



State of Louisiana
Louisiana Department of Health
Office of Aging and Adult Services

MEMORANDUM

OAAS-SC-21-008

TO: Office of Aging and Adult Services (OAAS) Support Coordination Agencies (SCAs)

FROM: Elizabeth Adkins
OAAS Deputy Assistant Secretary

A handwritten signature in black ink, appearing to read "Elizabeth Adkins".

DATE: September 20, 2021

SUBJECT: Conducting Face-to-Face MDS-HC Assessments During the COVID-19 Public Health Emergency (PHE)

This memorandum provides directives regarding when OAAS SCAs are required to complete face-to-face (in-person) MDS-HC assessments for Adult Day Health Care (ADHC) Waiver and Community Choices Waiver (CCW) participants. All directives are issued with guidance from LDH Legal, LDH Office of Public Health (OPH), and the State Health Officer.

OAAS has a responsibility to participants to ensure their health and safety while also conducting a valid assessment and level of care process. These same assurances are required to be met during a Public Health Emergency. According to Louisiana Administrative Code (LAC) 50:XXI.525, SCAs must abide by and adhere to any policy, procedure, performance agreement, manual, or memorandum pertaining to the provision of support coordination services for OAAS administered Medicaid home and community based waiver programs. Failure to comply may result in action against the SCA, including the issuance of sanctions as indicated in the SCA's performance agreement with OAAS.

Per OAAS directive, the certain situations require the SCAs to complete a face-to-face MDS-HC Assessment with the waiver participant. The expectation that Plans of Care will be submitted timely remains in place. Face-to-face meetings should be conducted following social distancing protocols and utilizing personal protective equipment (PPE) per CDC guidelines in the following situations:

- A community or Nursing Facility (NF) participant is unable to participate in a virtual initial or annual assessment.
- Nursing Facility Level of Care (NF LOC) is not met on a community participant's virtual annual or status change reassessment.

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- Nursing Facility Level of Care (NF LOC) was not met on a community participant's last annual or status change reassessment, but the waiver case remained open due to provision of the FFRCA (Pub. L. 116-127) and the CARES Act (Pub. L. 116-136).
- There are on-going barriers or issues present, including, but not limited to:
 - Multiple Critical Incident Reports (CIRs);
 - Provider issues, which may include excessive provider changes or the inability to retain a provider;
 - Involvement of Adult Protective Services (APS) or Elderly Protective Services (EPS);
 - Health and safety concerns; and/or
 - Other situations as identified by OAAS Regional or State Office.

If a participant objects to an in-person meeting, or you have questions, please contact your Regional Office for further guidance.

c: Medicaid Program Support and Waivers (MPSW)
OAAS Regional Offices
Statistical Resources Inc. (SRI)

Attachment: Louisiana Administrative Code 50:XXI.525

5. a description of the agency, services provided, current address, and the agency's local and nationwide toll-free number.

C. The brochure may also include the agency's experience delivering support coordination services.

D. The support coordination agency shall be responsible for:

1. obtaining written approval of the brochure from OAAS prior to distributing to applicants/participants of OAAS-administered waiver programs;

2. providing OAAS staff or its designee with adequate supplies of the OAAS-approved brochure; and

3. timely completing revisions to the brochure, as requested by OAAS, to accurately reflect all program changes as well as other revisions OAAS deems necessary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 39:3089 (November 2013), amended LR 40:1936 (October 2014).

Subchapter C. Provider Responsibilities

§525. General Provisions

A. Any entity wishing to provide support coordination services for any OAAS-administered home- and community-based waiver program shall meet all of the standards for participation contained in this Rule, unless otherwise specifically noted within these provisions.

B. The support coordination agency shall also abide by and adhere to any federal, state law, Rule, policy, procedure, performance agreement, manual or memorandum pertaining to the provision of support coordination services for OAAS-administered home- and community-based waiver programs.

C. Failure to comply with the requirements of these standards for participation may result in sanctions including, but not limited to:

1. recoupment of funds;
2. cessation of linkages;
3. citation of deficient practice and plan of correction submission;
4. removal from the freedom of choice list; or
5. decertification as a support coordination agency for OAAS-administered home- and community-based waiver services.

D. A support coordination agency shall make any required information or records, and any information reasonably related to assessment of compliance with these requirements, available to the department.

E. Designated representatives of the department, in the performance of their mandated duties, shall be allowed by a support coordination agency to:

1. inspect all aspects of a support coordination agency operations which directly or indirectly impact participants; and

2. conduct interviews with any staff member or participant of the agency.

F. A support coordination agency shall, upon request by the department, make available the legal ownership documents of the agency.

G. Support coordination agencies must comply with all of the department's systems/software requirements.

H. Support coordination agencies shall, at a minimum:

1. maintain and/or have access to a comprehensive resource directory containing all of the current inventory of existing formal and informal resources that identifies services within the geographic area which shall address the unique needs of participants of OAAS-administered home- and community-based waiver programs;

2. establish linkages with those resources;

3. demonstrate knowledge of the eligibility requirements and application procedures for federal, state and local government assistance programs, which are applicable to participants of OAAS-administered home- and community-based waiver programs;

4. employ a sufficient number of support coordinators and supervisory staff to comply with OAAS staffing, continuous quality improvement (CQI), timeline, workload, and performance requirements;

5. demonstrate administrative capacity and the financial resources to provide all core elements of support coordination services and ensure effective service delivery in accordance with programmatic requirements;

6. assure that all agency staff is employed in accordance with Internal Revenue Service (IRS) and Department of Labor regulations (subcontracting of individual support coordinators and/or supervisors is prohibited);

7. have appropriate agency staff attend trainings, as mandated by DHH and OAAS;

8. have a documented CQI process;

9. document and maintain records in accordance with federal and state regulations governing confidentiality and program requirements;

10. assure each participant has freedom of choice in the selection of available qualified providers and the right to change providers in accordance with program guidelines; and

11. assure that the agency and support coordinators will not provide both support coordination and Medicaid-reimbursed direct services to the same participant(s).