

# Action Request Transmittal Developmental Disabilities Services



Lilia Teninty

**Authorized signature**

**Number: APD-AR-20-060**

**Issue date: 5/21/2020**

**Topic:** Developmental Disabilities

**Due date:** 6/4/2020

**Subject:** Billing for Remote Employment and Day Services

**Applies to (check all that apply):**

- |   |   |
|---|---|
| <input type="checkbox"/> All DHS employees                              | <input type="checkbox"/> County Mental Health Directors   |
| <input type="checkbox"/> Area Agencies on Aging: {Select type}          | <input type="checkbox"/> Health Services  |
| <input type="checkbox"/> Aging and People with Disabilities             | <input checked="" type="checkbox"/> Office of Developmental Disabilities Services (ODDS)              |
| <input type="checkbox"/> Self Sufficiency Programs                      | <input type="checkbox"/> ODDS Children's Intensive In Home Services                                   |
| <input checked="" type="checkbox"/> County DD program managers          | <input type="checkbox"/> Stabilization and Crisis Unit (SACU)   |
| <input checked="" type="checkbox"/> Support Service Brokerage Directors | <input checked="" type="checkbox"/> Other (please specify): ODDS Employment and DSA Provider Agencies |
| <input type="checkbox"/> ODDS Children's Residential Services           |   |
| <input type="checkbox"/> Child Welfare Programs                         |   |

**This transmittal replaces billing guidance and contingency fund guidance issued in AR 20-40 and AR 20-57. As of June 4, 2020, contingency funds for Employment and Day Support Activities (DSA) services may no longer be available. In order to request contingency funds, all actions outlined in AR 20-40 must be completed on or before June 4, 2020.**

**Reason for Action:**

ODDS is doing everything possible within federal and state regulation, and within current budget constraints to retain Employment and DSA providers. ODDS acknowledges that Employment and DSA are valuable services and that retaining providers is always more cost effective than start up requirements. Due to further direction from the Centers for Medicare and Medicaid Services (CMS), the Office of Developmental Disabilities Services (ODDS) is updating its current policy on billing for Employment and Day Support Activities (DSA) services.

**Action Required:**

**Contingency Funds:**

Based on on-going conversations with CMS, Contingency Funding as outlined in AR

20-57 will be issued for *two weeks of service* based on billings in eXPRS, as outlined in AR 20-57. ODDS has issued these funds and set up a liability in eXPRS as a recovery mechanism to account for future billings submitted in excess of contingency funds. Once the liability is zeroed, remaining claims will pay. If you were unable to enter your April billings before the deadline, please continue to enter that information.

If for any reason based on this new information your organization would no longer like to receive this funding, please notify ODDS on or before May 25<sup>th</sup> as funding will be issued and liabilities established in eXPRS on May 26<sup>th</sup>.

The initial round of Contingency Funding that has been requested as outlined in AR 20-40 has been issued to date. As of June 4, 2020, providers will no longer be able to request the initial round of Contingency Funding.

In order to sustain providers going forward, ODDS is *temporarily* allowing flexible billing as outlined below to help ensure individuals may still access services and providers may remain viable while in-person and group services, as well as some employment opportunities, are significantly limited. These service billings are allowed until new guidance is issued, and in-person and group services can resume.

*At the issuance of this transmittal, services may be billed as follows:*

#### Job Coaching (all phases)

Job coaching support provided may continue to be billed based on the hours the individual works, as currently authorized in an individual's Individual Support Plan (ISP) or Service Agreement.

If an individual was temporarily laid off from their job (or decided due to health and safety reasons to stop working for a period of time) and has returned to work but currently needs additional support that would be better classified in a different phase of job coaching, please work with the individual's Case Manager to request an exception to re-enter an earlier stage of job coaching.

If an individual was permanently laid off from their job and has found employment with another agency, please follow the [Stabilization Guidance](#).

If an individual is no longer working, but your agency continues to support an individual with seeking and reporting unemployment benefits, job searching, maintaining employment skills, etc. this may be billed as Employment Path Community support, as outlined below.

#### Supported Small Group

If the work being completed by the Supported Small Group continues to be available and your agency is able to complete the work in alignment with state guidance including Executive Order 20-12, and the individual is still working in a Supported

Small Group setting, please continue to bill for this service.

