



# Coronavirus (COVID-19) Update: Emergency Waiver Amendments

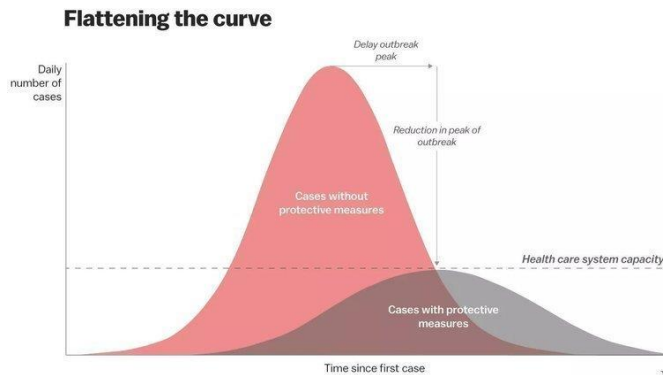
March 20, 2020

Kristin Ahrens, Deputy Secretary

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## Everyone has a responsibility to slow the spread



**Everyone should behave like they are carrying the virus!**

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## **Governor Wolf Executive Order – Prohibitions on Non-Life Sustaining Businesses**

- ***ODP home and community based service and intermediate care facility providers considered life-sustaining and therefore exempt from the Governor's directive asking for the closure of all non-essential businesses.***
- ODP required shifts in operations, closure of CPS facilities and suspension of community integration activities, mean all allowable service provision is essential.
- ***All remaining ID/A services must be provided in alignment with ODP instruction and Governor's Orders.***

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## **Appendix K: Emergency Preparedness and Response**

- CMS process for submitted emergency changes to approved waiver agreements
- ODP submitted emergency amendments to the 3 ID/A and the AAW 3/13/2020
- CMS approved all emergency applications on 3/18/2020
- Effective date of emergency amendments is 3/11/2020 – 3/11/21

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## **ODP's Approach**

- 1. Slow the spread of the virus**
- 2. Redeploy staff where needed most**
- 3. Long term stability of community system**

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## **Slow the Spread**

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### **Statewide Changes Effective March 12**

- Supports Coordination conducts monitoring visits and ISP team meetings remotely or by telephone
- Limitation of visitors in residential programs
- Community Participation Supports/Day Habilitation – suspend requirements for support in community locations
- Annual licensing requirement for physicals for staff and participants is suspended. Providers do not need to request a waiver of this requirement; this is not considered a violation during this time.

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### **Statewide Suspension of ODP Functions Effective March 17, 2020**

- Supports Intensity Scale (SIS) and PA Supplement Assessments
- Quality Assessment and Improvement (QA&I) Provider and SCO Corrective Action Plans (CAPS) and Directive Corrective Action Plans (DCAPS) activities (unless otherwise instructed by ODP or the Administrative Entity)
- Communication Assessments and Reassessments related to the Harry M Settlement
- Annual licensing inspections as specified at 55 Pa.Code § 20.31. (relating to Annual Inspection).
- Independent Monitoring for Quality (IM4Q) interviews

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## **Statewide Required Closures of Day Program Facilities**

- Older Adult Day facilities licensed under 6 Pa. Code Chapter 11
- Adult Training Facilities licensed under 55 Pa. Code Chapter 2380
- Prevocational Facilities licensed under 55 Pa. Code Chapter 2390

**Closures are effective Tuesday, March 17, 2020 and are in effect until further notice.**

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## **Individual Rights**

**During the COVID-19 response, the following rights may be limited:**

- Visitors
- Sharing a bedroom
- Access to community

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## **Approved for Remote Delivery of Services**

### **ID/A Waivers**

- Supports Coordination
- In-Home and Community Supports
- Companion
- Community Participation Support/ Day Habilitation
- Behavioral Support Services
- Supports Broker

### **AAW**

- Supports Coordination
- Specialized Skill Development
- Therapy (counseling)
- Family Support
- Nutritional Consultation

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## **Redeploy Staff Where Needed Most**

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## Where Staff Will be Needed Most

- Residential
- Family caregivers – who fall ill, are essential workers in healthcare, first responders, human services
- In response to infections, need for isolation, quarantine
- Support in hospital settings

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## Flexibility to Allow for Necessary Movement of Staff

- Changes to use Community Participation Support (CPS)/Day Habilitation staff in private homes and residential programs
  - In-home/alternate provision of the day service by facility staff when family caregiver employed in essential roles like healthcare, first responders or human services and reliant on CPS/Day Habilitation for coverage during work.
  - For CPS/Day Habilitation providers who have residential, companion or in-home support service offerings, prepare to redeploy staff from facilities to fill other essential staffing needs.
  - ODP encourages providers that *only* offer CPS/Day Habilitation to contact other provider agencies and develop cooperative arrangements to supply staff to support participants in other service areas like residential, companion, or in-home support.

