



MEMORANDUM

TO: Andrew Reese, Director
Department on Disability Services

Melisa Byrd, State Medicaid Director
Department of Health Care Finance

FROM: Alison Whyte, Executive Director
Developmental Disabilities Council

DATE: March 19, 2020

SUBJECT: Recommendations for Appendix K

The Centers for Medicaid and Medicare Services (CMS) developed appendix K of the section 1915(c) waiver application for use by states during emergencies. It is our understanding that the Department on Disability Services (DDS) is working in with the Department of Health Care Finance (DHCF) to use appendix K to address Coronavirus impacts. The DC Developmental Disabilities Council (DDC) recommends all of the following be included in the District of Columbia's submission of appendix K for the Intellectual and Developmental Disabilities (IDD) Medicaid Wavier.

a. Access and Eligibility

- Relax intake requirements for the IDD waiver to enable people in need of activities of daily living help to obtain needed services, including people with developmental disabilities.
- In order to provide for potential staffing shortages, ensure that people will not lose their waiver slot if they must shelter with family or other supporters for an extended period during the emergency.

b. Services

- Provide flexibility for providers to tap into community and neighborhood services such as volunteer shopping networks throughout the emergency.
- Allow reimbursement for remote service delivery options, such as medication administration, supportive living periodic, and other appropriate services.
- Streamline service authorization to allow changes/increase in hours or change in services through a presumptive approval process.

- Allow providers of day services to provide services to individuals in their homes or other alternate locations.
- Extend service plans by six months, when needed. There will be situations where a planning meeting cannot take place and services need to continue.

Sections c.-m.

- Temporarily permit payment for residential services rendered by family caregivers and other legally responsible adults, particularly for people who have ended up quarantined outside of their residential placement.
- Temporarily modify the timeline for level of need (LON) re-evaluations to allow for a six-month extension of the latest evaluation.
- Increase reimbursement rates to account for the significant health risk to providers (hazard pay), overtime pay, and to solicit a larger pool of providers.
- Temporarily include retainer payments to retain providers who may otherwise go out of business (e.g., day providers).
- Temporarily add self-direction capabilities to the waiver for as many services as possible.

Other recommendations outside of what Appendix K addresses:

- Communication, communication, communication. Ensure communication between providers and employers of people with disabilities so that they can maintain their employment during or develop employment opportunities for after the crisis. It is important that communication from DDS be clear and complete. It is also critically important that this information gets to waiver participants, their families, and direct support professionals (DSPs). One consistent source across services and systems are Service Coordinators (SC's). A well-coordinated intentional approach to require SCs to reach out and provide information is critically important.
- Facilitate and lead a process to identify individuals who are at greatest risk of harm or other vulnerabilities, particularly people who do not have natural supports or other support systems available. We feel that it is critically important to identify who these people are in advance of a worsening crisis. This could be accomplished through a survey of providers/services facilitators that is relatively simple and targeted toward identifying these specific people. It will take discussion and work to develop a plan and strategy to accomplish this, and the DDC stands ready to support this effort.
- Ensure crucial information is being supplied to all members of support teams, including DSPs, not only in e-format but also in hard copy.

Finally, we also support the recommendations outlined in the letter from the DC Coalition of Service Providers on March 19, 2020. We are happy to talk further and support your efforts to communicate with the community. Alison Whyte can be reached at alison.whyte@dc.gov and 202-340-8563.