If the individual has chosen not to work at this time, or the work is not able to be completed in alignment with state guidance, but you continue to support an individual with job searching, maintaining employment skills, etc. this may be billed as Employment Path Community, as outlined below.

#### Employment Path Facility

At this time, this service may not continue unless the work is considered essential as outlined by Executive Order 20-12 and all social distancing and safety requirements can be met. In this limited instance, Employment Path Facility may continue to be billed. Ensure that all social distancing and safety requirements are clearly documented for future licensing reviews.

If an individual was receiving an Employment Path Facility service that consisted of classes, and these classes are currently being offered remotely, they may be billed as Employment Path Community, as outlined below.

#### Employment Path Community

If an individual is participating in Employment Path Community in a 1:1 setting where social distancing and safety requirements can be met, this service may continue and be billed as Employment Path Community.

Employment Path Community may also be billed for:

- Online classes that focus on employment skill building, resume writing, etc.;
- Assisting an individual to file for and report to unemployment benefits; and
- Working 1:1 with an individual to retain or build employment skills during a time of lay-off or not being able to work due to health and safety concerns.

#### Employment Path Benefits Counseling

This service is incredibly valuable during this time, as there are many questions about the CARES act, unemployment benefits, etc. This service can be delivered remotely, and billed as Benefits Counseling, as outlined in the [Benefits Counseling Worker's Guide](#).

#### DSA Facility

DSA Facility should not be occurring at this time. However, remote DSA services may continue. Remote services may be billed as DSA Community.

#### DSA Community

Any remote DSA services including online classes, meet-ups, social skill building, connections, etc. may be billed as DSA Community. Remote services should continue to help meet an individual's goal or outcome, but it may include social interactions that include online games to continue personal connections, communication activities to

work on communication skills, etc.

### DSA Solo (OR 542-R1)

In-person DSA Community should only occur 1:1 at this time. If this in-person service is requested by the individual and outlined in the ISP or Service Agreement as DSA Solo (OR 542-R1), this service may be billed using OR 542-R1. As has always been required, 1:1 DSA should have a specific outcome associated with the service and the service should continue to be in alignment with this outcome.

If a 1:1 DSA service is being delivered remotely, in order to bill OR 542-R1, it must still carefully align with the individual's outcome or goal. If it cannot meet the desired outcome for the individual, but connections are still being made, this may be billed as DSA Community.

### Notes

If a provider wishes to go back and change billings from facility to community or 1:1, *this is not required*, but may be done. This would be done in the same manner that any other billing is changed. The original billing would need to be voided, and then a new billing entered.

### Documentation:

As always, with service billings, progress notes should be documented, maintained, and available to the Case Management Entity (CME) and ODDS upon request.

### Case Management Requirements:

ODDS recognizes that this is a change in policy. However, in order for providers to be able to bill services as outlined above, individual may require new or additional authorizations. At this time, CMS has approved retroactive waiver service authorizations (employment) or k-plan services (DSA) if required due to COVID-19. For this reason, services may be authorized back to the start date, as outlined above. As an example of this, if an individual lost their job and worked with their employment provider to file for unemployment / report unemployment, employment path may be authorized from the date the individual lost their job.

### Other Information:

At this time, Discovery may not be authorized or billed. For providers who delivered Discovery services October – December 2019 contingency funds were made available in April and for part of May. At this time, with best practice requiring home visits, multiple visits to different employment settings, observing a familiar activity, etc. this is not something that would be done remotely. However, work exploration, remote courses, skill building, etc. may continue to be completed as Employment Path Community, as outlined above.

During the two weeks of contingency funding, ODDS is asking that providers continue

to submit their Staffing Support Worksheets. As of June 2, 2020, this is no longer required, but if a provider has capacity and is willing to assist, please continue to submit these spreadsheets.

**Training Plan:**

ODDS will be hosting a GoTo Meeting on Wednesday, May 27<sup>th</sup> from 12:30-1:30pm.

Employment Billing  
Wed, May 27, 2020 12:30 PM - 1:30 PM (PDT)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/762856485>

You can also dial in using your phone.  
(For supported devices, tap a one-touch number below to join instantly.)

United States: +1 (408) 650-3123  
- One-touch: <tel:+14086503123,,762856485#>

Access Code: 762-856-485

**Field/stakeholder review:**  Yes  No

**If yes, reviewed by:**

*If you have any questions about this action request, contact:*

|   |      |
|---|------|
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