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## Flexibility to Allow for Necessary Movement of Staff (cont.)

- Staff Qualifications
  - **Staff qualified under any service definition in the ID/A waivers may be used for provision of any non-professional service under another service definition the ID/A waivers.**
    - ID/A Waivers: Professional services exempt from this include: Supports Coordination, Therapy Services, Behavioral Support, Consultative Nutritional Services, Music Therapy, Art Therapy and Equine Assisted Therapy and Shift Nursing
    - AAW: Professional services exempt from this include: Supports Coordination, Therapies, Behavioral Specialist Services and Systematic Skill Building components of Specialized Skill Development, Nutritional Consultation, Family Support, and Shift Nursing.

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## Flexibility to Allow for Necessary Movement of Staff

- Staff Qualifications (cont.)
  - **All staff must receive training on any participants' ISPs for whom they are providing support.** Training on the ISP must consist of basic health and safety support needs for that individual, including but not limited to the fatal four
  - Encourage use of remote training and nurse support to respond to rapid changes

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## **Flexibility to Meet Staffing Needs in Residential**

- Size of location
- Staffing ratios
- Supplemental Habilitation/Temporary Supplemental services
- Shift Nursing
- Location

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## **Flexibility in In-Home and Community and Companion**

*(including for Participant-Directed Services)*

- Suspend 40/60 rules related to overtime and provision of services by relatives
- May be provided remotely where health and safety can be ensured

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## Individual Support Plan Changes

- Guidance on plan changes/authorizations will be provided in near future
  - Broad systems adjustments for CPS retainer payment
  - Broad systems adjustments for Residential with/without day
- Maintain clear documentation/records
- P/FDS and Community Living cap exceptions may be temporarily exceeded to provide emergency care provision. When the emergency is declared to end, utilization of services for individuals must return to the frequency and duration as authorized in individual plans prior to the emergency.

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## Long Term Stability of Community System

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## Financial Strategies

- Waiver of Prudent Pay for all ID/A and AAW waiver services beginning pay cycle 3/21/2020
- Retainer Payments for CPS/Day Habilitation Providers
  - Protocols and will provide guidance by 3/25
  - Retainer payments for CPS/Day Habilitation providers up to 75% of previous average billing
  - *CPS/Day Habilitation providers highly encouraged to redeploy staff in areas most needed* – need these DSPs in workforce!
- Enhanced rates
  - ODP will establish and provide guidance
  - ID/A waivers: Residential Habilitation, Life Sharing, Supported Employment, In-Home and Community Support, Companion, Community Participation Supports, Respite, and Shift Nursing.
  - AAW: Residential Habilitation, including life Sharing, Supported Employment, the Community Support component of Specialized Skill Development, Day Habilitation, Respite, and Shift Nursing

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## Operational Guidance

- Published written guidance available by 3/24
- Webinars for AEs and SCOs on 3/24
- Webinars for All Stakeholders 3/25
- Series of Virtual Office Hours sessions being scheduled
- Information on regulatory waivers to follow

**Please be patient with the pace of information flow.**

**First priority is health and safety.**

**Organize around the information provided and make sure to document.**

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## COVID-19 Provider Information Tool

- Designed to gather service specific information about COVID-19 impact on providers
- Purpose:
  - collect information about potential risk/service closures that will help guide future decision making.
  - create a record for the purposes of retroactive approvals, documentation and payments.
- The tool was designed to take approximately 7-10 minutes to complete.
- Once complete, an email will also be sent to the provider for your record.
- ODP suggest maintaining this information in your records.
- Link to the online tool - <https://www.questionpro.com/t/AJrvGZgvm4>

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## Communication is Key

- *If staff or a person for whom you provide services is suspected to have COVID-19 or tests presumptively positive for COVID-19, **please notify the ODP Regulatory Administration Unit at [RA-PW6100REGADMIN@pa.gov](mailto:RA-PW6100REGADMIN@pa.gov)***
- For ODP to be responsive to the needs related to COVID-19, timely information from the provider community is essential. Providers should follow Department of Health (DOH) guidance for evaluation, testing, and reporting related to staff or a beneficiary suspected of having COVID-19.

**Questions? Call 1-877-PA-HEALTH (1-877-724-3258)**



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## Emergency warning signs for COVID-19

- If you develop emergency warning signs for COVID-19 get medical attention immediately. Emergency warning signs include\*:
  - Difficulty breathing or shortness of breath
  - Persistent pain or pressure in the chest
  - New confusion or inability to arouse
  - Bluish lips or face
  
- \*This list is not all inclusive.

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## Resources



<https://www.cdc.gov/coronavirus/2019-ncov/index.html>



<https://www.health.pa.gov/topics/disease/Pages/Coronavirus.aspx>



<https://www.dhs.pa.gov/providers/Providers/Pages/Coronavirus-2020.aspx>



<https://www.myodp.org/mod/page/view.php?id=26808>

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