

Guidance and Temporary Policy Changes for BDDS Services Information for families

As of April 2, 2020

The COVID-19 pandemic was declared a statewide public health emergency by Governor Eric Holcomb on March 6, 2020.

The following policy changes and guidance are **temporary** and will only be effective beginning March 1, 2020, throughout the declared public health emergency and, in some instances, for a brief period following the end of the public health emergency to allow for a smooth transition back to the traditional delivery of services.

Additional changes may occur in the following days and weeks. The COVID-19 situation is rapidly evolving. BDDS will notify and provide additional guidance to individuals, families, providers, case managers and interested stakeholders as further information and guidance becomes available.

Home and Community Based Services: Family Support Waiver and Community Integration and Habilitation Waiver

Access to any of the following change in service(s) must be due to a COVID-19 related need. A COVID-19 related need is determined by the direct impact, loss of existing, active service(s), and/or increased support need due to the individual, family, guardian or staff being at an increased risk, having been exposed and/or having a confirmed case of COVID-19.

Home and community based waivers provide services to assist individuals in remaining in their home and gaining access to their local community, similar to other individuals who do not receive Medicaid waiver services . The following temporary changes must still be utilized in a manner that is consistent with the spirit and intent of home and community based services.

Appendix K: Emergency Preparedness and Response

Appendix K amendments permit states to make certain allowances to their waivers when a designated public health emergency has been declared. The Centers for Medicare and Medicaid Services is the federal authority that must approve proposed changes. Please keep in mind that these **changes are temporary, must meet a COVID-19 related need and be used within your current waiver budget.**

The following provides the current guidance and temporary changes to services available through the BDDS waivers:

Telemedicine

Telemedicine allows services to be delivered using technology that allows for real time and interactive communication between the service provider and individual. This can include the use of computers, phones or television monitors. This is *does not* include the use of non-voice communication such as text or email. **These changes are temporary, must meet a COVID-19 related need and be used within your**

current waiver budget. Following are the waiver services that should be explored as an option when appropriate:

- Case Management
- Behavior Management
- Therapies, including PT, OT, speech, psychological, music and recreational
- Extended Services
- Wellness Coordination
- Family and Caregiver Training

To explore this as an option contact to your case manager. Any other waiver service should only use telemedicine as a last resort and be used with individuals who need only verbal prompting and guidance and must also be related to an individualized need or interest.

Electronic monitoring (also known as remote supports) remains available on the CIH waiver and should be explored as an alternative option, as appropriate.

Families as Caregivers

The flexibilities allowed under Appendix K for families as caregivers must be utilized in response to a COVID-19 related need that creates a temporary, immediate need for intervention and response to ensure an individual's health and safety. In addition, these flexibilities must be utilized within the individual's existing budget.

Families and individuals should work with their case manager and team to determine if their current situation falls within the necessary criteria of Appendix K to access any of these flexibilities. The following questions should be considered in making this decision:

- 1) Is the disruption in current services due to COVID-19 that creates an immediate need for intervention and response to ensure their health, safety and well-being? (Note: The 'stay at home order,' schools being closed or closures of non-waiver entities are not sole qualifying circumstances.)
- 2) Is the service critical to the health, safety and well-being of the individual?
- 3) Is the temporary, immediate need for intervention and response fall within the purpose and guidelines of home and community based waiver services?
- 4) For more examples and information see *Determining what support options should be explored during COVID-19 public health emergency* later in this document

If it is determined that these flexibilities are warranted, the following options may be used on **temporary basis**:

- Parent(s), stepparent(s), and legal guardian(s) will temporarily be allowed to provide services (as direct support staff via an existing BDDS approved provider) to adults and children who are currently using or have a documented intent to use only the following services:
 - Participant assistance and care (PAC) available on the FSW
 - Community based habilitation (CHIO) available on the FSW and CIH
 - Residential habilitation and support (RHS) available on the CIH

- An adult spouse will temporarily be allowed to provide services to an adult individual in the following services:
 - Structured family caregiving (SFC) available on the CIH
 - Participant assistance and care (PAC) available on the FSW
- The 40-hour-per-week paid caregiver limitation will be temporarily waived for
 - Participant assistance and care (PAC) available on the FSW
 - Residential habilitation and support (RHS) available on the CIH
- Respite services may temporarily be allowed when the adult individual is receiving the following services:
 - Structured family caregiving (SFC) available on the CIH
 - Rent and Food for Unrelated Caregiver

Any parent(s), stepparent(s), legal guardian(s), and spouse accessing these flexibilities for the first time will need to work with their provider to meet the provider, state and/or federal hiring and training requirements. All paid family caregivers must also meet background check requirements currently in place for direct service professionals as outlined below.

Existing services are those services that have been authorized in the current Cost Comparison Budget as of March 1, 2020.

Remember - these changes are temporary, must meet a COVID-19 related need and be used within your current waiver budget.

