



Department of Public Health and Human Services

Senior and Long Term Care Division ♦ 1100 Last Chance Gulch., PO Box 4210 ♦ Helena, MT 59602
(406) 444-4077 ♦ Fax: (406) 444-7743 ♦ www.dphhs.mt.gov

Steve Bullock, Governor

Sheila Hogan, Director

April 16, 2020

TO: Community First Choice (CFC)/Personal Assistance Services (PAS) Provider Agencies
Mountain Pacific Quality Health (MPQH)
Community Services Bureau Regional Program Officers (RPO)

FROM: Abby Holm, CFC/PAS Program Manager
Chesa Sullivan, CFC/PAS Program Manager

RE: **Community First Choice (CFC) and Personal Assistance Services (PAS) program operation during the COVID-19 public health emergency**

As the number of COVID-19 cases in Montana continues to grow, the Department recognizes the potential impact on Medicaid members and agency staff. The following is a list of updated policy and procedures for the delivery of Community First Choice (CFC) and Personal Assistance Services (PAS) for the duration of the public health emergency. The following Administrative Rules of Montana (ARM) and CFC/PAS policy sections have been updated under the authority of the CMS approved 1135 waiver request for Medicaid flexibilities to temporarily suspend Medicaid fee-for-service prior authorization requirements and the Governor's directive implementing telehealth. This memo is effective close of business day on April 17, 2020.

1. **CFC/PAS Provider Agency In-Person Visits:** Temporarily suspend the following ARM and policy related to in-person visit requirements, for the duration of the public health emergency:
 - a. ARM 37.40.1114(4) and 37.40.1005(4) and CFC/PAS policy sections 411, 414, 702, 703, 1108, and 1104 related to CFC/PAS provider in-person face to face meeting requirements.
 - b. CFC/PAS Intake and 180-day and annual reauthorization visits may be completed using alternative methods of communication.

2. **Prior Authorization for CFC/PAS- Health Care Professional:** Temporarily suspend the following ARM and policy in the Self-Directed (SD) CFC/PAS program related to Health Care Professional Authorization, for the duration of the public health emergency:
 - a. ARM 37.40.1006 (3) and (3)(a), ARM 37.40.1008 (1)(b) and (1)(c), ARM 37.40.1115 (3) and (3)(a), and ARM 37.40.1117 (1)(b) and (1)(c) related to self-directed health care professional authorization.

- b. SD CFC/PAS policy sections 402 and 418 are suspended for the duration of the health care emergency. SD CFC/PAS services may be delivered without the prior approval of a Health Care Professional (HPC) authorization (STLC-160).
3. **Prior authorization for CFC/PAS- Service Intake:** Temporarily suspend the following ARM and policy related to the prior authorization of CFC/PAS referrals and intakes, for the duration of the public health emergency. Specifically, this directive suspends the processing of CFC/PAS referrals through Mountain Pacific Quality Health (MPQH), which includes the completion of level of care, functional assessment and service profile as outlined in ARM 37.40.1002(b), ARM 37.40.1005 (1), (1)(a), (3), (3)(a), (3)(b), (7) and (7)(a), ARM 37.40.1008(c), ARM 37.40.1114 (1), (1)(a), (3), (3)(a), (3)(b), (7), and (7)(a), and ARM 37.40.1117(c) and CFC/PAS policy sections 402, 411, 501, 504, and 702

CFC/PAS referrals and intakes shall be processed as follows:

- a. CFC/PAS provider will process all referrals according to the High Risk Intake Policy, CFC/PAS 414.
- i. High Risk Intake Policy 414 is modified to provide the following:
1. CFC/PAS provider agency may deliver services according to the High Risk Service Plan (SLTC-170/175) for the duration of the public health emergency.
 2. CFC/PAS provider agency may authorize CFC IADL tasks (i.e. community integration, yard hazard removal and correspondence assistance).
 3. SD CFC/PAS Health Maintenance Activities (HMA) tasks may be authorized and delivered on the High Risk Service Plan by the SD CFC/PAS provider without MPQH Authorization.
 4. CFC/PAS providers may authorize above the service caps for bathing, meal preparation and exercise.
 5. Once the CFC/PAS Provider agency completes the high risk intake, the provider agency must complete the referral form (SLTC-154) and fax it to MPQH within 10 days of the completing the high risk intake.
4. **Prior authorization for CFC/PAS- Change in Prior Authorization:** Temporarily suspend the following ARM and policy related to the processing of CFC/PAS amendments through MPQH, for the duration of the public health emergency, as outlined in ARM 37.401005 (7) and 37.40.1114 (7) and CFC/PAS policy sections 417 and 719.

CFC/PAS changes in the service authorization shall be processed as follows:

- a. CFC/PAS provider will process all amendments according to the Temporary Authorization Policy, CFC/PAS 417, for the duration of the pandemic.
- i. Temporary Authorization Policy 417 is modified to provide the following:

1. CFC/PAS provider agency may deliver services according to the Temporary Authorization Service Plan for the duration of the public health emergency (i.e. beyond 28 days).
 2. CFC/PAS provider agency may authorize CFC IADL tasks (i.e. community integration, yard hazard removal and correspondence assistance).
 3. CFC/PAS providers may authorize above the service caps for bathing, meal preparation and exercise.
 4. SD CFC/PAS HMA tasks may be authorized and delivered on the Service Plan without MPQH Authorization.
5. **Extend Prior authorization requirements for CFC/PAS- Annual Prior Authorization:** Temporarily suspend the following ARM and policy related to the processing of CFC/PAS MPQH annual authorizations, for the duration of the public health emergency, as outlined in ARM 37.40.1008 (c) and ARM 37.40.1117(c) and CFC/PAS policy sections 415, 501 and 504.

CFC/PAS annual service authorization will be processed as follows:

- a. MPQH will extend a member's current service profile authorization for the duration of the public health emergency.

In addition to the directives related to in-person visits and prior authorization activities, the following policy and ARM updates are in effect for the duration of the public health emergency.

6. **Suspend 16-hour training and in-service attendant training requirements:** Temporarily suspend the following policy related to agency-based (AB) CFC/PAS training requirements, for the duration of the public health emergency, as outlined in AB CFC/PAS policy section 706.
 - a. Suspension requirements shall be implemented at the discretion of the AB CFC/PAS agency's nurse supervisor on a case by case basis.
7. **Suspend the Instrumental Activities of Daily Living (IADL) Service Limits:** Temporarily suspend the following policy related to CFC/PAS IADL service limits, for the duration of the health emergency, as outlined in ARM 37.40.1002(3) and ARM 37.40.1111(3) and CFC/PAS policy section 404.
 - a. CFC/PAS provider may authorize services on the High Risk and/or Temporary Authorization Service Plan (STLC 170/175) above the IADL service limits, when the member needs additional household tasks, such as shopping, house cleaning and laundry, due to a COVID-19 circumstance.

8. **Suspend Community Integration Service Setting:** Temporarily suspend the following policy related to the service setting for the provision of community integration is suspended, for the duration of the public health emergency, as outlined in policy sections 403 and 708.
 - a. CFC/PAS provider may deliver community integration in the member's home; with the intent of promoting continuing community inclusion during the public health emergency. Community integration delivered in the member's home should be identified on the member's Service Delivery Record as Community Integration and billed to procedure code S5126.

The Department is continuing to evaluate and consider the following issues as they relate to and impact CFC/PAS service delivery:

- Payment to Spouse and Parents of Minor Children; and
- Retainer payments when an individual enters a hospital or institutional setting.

If you have questions related to this memo contact your assigned Regional Program Officer.