



**To:** Adult Medical Day Care Providers (Provider Type 42)

**From:** Dennis R. Schrader, Secretary (Acting) *Dennis R. Schrader*

**Date:** March 9, 2021

**Re:** COVID-19 #19: Reopening of Adult Medical Day Care Facilities and Availability of Administrative Per Diem Rate

**NOTE:** Please ensure appropriate staff members in your organization are informed of the contents of this memorandum

### Background

On March 5, 2020, Governor Lawrence J. Hogan, Jr., declared a state of emergency due to the disease (“COVID-19”) caused by the novel coronavirus. Pursuant to an Emergency Order by Governor Hogan issued on Monday, March 16, 2020, all Adult Medical Day Care (AMDC) facilities were closed until further notice. Through COVID-19 #2: Temporary Closure of Adult Medical Day Care Facilities, Interim Guidance, and Administrative Per Diem Rate, the Maryland Department of Health (“MDH”) Medical Assistance Program (“Medicaid”) permitted AMDC facilities to bill Medicaid for an administrative day rate to help ensure continuity of services.

Governor Hogan announced on Tuesday, March 9, 2021 that AMDC facilities are permitted to reopen to provide services to existing clients enrolled in care on or before March 14, 2020. AMDC facilities will be eligible to reopen effective at 5:00 P.M., Friday, March, 12 2021.

The purpose of this guidance is to consolidate and restate, with relevance to AMDC services, Medicaid’s current AMDC reimbursement policy. **This guidance document supersedes and replaces the COVID-19 #2: Temporary Closure of Adult Medical Day Care Facilities, Interim Guidance, and Administrative Per Diem Rate, effective at 5:00 P.M. on March 12, 2021.**

### Services

Beginning at 5:00 P.M. on March 12, 2021, AMDC providers will have the option to (1) deliver services in-person and bill at the standard in-person rate for those attendees that have been vaccinated or (2) continue to provide certain services telephonically to individuals for whom they provide care now. Providers must complete the Daily Care Connection form issued by the Office of Health Care Quality (OHCQ) on the days when providing telephonic or remote services.

AMDC providers may not enroll new Medicaid clients at this time. Services may only be delivered to participants who were enrolled in care on or before March 12, 2020. AMDC providers may begin enrolling new Medicaid clients effective May 1, 2021.

Pursuant to the Secretary's Directive and Order Regulating Certain Businesses, MDH No. 2021-03-09-01, all facilities shall follow all applicable federal and state regulations and COVID-19 specific guidance with regards to wearing Face Coverings, hand hygiene, physical distancing, and ventilation.

- All individuals who are attending the facility for in-person services shall be fully vaccinated before receiving in-person services.
- All staff members shall be offered the opportunity to be vaccinated and are strongly encouraged to be vaccinated.
- Facilities shall develop and implement reopening plans for their individual facility. The plans shall address the following considerations, in alignment with CDC guidelines where applicable: Employee and Participant Screening, Social Distancing, Personal Hygiene, Cleaning and Disinfecting Areas, Universal Masking, Personal Items, Activities and Outings, Meal Service, Visitation, PPE Maintenance, Medical Appointments, Infection Control, and Procedures for Suspected or Confirmed COVID-19 cases.

Note: The Maryland Department of Health will work with all adult day care facilities to make COVID-19 vaccine doses available through retail pharmacy partners or local health departments to offer the opportunity to receive a vaccine for staff and clients if they have not already received a vaccine.

## **Billing for Services**

### ***In-Person Care Per Diem Rate***

AMDC providers will be permitted to bill for the standard per diem rate of \$88.95 for care delivered in-person beginning at 5:00 P.M. on March 12, 2021. The in-person per diem rate should be billed by using code S5102.

Providers may bill the in-person per diem rate for Medicaid-eligible individuals enrolled in the Medical Adult Day Care as of March 14, 2020 who (a) have been determined to meet the medical adult day care level-of-care criteria as defined in COMAR 10.09.07, and (b) individuals with an appeal of a denial of medical adult day care for not meeting level of care that is pending before the Office of Administrative Hearing as of March 14, 2020.

***Administrative Per Diem Rate***

AMDC providers will be permitted to bill for an administrative per diem rate of \$75.61 for services provided telephonically or remotely. The administrative per diem rate should be billed by using code W5102. Providers may bill for the administrative per diem on or after Tuesday, March 17, 2020. All other guidance related to billing requirements for the administrative rate continues to be in effect. This rate will continue to be in place until further notice by the Department.

Providers may bill this administrative per diem rate for Medicaid-eligible individuals enrolled in the Medical Adult Day Care as of March 14, 2020 who (a) have been determined to meet the medical adult day care level-of-care criteria as defined in COMAR 10.09.07, and (b) individuals with an appeal of a denial of medical adult day care for not meeting level of care that is pending before the Office of Administrative Hearing as of March 14, 2020.