

## 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

### **Frail Elderly Waiver Measures**

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. The state will allow Adult Day Supports and its sub-services to be provided wherever a participant authorized to receive such services is located.
2. The criteria to use a service at a minimum of every 30 days is waived.
3. Comprehensive Supports will allow payment to family caregivers or legally responsible individuals, suspending the conflict of interest mitigation.
4. All Personal Care Services (PCS) and/or Health Maintenance Activities 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.
5. 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.
6. The EVV requirements for temporary staff or in temporary living arrangements is suspended.
7. 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);

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- 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](#)
8. A Managed Care Organization can authorize Home Delivered Meals as an in-lieu-of service where Meals on Wheels or PCS hours are insufficient to provide meal preparation for a waiver participant.
9. Waiver services that require face-to-face contact between a provider, case manager, or caregiver should be conducted using methods that promote social distancing throughout the period of the pandemic.

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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