

**COVID-19 Frequently Asked Questions (FAQs)
 With End Dates Identified in RED**

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All Providers and Self-Direction Employers

The Federal Government stated that the COVID-19 PHE END Date is 5/11/2023.

<https://www.hhs.gov/about/news/2023/02/09/letter-us-governors-hhs-secretary-xavier-becerra-renewing-covid-19-public-health-emergency.html>

All providers and Self-Direction Employers should review this entire FAQ document so they will know the dates that the COVID-19 exceptions/flexibilities will be ending.

WHAT DOES THIS MEAN FOR PARTICIPANTS AND PROVIDERS?

- The COVID-19 Waiver flexibilities/exceptions approved by the Federal Government in the Community Choices Waiver (CCW) and Adult Day Health Care (ADHC) Waiver Appendix K documents will end on the dates that are identified below (in **red**) in this document.
- The COVID-19 Long Term-Personal Care Services (LT-PCS) flexibilities/exceptions approved by the Federal Government will end on the dates that are identified below (in **red**) in this document.

The following exception will be **ENDING 5/11/23**:

- For LT-PCS, ADHC Waiver and Community Choices Waiver, individuals may concurrently serve as a responsible representatives for more than 2 participants without an exception from OAAS.

The following exceptions for LT-PCS, ADHC Waiver, and Community Choices Waiver will be **ENDING 9/30/23**:

- Allow exceptions to the prior authorization requirements.
- Allow exceptions to the requirements that services must be provided in accordance with the approved plan of care and/or supporting documentation.

QUESTIONS & ANSWERS (With END DATES identified in **RED**)

Direct Service Providers (DSPs)/Self-Direction Employers

1. What are the current exceptions for Direct Service Providers (DSPs) during the COVID-19 emergency? **ENDING 9/30/23**
 - OAAS Waiver and Long Term-Personal Care Services (LT-PCS) participants may receive Personal Assistance Services (PAS) or LT-PCS in the home of their DSW during this declared emergency. **ENDING 9/30/23**

- OAAS Waiver and LT-PCS participants may receive PAS or LT-PCS in another state during this declared emergency without prior approval of OAAS or its designee. **ENDING 9/30/23**
- Adult Day Health Care (ADHC) centers closed on March 23, 2020. Effective, March 26, 2020, ADHC Waiver participants that receive LT-PCS are automatically approved and authorized to receive up to 32 hours per week of LT-PCS. No change is needed to their Plan of Care (POC). Participants that have been receiving ADHC services in the Community Choices Waiver (CCW) can have their POCs adjusted to receive more hours of PAS in their home. The participant's support coordinator must be contacted so he/she can complete a POC Revision to increase PAS. **ENDING 9/30/23**

2. Who can be a participant's DSW during the COVID-19 emergency?

- Individuals who are not family members; **NO CHANGE**
- Family members; **NO CHANGE**
- The participant's spouse, curator, tutor, legal guardian, or responsible representative on a case-by-case basis.
 - **Spouse for LT-PCS – ENDING 5/11/23**
 - **All others for LT-PCS - ENDING 9/30/23**
 - **All for CCW - ENDING 11/11/23**

Normally, DSWs can be a family member unless the family member is a participant's spouse, curator, tutor, legal guardian or responsible representative.

NOTE: EFFECTIVE 10/1/23, the rules and policies pertaining to DSWs will go back to normal and the participant's curator, tutor, legal guardian, or responsible representative will no longer be allowed to be the participant's DSW for LT-PCS.

The state may modify the minimum age requirement for DSWs under LT-PCS and PAS (including Self-Direction). **ENDING 11/11/23**

- **EFFECTIVE 5/12/23, providers and employers of Self-Direction PAS must request prior approval from OAAS before employing a DSW under the age of 18.**

3. Can the participant live with the DSW during the COVID-19 emergency?

- Yes, participants are allowed to live with the DSW during the COVID-19 emergency. **ENDING 9/30/23**
- However, if the DSW is related to the participant by blood or marriage (not a spouse), the participant is allowed to live with the DSW. For more information, see **"Who Can Be a Direct Support Worker (DSW) for PAS & LT-PCS?" (OAAS-PC-16-001)**.

Examples of relatives: Children, siblings, parents, other blood relatives, and in-laws (daughter-in-law, sister-in-law, etc.).

