



Division of Specialized Care for Children

Provider Notice: End of Appendix K Provisions & Continuous Medicaid Enrollment

Dear Transitional Care/Out of Home Respite Provider:

This notice is to provide updated information related to the end of continuous Medicaid enrollment and unwinding of the Appendix K initiatives. Continuous Medicaid enrollment relates to continued enrollment for those found ineligible for services beginning 3/1/2020. In 2022, the federal government separated the continuous Medicaid enrollment coverage provision from the PHE and notified states that continuous Medicaid coverage will end on 3/31/2023. Details on the end of Medicaid continuous enrollment are outlined below.

Appendix K is tied to the Public Health Emergency (PHE). The federal government has signaled the end of the PHE to be May 11, 2023. This date has not been confirmed in writing by the Centers for Medicare and Medicaid. We want to keep you as up to date as possible. If anything changes with this date, we will let you know as soon as possible. Appendix K provisions will go through until 6 months after the end of the PHE- therefore, flexibilities will end as of November 11, 2023, however, there are a couple provisions that DSCC has worked with HFS to make permanent. All provisions and details are outlined below.

[End of Continued Medicaid and Program Enrollment for Those Found Ineligible for Services Beginning 3/1/2020:](#)

- [This relates to reductions/loss of eligibility during the PHE. Providers are not to end services until they receive an updated ending 2352.](#)
 - Starting on 4/1/2023, DSCC will begin working with HFS to re-assess all individuals in the Home Care Program who received a notice of ineligibility for the program since 3/1/2020. Services will remain intact until a reassessment is completed based on updated and current documentation. This includes participants who sought appeal and were still deemed ineligible for services. Based on the new re-assessment, HFS will provide an updated notice regarding eligibility.
 - DSCC will complete all re-assessments on these participants before 9/30/2023.
 - The participants retain their rights to appeal the new re-assessment.

[Appendix K- Unwinding of Appendix K Due to the End of the PHE:](#)

- [Respite:](#)
 - During the PHE, HFS approved an additional 336 respite hours for waiver participants to use starting 3/16/2020. This was last renewed on 3/16/2022. **There will be no additional respite renewals in 2023. Participants may still use from the additional allotment of respite provided 3/16/2022, until November 11, 2023.** After 11/11/2023, all respite used will be pulled from the standard respite allotment and all the Appendix K Covid respite will be expired.
 - Any respite used from 3/16/2022 through 11/11/2023 will first be pulled from the additional Covid respite allotment until the allotment is exhausted or until it expires 11/11/2023.
 - There are no parameters on how the family can use their respite. Respite is used at the family's discretion.
 - Respite is only for waiver participants.

- The Out of Home Respite rate is \$45 per hour. Providers were notified of this permanent increase in respite rates on 8/26/2022 via Provider Notice.
 - <https://dsc.ue.edu/wp-content/uploads/2022/08/9.1.22-Facility-Respite-Rate-Notice.pdf>
- Personal Protective Equipment Reimbursement:
- Effective 11/11/2023, providers will no longer be reimbursed for PPE.

Appendix K Flexibilities That Are Now Permanent:

- Licensed Parent/Legally Responsible Adult (LRA):
- As outlined in the provider notice dated 2/3/2023 titled “Licensed Parent/Legally Responsible Adult & Overtime Updates”, parents or LRA’s, including foster parents, can provide skilled nursing services to their child if they hold an active RN or LPN license, as a permanent service. Nursing agencies should refer to this provider notice for all details and guidelines: <https://dsc.ue.edu/wp-content/uploads/2023/02/Feb-2023-Provider-Notice.-Overtime.-Licensed-LRA-Final-002.pdf>
- Overtime:
- As outlined in the provider notice dated 2/3/2023 titled “Licensed Parent/Legally Responsible Adult & Overtime Updates”, nursing agencies are reimbursed permanently for providing overtime hours to Home Care participants. Paid overtime can be billed from the resource allocation for waiver and non-waiver participants. Nursing agencies should refer to this provider notice for all details and guidelines. <https://dsc.ue.edu/wp-content/uploads/2023/02/Feb-2023-Provider-Notice.-Overtime.-Licensed-LRA-Final-002.pdf>

Providers can view all provider notices on DSCC’s website: <https://dsc.ue.edu/home-care-provider-notices/>

We thank you for your continued service to the participants that we jointly serve. If you have any questions, please contact your DSCC provider liaison.