Alternate Settings

In certain COVID-19 related circumstances it may be necessary to seek an alternate setting to ensure the health, safety and well-being of the adult individual. **The alternate setting must be accessible to the individual and ensure the individuals health and safety to the fullest extent possible.** Following are possible flexibilities for the adult individual, family, legal guardian and individualized support team to explore when and if appropriate.

- Community based habilitation, Facility Habilitation, Prevocational Services, and Adult Day Services may temporarily be provided in the following alternate setting when appropriate:
 - The home of the individual
 - Facility-based day program
 - Intermediate care facility for individuals with intellectual disabilities (ICF/IDD)
 - Home of the direct support professional – upon approval
- The individual may temporarily relocate to a day program setting or an intermediate care facility for individuals with intellectual disabilities (ICF/IID) **IF** the following services have been compromised or interrupted due to a COVID-19 related circumstance:
 - Structured family caregiving (SFC) available on the CIH
 - Participant assistance and care (PAC) available on the FSW
 - Residential habilitation and support (RHS) available on the CIH
- If an individual’s residential habilitation and support (RHS) setting is compromised due to a COVID-19 related issue **AND** a direct support staff is residing in the home of an individual in services, BDDS will temporarily allow the setting to be converted to a Structured Family

Caregiving (SFG) setting and be provided in the individual's home when no other available paid or unpaid supports are available.

- In rare and unique situations, the home of a direct service professional familiar to the individual may be used as a temporary/alternate waiver residential setting for an individual when the individual's primary caregiver has been diagnosed with or quarantined due to COVID-19.
- The alternate service delivery setting may not exceed sixty (60) days.

Direct Support Professional Qualifications and Requirements

The need for quality direct support professionals is at an even higher demand due to the current COVID-19 pandemic. In response BDDS has made the following changes to the professional qualifications and requirements **temporarily**:

- Accept a copy of a limited criminal history check through the Indiana Central Repository performed by another entity within the past six (6) months. Another entity includes any business registered with Indiana Secretary of State including but not limited to a school or waiver provider.
- Waive the requirement that a potential staff have, prior to hiring, a county level criminal history check completed for each county in which the staff has resided and worked in three years prior. Instead these county level history checks must be completed within sixty (60) days of hire.
- Waive the requirement for a tuberculosis (TB) test prior to hire. New staff and existing staff with an annual screening due must get those completed within ninety (90) days of hire or within their expiration of annual screening.
- Waive the requirement of staff to complete the full list of trainings prior to hire. Following are the trainings requirements that direct care staff must currently complete prior to hire:
 - Individual-specific (risk plans, behavior plans, modified diets, lifting, etc.)
 - Infection control
 - Signs and symptoms of medical issues
 - Medication administration (if DSP will be administering or observing administration of medication)
 - Cardiopulmonary resuscitation AND choking—Heimlich maneuver
 - Individual rights / abuse, neglect, exploitation / incident reporting
 - Emergency procedures / on-call support
 - Crisis intervention/de-escalation (if DSP will support an individual with a known history of challenging behaviors)

Providers have sixty (60) calendar days from the date of hire for DSPs to complete the remaining traditionally required trainings.

Day Programs Guidance

Under the "stay at home" order, day service locations may remain open as an essential service until it is no longer feasible to do so based on the best interests of the individuals served and/or due to local conditions. While recognizing some of the individuals served in our day programs are in the high-risk category, we are hoping to maintain this essential service, whenever feasible, to provide needed

support to our families, particularly those that are essential workers, during this time. At this time there is no directive or order requiring day programs to close.

BDDS encourages day program providers to follow the recommendations of the Indiana State Department of Health, Centers for Disease Control and the Centers for Medicare and Medicaid Services.

BDDS also encourages day program providers to inform individuals and families when a disruption in service is predicted to or currently taking place along with any alternate plans for service delivery if appropriate.

Visitor Guidance

Due to the current health situation, individuals residing in supported living environments may find themselves in unique circumstances when coming to an agreement with their roommates, staff and providers on what types of visitor restrictions should be put in place as a precautionary measure.

BDDS encourages providers, individuals, guardians and families to work together to follow recommendations from the Centers for Disease Control and the Indiana State Department of Health and to ensure the safety and well-being of every individual living in the home. In particular, individuals should consider individual needs and to what extent the setting supports individuals who are at a higher risk for COVID-19 related complications. These can include:

- Adults aged 60 or older
- Individuals with serious chronic medical conditions including but not limited to lung disease, heart disease and diabetes.

For all visitor restrictions, providers and families are encouraged to communicate clearly any expectations of visitor restrictions and to implement creative alternatives to continue contact with family and friends who are important to the individual receiving services.

