DEVELOPMENTAL SERVICES MEMO #DS2020-02

Date: March 17, 2020
To: All Developmental Services Staff and Contracted Providers
From: Jessica Adams, Deputy Administrator
Subject: Home and Community Based Services Response to COVID-19s

After careful review of guidance issued by the Centers for Disease Control (CDC) and Governor Sisolak, Developmental Services is highly recommending that all facility-based Jobs and Day Training (JDT) sites suspend congregate JDT services no later than close of business on Wednesday, March 18, 2020. We anticipate this recommendation to be in place until at least March 30, 2020, and we will reassess as that date gets closer. Regional Center Quality Assurance (QA) and Program staff have been in contact with providers and families to help to assess the gaps in services that may occur as a result of these temporary closures.

In order to ensure people are safe in their homes, Developmental Services partnered with the Division of Health Care Finance and Policy (DHCFP) last week to prepare an Appendix K to our Medicaid 1915(c) Home and Community Based Waiver for Individuals with Intellectual and Developmental Disabilities, which will allow the state flexibility in providing the services needed during this time of unprecedented emergency. While this document is not yet completed, the Centers for Medicare and Medicaid Services (CMS) does allow for retroactive approval and we are asking for approval as of March 12, 2020 – the day the State of Emergency was declared in Nevada. Effective immediately, Developmental Services will allow the following on a temporary basis:

- JDT services can be provided in home settings, which gives JDT providers impacted by facility-based service closures to have the option to provide support services in the home. Teams should identify this need for in-home services, discuss what services will be provided, and who will provide those services. Service Authorizations will be adjusted and issued as needed. Services provided in the home can be authorized at either the 1:1 hourly rate or at a group daily rate if multiple people will be participating at one time.
  - One example of this is in an ISLA setting where multiple individuals attend the same JDT. Instead of SLA staff working in the home during normal JDT times, the JDT could instead send their staff into the home to provide in-home JDT services.
  - Another example is for people living in family homes or intermittent SLA settings. The JDT provider could send a staff member into either of those settings to ensure their health and safety needs during the day are met.

- Providers can hire staff of other provider agencies who are already background checked and fully trained staff without having to re-do background checks and training. It is the responsibility of the providers to communicate with each other to confirm that trainings and the background check are completed. Any staff responsible for medication administration must have an active Medication Administration certification. Please note in Southern Nevada, Capability Health has offered to keep a list of available staff, temporarily not working due to JDT closure or other interruption of services, that could potentially provide additional staff to SLA providers.
SLA providers can allow more than 4 people in one ISLA home if homes need to combine for staff coverage.

We will allow payment to Legally Responsible Individuals (e.g., guardians, spouses, etc.) for habilitation services required for the individual to safely remain in their home.

One-time costs will be approved for any additional supplies needed to ensure people have needed supplies. Please contact the assigned Service Coordinator for any one-time cost requests.

Ability to bill the waiver for SLA provider services given while an individual is hospitalized, as needed and appropriate.

It is anticipated other services, such as home delivered meals, will be added in case people are isolated at home and in need of meals.

Developmental Services requests the assistance of our providers in checking in with individuals they support, especially those living alone, to ensure they are healthy and safe. If a gap in service for basic needs is recognized, such as someone needing assistance with grocery shopping or bill paying when this is not a usually provided service, please ensure basic needs are met and then contact the assigned Service Coordinator. Service Authorizations and support plans will be adjusted as needed. It is our priority to ensure health and safety. Regional Centers have also received many questions about adjustments to service authorizations if additional staff are needed in ISLA homes or additional hours are needed in intermittent SLA settings. Please work with your assigned Service Coordinator for any needed changes to Service Authorizations. Additional hours, including residential support management hours, will be approved to meet the needs of the individual.

On Sunday March 15, Governor Sisolak ordered all state offices closed to the public as soon as possible. The Regional Center Supervisors are currently working with their Service Coordinators to develop their telecommuting plans. All staff will be required to call into their voicemail every hour during their usual work schedule to check for any messages. Staff will also be available via email. PCPs and other meetings will be completed via phone or other methods of communication (e.g., Skype, Teams, etc.). Annual paperwork must still be signed, so expect this paperwork to be emailed or mailed for provider signature. In order to properly monitor services, home visits are still required to be made to Intensive Supported Living Arrangements each month and to individuals living in their own home receiving intermittent Supported Living Arrangement services according to the usual visit schedule for that individual. Prior to going out to the residence, Service Coordinators will contact the individual and/or provider to ensure nobody is ill. If there is any illness, the visit will not be completed until everyone is well. Home visits will focus on health and safety issues, including use of universal precautions, unsanitary conditions, condition of the home, and service needs. Full environmental reviews will not be completed at this time. Quality Assurance activities will also focus only on health and safety deficiencies. Provider certification expiration dates will be extended if required. Please note all Incident Report, Denial of Rights (DORs) and Restraint and Denial (RAD) forms must still be submitted.

Finally, on behalf of the ADSD leadership team, I want to sincerely thank all staff and providers for your commitment to ensuring the individuals we support are healthy and safe. It is wonderful to work with a network so willing to be flexible to do whatever is necessary in this very difficult and unknown situation!