

No change to the billing process. Personal Supports should be billed through the existing process in LTSSMaryland.

Billing Process - Self-Directed Services:

There is no change to the billing process. Invoices should be sent to the Fiscal Management Services provider.

Applicable Resources:

[DDA Waivers - Appendix K Webpage](#)

[DDA MEMO/GUIDANCE/DIRECTIVES](#)

[DDA Covid-19 Resource Page](#)