

To: All Providers
From: Cindy Ehlers, Executive Vice President
Date: November 25, 2020
Subject: NC Innovations Waiver– Retainer Payments

The Department of Health and Human Services (DHHS) has issued Joint Communication Bulletin (#381) related to retainer payments for NC Innovations Waiver Services through Appendix K. This Joint Communication Bulletin implements rules on the billing of retainer payments. Specifically, retainer payments may only cover 30 billable days for up to a total of three (3) separate approval periods. The approval of retainer payments may be granted in consecutive approval periods. Utilizing consecutive approval periods allows for payment to an essential worker for up to 90 consecutive billable days of the first retainer payment agreement. These requirements are per the Centers for Medicare and Medicaid Services (CMS).

As retainer payments were implemented in May 2020 without clear guidance on the utilization of retainer payments, there are providers who have exceeded the guidelines provided above for billing. As a result, the DHHS has indicated that effective Dec. 20, 2020, retainer payment billing will stop for staff that have either utilized or exceeded the maximum number of retainer payments. It is important to note that any paid claims made past the 90-day limit, prior to Dec. 31, 2020, are not subject to recoupment. Any providers found to be out of compliance with this billing starting Jan. 1, 2021, could be the subject to a recoupment.

For those providers who have already exceeded the limit of 90 days of billing for retainer payments for the members that they support (as of November 23, 2020), Trillium will be sending out letters to those providers, members, and legally responsible persons to notify them of the implementation of these rules and the requirement to cease retainer payment billing by Dec. 20, 2020. However, it is the important to note that tracking of retainer payments is the responsibility of the provider. Providers should review their records for members to ensure that they maintain compliance with the new rules for billing of claims for retainer payments effective Dec. 20, 2020.

To review the Joint Communication Bulletin (#381) in its entirety, please click: [Joint Communication Bulletin #381 - NC Innovations Waiver and TBI Waiver Retainer Payments.](#)

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

WCOVIDResponse@TrilliumNC.org.

24-Hour Access to Care Line - 877.685.2415
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