





To: All Innovations Waiver Providers
From: Cindy Ehlers, Executive Vice President
Date: March 27, 2020 – **Revised**
Subject: COVID-19 Service Guidance and NC Innovations Waiver Guidance.

Trillium is working with the North Carolina Department of Health and Human Services (NC DHHS) as they are actively working on service specific guidance in response to the COVID-19 virus. The North Carolina Division of Health Benefits (DHB) requested waivers that support flexibility in service delivery that both protects the public while ensuring our most vulnerable citizens are able to continue receive support for their Behavioral I/DD needs.

Please see the following guidance which once approved will be retroactive to 3-13-2020. In anticipation of this approval, Trillium is moving forward with implementation of the following to keep cash flow for providers moving we will use existing codes for now. We will likely require replacement claims in the future once we have modifiers in place to capture the COVID 19 related events outlined below:

-  Trillium can waive the \$135K annual individual limit on a case by case basis for individuals who are currently receiving Innovations waiver services. To submit a request to exceed the \$135K annual individual limit, complete the following form: [Requests to Exceed the Individual Budget Limit](#) (right click on this link with your mouse and select Open hyperlink to open the link to this form)
-  Trillium is able to allow for an increase in service hours from what is in the Individual Support Plan (ISP) without prior authorization during this emergency. Trillium is currently building codes with modifiers for providers to use for services that do not require prior authorization. These codes will be retroactive to 3-13-2020. For now we recommend that providers continue to bill existing codes under existing authorizations until such a time as we are able to get the codes into our systems to bill under this approval.
-  Respite can be provided when family is out-of-state due to evacuation/displacement until they return home. Out-of-home Respite may be provided in excess of 30 days on a case by case basis.
-  In the event that a member needs assistance because of COVID-19 related issues, Trillium can allow for the direct care provider to provide direct care services in a hotel, shelter, church, alternative facility-based setting, or home of a direct care worker. One of the flexibilities for NC Medicaid is a waiver of HCBS Settings requirements to allow for alternative settings on a case by case basis (quarantine/social distancing/etc.).


This includes allowing Day Supports and Community Networking to be provided in the home of the participant, the home of the direct care worker, or the residential setting. Trillium will review these on a case by case basis. To submit your request to waive the HCBS setting requirements, please complete the following form: [HCBS Alternative Setting Requests](#). (right click on this link with your mouse and select Open hyperlink to open the link to this form).

- ♻️ Trillium can also allow for relatives of adult waiver beneficiaries to provide services to those beneficiaries in Supported Living arrangements prior to background checks and training for 90 days.
- ♻️ Additionally, relatives of adult and child waiver beneficiaries who reside in the home and out of the home will be able to provide services prior to background check and training for 90 days. It is understood that the background check will be completed by the agency as soon as possible after the service begins and training will occur as soon as possible without leaving the beneficiary without necessary care.
- ♻️ The guidance from the State will also allow for existing staff to continue to provide service, for 90 days, when CPR and/or NCI recertification have lapsed. Trillium will also be able to allow for additional services to be provided by relatives who live in the home of the adult waiver beneficiary (current waiver only allows for Community Living and Supports) to temporarily include Community Networking and Supported Employment for 90 days. To utilize this option, providers will send a secure email to Tim.Patterson@TrilliumNC.org, including the following information: member name and date of birth, service(s) being provided, and the date the service was implemented.
- ♻️ **REVISION:** Previous communication stated that relatives of child waiver beneficiaries could provide services. DHHS has provided clarification that flexibilities for Relative as Provider for children are **not** something that has been approved by CMS at this time. We will communicate if/when this flexibility is available.
- ♻️ As we move forward, Individual Support Plans/revisions will be approved with a retroactive approval date dating back to 3/13/2020 for service needs identified to mitigate harm or risk directly related to COVID-19. Service limits in the Individual Support Plan may be exceeded in the amount, frequency and duration to address the needs of waiver participants who were impacted by COVID-19 and need new waiver services during this event.
- ♻️ For service plans that are expiring and currently meeting an affected waiver participant's needs, but a new person-centered plan cannot be developed due to ongoing COVID-19 recovery efforts, Trillium will be allowed to extend the time limit to approve the plan (by the last day of the birth month) by 3 months after the birth month, and monthly telephonic monitoring will be provided by the care coordinator to ensure the plan continues to meet the participant's needs.

- During COVID 19 emergency, Community Living and Supports can be provided in acute care hospital or short-term institutional stay, when the waiver participant is displaced from home because of COVID-19 and the waiver participant needs direct assistance with ADLs, behavioral supports, or communication supports on a continuous and ongoing basis for 3 or more hours per day. Room and board is excluded.

REVISION: Please note that Respite has been removed as a service that can be provided in acute care hospitals or short-term institutional stays when the waiver participant is displaced from home because of COVID-19 and when the member needs direct assistance. Please be aware that only Community Living and Supports is able to be provided in this situation.

- Trillium will support direct care workers to receive retainer payments from providers and Employer of Records (EOR) to address emergency related issues. In an effort to ensure retention of direct care workers, Innovation Waiver provider agencies and Employer of Record(s) are encouraged to pay staff their current rate of pay even in situations when the staff isn't able to deliver services due to COVID-19 emergency related issues. This could be due to state of emergency requirements to not leave one's home, staff sickness, staff unavailability due to caring for sick family member, member sickness, or the need to limit staff from coming into the member's home due to health and safety concerns for the member (e.g. member is in a high risk category and at greater risk of infection/complications). Staff retainer payments may only be made for currently authorized Innovations Waiver services that include a personal care or habilitative component such as Day Supports, Supported Employment, Community Networking, Supported Living, and Community Living and Supports ONLY **(REVISION: The previous version included "etc." which implied additional services were applicable for the retainer payments. Services included are limited to the services listed.)** Provider agencies and EOR(s) shall maintain documentation (as usual) via the required service documentation grid by entering COVID-19 on the Grid with QP signature/EOR signature and date. This shall be effective beginning 3-13-2020 and will end when the member is again available for services following the COVID-19 emergency. To register for and receive retention payments, Provider agencies and EOR(s) providing retainer payments to direct care workers will register and provide Trillium information weekly (every Monday for the previous week), using the form at the following link: [Innovations Waiver Staff Retainer Payment Requests](#) (right click on this link with your mouse and select Open hyperlink to open the link to this form)
- Trillium is able to waive monthly face-to-face care coordinator/beneficiary meeting for individuals receiving residential supports, are new to the waiver, or relative as provider during this COVID-19 emergency. We are also able to waive quarterly face-to-face care coordinator/beneficiary meeting on case-by-case basis during the COVID-19 emergency.
- The guidance also waives Support Intensity Scale Assessments/reassessment during the COVID-19 emergency.
- Additionally, there is a waiver of the requirement for a beneficiary to attend the Day Supports provider once per week.

 Effectively immediately, LME/MCOs are temporarily implementing Desk Reviews, including use of videos or still photographs of the site, for managing on-site AFL reviews and new admissions to unlicensed AFLs.

Any questions about this Communication Bulletin may be sent to the following email:

IWCOVIDResponse@TrilliumNC.org. These questions will be answered in a Q&A format and published on Trillium's website.