

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: 3/19/2020

Background Check Measures

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

1. Direct service workers and families can begin providing authorized services to waiver participants immediately without waiting for the results of background checks.
2. HCBS providers may offer a provisional employment pending background checks.
 - a. Provisional employees are granted temporary exceptions to work and be paid with Medicaid funding while their background checks are pending
 - b. Applicants shall immediately disclose any/all arrests and outcomes of criminal or civil charges to the employer.
 - i. If a background check is completed during the period that this guidance is in effect, the HCBS provider/employer shall NOT employ a person who has adverse findings and/or a prohibited offense on their background check pursuant to K.S.A. 39-2009.
 - ii. In the event an individual/employee has a prohibited offense and/or an adverse finding, provisional employment to provide HCBS services shall terminate immediately.

The exception granted shall be in place until rescinded, or until the statewide State of Disaster Emergency proclaimed on March 12, 2020, relating to COVID-19 expires, **whichever is earlier.**

Amy Penrod

Commissioner

Aging & Disability Community Services & Programs

Kansas Department for Aging and Disability Services

503 S. Kansas Avenue

Topeka, KS 66603-3404