4. Can DSWs receive a Hazard Pay rate when they are working for participants that tests positive for COVID-19 or the participant must quarantine when a participant's household member tests positive for COVID-19? **ENDING 5/11/23 – Memorandum (OAAS-P-23-005) with end date was sent out on 3/30/23.**

Yes, DSWs who work with participants receiving LT-PCS, PAS or Self-Directed PAS can receive Hazard Pay when a participant tests positive for COVID-19 or a participant must quarantine due to a participant's household member testing positive for COVID-19. Retroactive payments will be allowed for those DSWs that are eligible back to March 21, 2020 as long as the COVID-19 positive test(s) were previously reported and can be validated.

The following individuals who became DSWs for participants under the COVID-19 exceptions are **NOT** eligible for hazard pay:

- Participant's spouse;
- Participant's curator;
- Participant's tutor;
- Participant's legal guardian;
- Participant's responsible representative; or
- Participant's power of attorney.

Support Coordination Agencies (SCAs)

5. What are the current exceptions for Support Coordination Agencies (SCAs) during the COVID-19 emergency?

The SC contact guidance due to COVID-19 was updated on July 23, 2021. A memorandum [OAAS-SC-21-004](#) was sent to all SCAs. Additional guidance regarding face-to-face assessments during the Public Health Emergency (PHE) was issued on September 20, 2021 via memorandum [OAAS-SC-21-008](#). **ENDING 9/30/23**

Initial, Annual and Status Change iHC Assessments, Plan of Care (POC) Meetings and Quarterly Meetings:

- Assessment meetings may be conducted either virtually, with a third party present, per Memorandum OAAS-SC-20-007 or face-to-face. **ENDING 9/30/23**
- SCs should reference "Conducting Face-to-Face MDS-HC Assessments during the COVID-19 PHE" memo ([OAAS-SC-21-008](#)) issued on September 20, 2021 to determine whether a face to face assessment is required. **ENDING 9/30/23**
- Plan of Care (POC) meetings must be conducted either virtually or face-to-face. **ENDING 9/30/23**

- If the participant is not able to successfully participate in a virtual meeting, the POC meeting must be completed in-person, with the participant's permission. **ENDING 9/30/23**
- Quarterly visits may be conducted through a virtual or face-to-face meeting. **ENDING 9/30/23**
 - A face-to-face quarterly meeting is required if ongoing barriers or issues are present. This includes, but is not limited to multiple critical incident reports in a short period of time; multiple provider changes due to issues; health and safety concerns; inability to participate in a virtual meeting; and at the request of OAAS. **ENDING 9/30/23**
 - Signatures may be obtained verbally and documented accordingly. **ENDING 9/30/23**
 - The record must include documentation indicating all attempts to meet virtually. **ENDING 9/30/23**
- All participant COVID infections must be tracked in the COVID-19 event tracker created in LaSRS®. **ENDING 5/11/23**

Waiver Discharge Criteria Exceptions: ENディング 9/30/23

- A participant may not be discharged from the CCW or ADHC Waiver program if services are interrupted for a period of 30 consecutive days because of the participant not receiving and/or refusing CCW/ADHC Waiver services. **ENDING 9/30/23**
- A participant may not be discharged from CCW Self-Direction services for failure to receive CCW Self-Direction services for 90 calendar days or more. **ENDING 9/30/23**
- A participant may not be discharged from the ADHC Waiver for failure to attend the ADHC center for a minimum of 36 days per calendar quarter. **ENDING 9/30/23**

6. What additional services did CMS approve during the PHE for Waivers? ENディング 11/11/23

LDH/OAAS received approval from CMS to add Home Delivered Meals and Activity Sensor Monitoring (ASM) to the ADHC Waiver for the duration of this emergency, and approval to add the ADHC service of Health Status Monitoring (HSM) for both ADHC Waiver and Community Choices Waiver (CCW). If waiver participants are requesting or needing these services, SCs and ADHC providers should follow this guidance:

- The SC must include Home Delivered Meals and/or Activity Sensor Monitoring (ASM) on the POC/POC Revision. **ENDING 11/11/23**

Health Status Monitoring (HSM), a service of ADHC, is not included on the POC/POC Revision. During the PHE, a participant may either attend the ADHC center or receive a HSM contact on the scheduled center attendance day, not to exceed the total number of days the participant is scheduled to attend the ADHC center. To increase the number of days an HSM

contact can occur, a POC Revision will be required to increase the number of day(s) that ADHC is planned on the schedule/budget. **ENDING 11/11/23**

