

Policy Transmittal Aging and People with Disabilities



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Number: APD-PT-20-077

Issue date: 6/15/2020

Topic: Long Term Care

Due date:

Transmitting (check the box that best applies):

- New policy
 Policy change
 Policy clarification
 Executive letter
 Administrative Rule
 Manual update
 Other:

Applies to (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input checked="" type="checkbox"/> Area Agencies on Aging: Type B | <input type="checkbox"/> Health Services |
| <input checked="" type="checkbox"/> Aging and People with Disabilities | <input 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 type="checkbox"/> County DD program managers | <input type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input type="checkbox"/> Support Service Brokerage Directors | <input type="checkbox"/> Other (<i>please specify</i>): |
| <input type="checkbox"/> ODDS Children's Residential Services | |
| <input type="checkbox"/> Child Welfare Programs | |

Policy/rule title:	COVID-19 Policy and Procedures Update for Individuals receiving Services		
Policy/rule number(s):	OAR 411-015 & 411-030	Release number:	
Effective date:	Upon Release	Expiration date:	
References:	Adverse Actions and Benefit/Service Plan Extensions		
Web address:	https://www.oregon.gov/DHS/SENIORS-DISABILITIES/SPPD/APDRules/411-015.pdf & https://www.oregon.gov/DHS/SENIORS-DISABILITIES/SPPD/APDRules/411-030.pdf		

Discussion/interpretation:

This transmittal addresses the following three topics:

- Policy update to the suspension of adverse actions (see [APD-PT-20-034](#))

- Oregon ACCESS (OA) change to allow field offices to extend benefit dates on identified cases; and
- Suspension of re-assessments for certain individuals.

Policy update in regards to the suspension of adverse actions (see [APD-PT-20-034](#))

Currently, the COVID-19 emergency declaration is still in effect so staff must continue applying the no adverse action policy as described in [APD-PT-20-034](#). Even after the declaration ends, staff must not implement any adverse action for individuals whose assessments occurred during the emergency until those individuals' next re-assessment.

For example, a re-assessment was completed on 05/15/2020 (with a Valid Until Date (VUD) of 05/31/2021), which would have resulted in a reduction of in-home service hours.

A SPAN notice must not be issued for this assessment. Staff will instead create a new benefit from the previously approved assessment and may approve a new benefit and service plan with an end date that is no later than the next annual VUD of 05/31/2021 (or the Pay Date following the VUD, which is 6/5/21) based upon this example. The process for this is discussed below.

OA change to allow field offices to extend benefit dates on identified cases

Assessments that have received an administrative extension as instructed in [APD-AR-20-044](#) will need additional extensions beyond the 7/4/2020 or 6/30/2020 dates (depending on the type of benefit the individual is receiving). A report has been run and is posted in the [OBI database](#) (only managers with rights to this database may access it), under the section "Branch Distribution-Topic-Reports", to include the following identified assessments:

- Assessments with a 'Review Before' date between 03/31/2020 – 06/30/2020
- The assessment is in ADMIN status with a Status Reason of 'To Provide Adequate Notice'
- Or any other Status Reason if the Reason Details text field has the phrase 'COVID-19'

The change was implemented in OA on 06/11/2020, which will allow these identified cases to have an approved benefit for up to one year past the VUD for Title XIX and SPPC assessments (including PACE) without requesting approval from Central Office (CO). Re-assessments done outside of the parameters listed above (including those done after the report was generated) that require extensions must be submitted to CO for approval.

For example:

