

Division of Specialized Care for Children

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

Dear Nursing Agency 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. **Nursing agencies are not to end services until they receive an updated ending 2352.** (With the exception of those who are non-waiver and over 21- more info provided below)
 - 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. Nursing agencies are not to end services until they receive this updated 2352.
 - DSCC will complete all re-assessments on these participants before 9/30/2023.
 - The participants retain their rights to appeal the new re-assessment.
- Reductions:
 - For those who received a reduction in services since 3/1/2020, there will be no changes to the level of hours they are maintaining under the Covid hold. DSCC will complete the next re-assessment of services at their next regularly scheduled renewal time. The level of service hours they have been maintaining during the Covid hold will remain intact until this reassessment occurs. After this reassessment, HFS will provide an updated 2352 based on the current documentation and the new level of services will be listed on the new 2352.
- Non-waiver and over 21 participants who have maintained services through the Covid hold:

- All non-waiver participants who turned 21 and are still receiving Home Care Program nursing services through the Covid hold; services will end for this population on 9/30/2023.
- The DSCC nursing agency liaison will work with your agency to ensure you have a list of participants that are non-waiver and over 21 who will be dismissed on 9/30/2023. Nursing agencies are not to end services for these participants until 9/30/2023.
- Important note regarding all non-waiver participants.
 - Non-waiver participants must maintain Medicaid eligibility in order to maintain Home Care Program eligibility. Starting April 1, 2023, the state will begin completing redeterminations on all Medicaid cases. They will not complete these at the same time. The cases will be divided between the 12 months after April 1, 2023, and redeterminations will be completed each month. Redeterminations are handled by Medicaid. If found ineligible at redetermination time, the non-waiver participant will no longer be eligible for services. Otherwise, the Medicaid case will remain active until their redetermination is processed.
 - For non-waiver participants on Covid hold, their Medicaid eligibility exceeds Home Care Program eligibility. Therefore, if deemed ineligible for Medicaid before HFS completes a Home Care Program re-assessment, services will end when found ineligible for Medicaid.
 - Nursing agencies will receive an ending 2352 if a non-waiver participant is ineligible for services.

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.
 - Respite rates were permanently raised to match the nursing reimbursement rates of: RN: \$45, LPN: \$37.50, CNA: \$25. Therefore, after 11/11/2023, respite will continue to be reimbursed at these rates. Agencies were notified of this permanent increase in respite rates on 8/26/2022 via Provider Notice. <https://dsc.uic.edu/home-care-provider-notices/>
- Nurse Training Rates:
 - Nurse training rates were increased to match reimbursement rates during the PHE. As of 9/1/2022, this change was made permanent. Rates for this waiver service are: RN: \$45, LPN: \$37.50, CNA: \$25. Agencies were notified of the permanent increase in nurse training rates to match nursing rates, on 8/26/2022 via Provider Notice. <https://dsc.uic.edu/home-care-provider-notices/>
- Retainer Fees:
 - There have been no new additional retainer fee episodes since June 2021. In June 2021, providers were notified of three additional episodes that were added and could be back dated to 1/1/2021.

- Agencies can bill retainer fees until 11/11/2023 for participants where the 2021 allotment of retainer fees has not been fully exhausted.
- Agencies should be aware of timely filing which resumed May 1, 2021. Any claims for services beginning 3/1/2020 thru 4/30/2021 needed to be stamped in prior to 5/1/2021. Claims received after this stamp in date will be denied timely filing.
- The nursing agency is responsible for submitting documentation that the nursing shift which the retainer fee is being requested, was an actual scheduled shift and that Covid implications prevented this service from being provided.
- Nursing Supervisory Visits:
 - Nursing agencies were notified that in-person visits were to resume in November 2020.
 - Effective 5/11/2023, exceptions can no longer be made for families who opted out of in-person visits.
- Personal Protective Equipment Reimbursement:
 - Effective 11/11/2023, nursing agencies 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. Agencies should refer to this provider notice for all details and guidelines: <https://dsc.uic.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. Agencies should refer to this provider notice for all details and guidelines. <https://dsc.uic.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.uic.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 nursing agency liaison.