Long Term Care (LTC) Access Contractor

7. What are the current exceptions for the LTC Access contractor during the COVID-19 emergency?

- Monitoring face-to-face visits may be conducted over the telephone and documented accordingly. **ENDING 5/11/23**
- interRAI Home Care (iHC) assessments/re-assessments may be completed virtually in lieu of face-to-face assessments/re-assessments, as per memo OAAS-P-20-026. **ENDING 5/11/23**
- Annual Plan of Care (POC) meetings may be conducted virtually or face-to-face. **ENDING 5/11/23**
 - The contractor can obtain verbal agreement/approval over the telephone and document this accordingly. **ENDING 5/11/23**
- Plan of Care (POC) Revisions may be conducted over the telephone. **ENDING 5/11/23**
 - The contractor can obtain verbal agreement/approval over the telephone and document this accordingly. **ENDING 5/11/23**
- If needed, participants may receive more weekly service hours than those assigned for his/her level of support category. **ENDING 9/30/23**
- The Level of Care Eligibility Tool (LOCET) can be used to determine an individual's temporary allocation of LT-PCS for **INITIAL** assessments in certain situations. For further details, refer to OAAS-P-20-038 memo dated October 28, 2020. **ENDING 5/11/23**

Adult Day Health Care (ADHC) Centers

8. What are the current exceptions for ADHC providers during the COVID-19 emergency? **ENDING 9/30/23**

- OAAS has received federal approval for OAAS waiver participants to receive ADHC services in his/her home by licensed and/or certified ADHC staff (i.e. RN, LPN, PCA and/or CNA). **ENDING 9/30/23**
 - This **is not a requirement, but an option** for ADHC providers to continue providing services to participants while some of the ADHC centers are still closed.

9. How will waiver participants get services while ADHC centers remain closed or if a participant chooses not to attend an ADHC center that has re-opened?

- Waiver participants can receive more LT-PCS or PAS hours. For ADHC Waiver participants that receive LT-PCS, LT-PCS hours can still be increased to 32 hours per week. For CCW participants, the PAS hours may be increased by going through the support coordinator and requesting a POC Revision. **ENDING 9/30/23**

- ADHC Waiver participants may also receive Activity and Sensor Monitoring (ASM) and/or Home Delivered Meals during this emergency. If this is needed/requested by a participant, the support coordinator will complete a POC Revision to add this/these services. **ENDING 11/11/23**
- ADHC providers may contact ADHC Waiver and CCW participants in order to conduct Health Status Monitoring (HSM) services, in which a series of questions are asked and the ADHC provider will follow up in a timely manner on the essential items that are needed by the participant. **ENDING 11/11/23**

NOTE: Health Status Monitoring (HSM) will be a PHE exception until 11/11/23. However, as of 9/30/23, ADHC participants will be discharged if they fail to attend the ADHC center for a minimum of 36 days per calendar quarter.

- ADHC Waiver participants may receive Home Delivered Meals by the ADHC provider and/or another authorized Home Delivered Meals provider. **ENDING 11/11/23**

10. Can ADHC Waiver participants still receive their 32 hours of LT-PCS even if they attend the ADHC center? **ENDING 9/30/23**

ADHC Waiver participants may still receive 32 hours of LT-PCS hours if they are attending the ADHC center **ONLY DURING THE COVID-19 PHE. **ENDING 9/30/23****

11. Can ADHC providers provide home delivered meals that they prepare in their ADHC center's kitchen to their waiver participants? **ENDING 11/11/23**

Yes; however, ADHC providers must first contact the Sanitarian in their parish for assistance and advise them that they want to prepare and deliver home delivered meals to their participants. ADHC providers will need to tell the Sanitarian the length of the planned route(s) and how they will dispose of the undelivered food.

In addition to the above, ADHC providers must have met all of Office of Public Health's (OPH's) certification permits and inspection requirements for retail food preparation, processing, storage and distribution. The entire list of requirements can be found on the "Guidance for Home Delivered Meals – Prepared in the ADHC Center's Kitchen and Delivered by ADHC Personnel or Volunteers" that was sent to ADHC providers on April 15, 2020 and can be found at the following link:

<http://ldh.la.gov/assets/docs/OAAS/ProviderMemos/OAAS-P-20-019-Guidelines-for-ADHC-Home-Delivered-Meals-I-4-15-20.pdf>

Additional questions may be sent to:

OAAS.ProviderRelations@la.gov or OAAS Help Line: 1-866-758-5035