- The previous assessment for an individual receiving in-home services was completed on 04/18/2019 with a VUD of 04/30/2020.
- The case manager (CM) completed a re-assessment which would have resulted in a reduction in hours on 04/15/2020. This re-assessment has a VUD of 04/30/2021.
- The CM, in order to avoid the adverse action, requested an extension through CO on the previous 04/18/2019 assessment through 07/04/2020 as instructed on [APD-AR-20-044](#).
- Based up on this transmittal and the update in OA, Tier 1 and Tier 2 users will be able to take an action in OA for this case, to create and approve a new in-home Benefit and Service plan on the 04/18/2019 assessment until 04/30/2021 to match the VUD of the most recent re-assessment.
 - Extensions must NOT be approved for a date beyond the VUD of the most recent re-assessment. However, staff will need to be aware of the last day of the pay period for the month the Benefit is being extended into. In this case the last full pay period in 04/2021 is for 04/11/2021 - 04/24/2021, so the end date should be changed to 04/24/2021, but may be no later than 04/30/2021.
 - Click [here](#) to view the 10/2019 - 12/2021 HCW Payroll Calendar for pay period start and end dates.
- A new 546N is generated for staff to create a new ONGO record to issue vouchers without interruption.
 - For Independent Choices Program (ICP) cases, CMs must send an updated 546IC2Wk form with the new end date to the ICP.SPD@dhsosha.state.or.us email box.
- The CM will have the option of waiting until 04/2021 to complete a new re-assessment for this individual. However, a re-assessment must be completed earlier if:
 - There is a change of condition; or
 - Requested by the consumer or their representative.
- The CM should set a reminder (either through a tickler or on a separate document) to complete a re-assessment in 04/2021.

Tier 1 and Tier 2 users will only be allowed to do these types of extensions on the cases included in the OA updated. The following actions should be taken for each extension:

- Ensure that the prior assessment in ADMIN status has a Status Reason type of 'To Provide Adequate Notice.'
 - Please do not use the 'For Hearing/APP' reason unless a Hearing has actually been requested.

- If it is not already noted in the 'Status Reason Details' text box, please enter 'Due to COVID-19 Crisis Emergency Orders, no adverse actions are being implemented at this time.'

If OA does not permit the local office to extend the Benefit as indicated above on a particular case, please contact CO to complete the approval. Cases that were identified for local office extensions are through the end of June 2020, however some may have been missed.

For all other cases, normal extension rules apply.

Please note that CO will need to also extend any exceptions that are in place. Workers will need to email the appropriate exceptions email box for appropriate hour or rate adjustments in the Mainframe. This includes cases with Adult Day Service (ADS) exceptions, which should be continued on the extended Benefit and Service plan for when the ADS centers are able to re-open.

Emails must include the following information:

- Consumer's name
- Prime #
- Dates requested for the extension (start – end)
- # of hours approved per pay period for in-home or SPPC cases
- Statement indicating the reason why CO needs to extend the current exception

Suspension of re-assessments for certain individuals

CMS has granted permission for APD/AAA to not complete re-assessments during the emergency declaration only in the following circumstances:

- A re-assessment will most likely result in no payment rate change for someone residing in a NF or CBC setting; or
- A re-assessment will most likely result in an adverse action that can't be taken due to [APD-PT-20-034](#).

If the decision has been made to suspend a re-assessment due to one of the circumstances listed above, staff must review the current service plan with the individual consumer and/or their representative to determine if the plan is meeting their needs or not. If the individual or their representative wish to have a re-assessment completed, stating that there has been a change of condition or it appears the service plan is not meeting their needs, a re-assessment must be completed.

If a re-assessment is not completed under this policy, staff will need to request an extension of these cases from CO, and will need to prepare the case for the extension by:

- Placing the previously approved assessment in ADMIN status and select the Status Reason of 'To Provide Adequate Notice'. Please do not use the 'For Hearing/APP' reason.
- In the Status Reason Details text box, please enter: 'Due to COVID-19 Crisis Emergency Orders, a re-assessment is not being completed at this time.'
- Narration must clearly document the reason why a re-assessment was not conducted related to one of the two allowable circumstances listed above. Staff should state that it was due to the COVID-19 Emergency Declaration and that the current service plan meets the needs of the individual.

Local/branch action required: Complete additional extensions on cases that would have been adversely affected as a result of the re-assessment completed during the COVID-19 pandemic.

Central Office action required: Provide technical assistance as needed.

Field/stakeholder review: Yes No

If yes, reviewed by: Internal and field policy review

Filing instructions:

If you have any questions about this policy, contact:

Contact(s): APD.MedicaidPolicy@dhsosha.state.or.us
SPD.Exceptions@dhsosha.state.or.us

Phone:

Fax:

Email: