

Kansas 1915(c) HCBS Waiver Programs **COVID-19 Guidance**

Date: Tuesday, April 14, 2020

Time: 10:00 AM

Most recent key revisions colored blue

Recent Releases: 3/17/2020; 3/19/2020; 3/25/2020

All HCBS Waiver Programs

Throughout the COVID-19 emergency period, to encourage social distancing and stop the spread of the pandemic, the agency directs that providers and participants limit participation in congregate settings or activities.

1. For all HCBS waivers, the criteria to use a service at a minimum of every 30 days is waived.
2. For all waivers, Personal Care Services will allow payment to family caregivers or legally responsible individuals, suspending the conflict of interest mitigation.
 - a. These services may be delivered in a person's home or a temporary setting, including a family member's home.
 - b. This guidance does not preclude agency directed services or hiring other non family self directed caregivers.
3. Under this guidance, KDADS waives the daily limit for PCS for all HCBS waiver. The maximum of 12 hours per 24-hour period limit is suspended.
 - a. Managed Care Organizations may authorize PCS use for an unlimited number of hours per 24-hour period.
 - b. Agency-directed and Self-Directed Personal Care Services can be combined to meet the participant's needs
 - c. The total combination of Personal Care Services hours may exceed 12 hours per 24-hour period.
4. Waiver services that can be provided through telemedicine, as approved by KDADS, may be completed using telecommunications (phone), televideo consultations/telemedicine or telehealth services methods that meet the following criteria:
 - a. Comply with the Health Insurance Portability and Accountability Act (HIPAA);
 - b. Such a process must provide interactive audio or video communications, permitting real-time contact between a distant provider, who is present and participating in the visit, and the individual receiving an appointment.
 - c. For a list of waiver services authorized for telemedicine, see KDADS HCBS Waiver Services with Approved Telemedicine Guidance.
5. Waiver services that require direct contact between a provider, case manager or caregiver should be conducted using methods that promote social distancing throughout the period of the pandemic.

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6. Individuals from the age of 16 are allowed to provide Personal Care Services. This includes family members.
 - a. This does not authorize participants receiving children's residential waiver services to access Personal Care Services.

The exception granted shall be in place until rescinded, or until the statewide State of Disaster Emergency proclaimed on March 12, 2020, relating to COVID-19 expires, **whichever is earlier.**

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