Supervised Group Living (group homes):

Supervised group living and CRMNF settings are considered long term care facilities therefore are bound by a separate set of rules and restrictions placed by the Centers for Medicare and Medicaid Services (CMS) and the Indiana State Department of Health (ISDH). Key highlights from these agencies include:

- The restriction of all visitors and non-essential health care personnel
- All group activities must be cancelled
- Active screening for residents and staff must be in place

Supervised group living providers have been encouraged to be creative in assisting individuals and families/guardians to have contact through the facilitation of phone calls, video chats and/or letters.

Guidelines established by CMS regarding visitors can be found at <https://www.cms.gov/files/document/3-13-2020-nursing-home-guidance-COVID-19.pdf>

Guidance issued by the Indiana State Department of Health long-term care facilities (including guidance on PPE, TB screening, and voluntary leaves of absence) can found at https://coronavirus.in.gov/files/in_COVID-19_ltc_03.22.20.dr.pdf

Incident Reporting:

The timeline for reporting incidents has been extended to 48 hours from incident occurrence or point reporter becomes aware of occurrence, except in the following circumstances:

- Incidents related to alleged abuse, neglect or exploitation must still be reported within 24 hours
- Individuals who are presumed positive with COVID-19 must be reported within 24 hours
 - Presumed positive means individuals with at least one respiratory specimen that tested positive for the virus that causes COVID-19 at a state or local laboratory

If you have concerns or complaints on exposure, social isolation or current practices due to COVID-19 please reach out to your case manager, provider and/or district BDDS office to discuss and resolve those concerns.

Determining what support options should be explored during COVID-19 public health emergency:

The COVID-19 pandemic has effected every part of our lives; therefore, it can be difficult to determine where to turn for assistance when your typical services or routine has been disrupted. The following table may assist you when determining if your needs may be addressed through your home and community based waiver or other support options:

HCBS Flexibilities May Be Considered When:	Other Support Options Should Be Utilized When:
<ul style="list-style-type: none"> • The BDDS provider in the PCISP has suspended services due to COVID 19. • The staff for BDDS services in my PCISP aren't providing services because they have been exposed or are ill with COVID 19. • I'm the primary caregiver or legal guardian for the individual with BDDS services and I have been exposed or am ill with COVID 19. • I'm an individual receiving BDDS services and have been exposed or am ill with COVID 19. 	<ul style="list-style-type: none"> • The individual receiving BDDS services is no longer attending school in person due to closures due to COVID 19. <i>School services are covered by IDEA and you should work with your local school district in securing those services. For more information or guidance you may contact INSOURCE at www.insource.org</i> • The individual receiving BDDS services is also receiving First Steps services and is no longer receiving in home First Steps services due to COVID 19. <i>First Steps services are covered by IDEA. Telehealth might be an option. Contact your First Steps service coordinator for options.</i>

special needs trusts administration for families and people with disabilities; and The Arc of Indiana Foundation, working to create employment opportunities for people with disabilities, including opportunities through its vocational training program, Erskine Green Training Institute.

- Family Voices Indiana
www.fvindiana.org 844-323-4636
Family staffed organization that provides information, training, and one-on-one support to families of children and youth with special health care needs. Currently serves as Indiana's Family-to-Family Health Information Center helping families navigate the complicated maze of systems and services associated with having a child with special healthcare needs.
- About Special Kids (ASK)
www.aboutspecialkids.org 800-964-4746
"Parent to Parent" organization that works to answer questions and provide support, information, resources, and training for families of children with special needs. We are parents and family members of children with special needs and we help families and professionals understand the various systems that are encountered related to raising a child with a disability or chronic illness.
- Autism Society of Indiana
www.autismsocietyofindiana.org 800-609-8449
Provides guidance, resources and individualized support. ASI has many programs that focus on individuals and families touched by autism along with providing direct care (respite), career services support and community events.
- Down Syndrome Indiana
www.dsindiana.org 888-989-9255
Serves as a one-stop-shop for information and resources about Down Syndrome.
- INSOURCE
www.insource.org 800-332-4433
IN*SOURCE is here to help families with special needs who have educational concerns. We take the often complicated and overwhelming task of understanding special education law, and break it down to help families apply it to their own unique and individual situation, with the hope of improving outcomes for children.
- Centers for Independent Living (CIL)
<https://www.in.gov/fssa/ddrs/2762.htm> 800-457-8283
Promote the independent living philosophy to empower adults with disabilities. Services include peer counseling, information and referral, individual and systems advocacy, independent living skills training, and services/assistance that facilitate transition from institutional settings or transition of youth to adult life.
- Covering Kids and Families
www.ckfindiana.org 317-222-1850

Helping Hoosiers apply for and obtain health insurance coverage, including Medicaid.

- Indiana Disability Rights
www.in.gov/idr 800-622-4845
Assures adequate legal and advocacy services for the protection, promotion, and empowerment of the rights and interests of individuals with disabilities.
- Aging and Disability Resource Centers
<https://www.in.gov/fssa/da/3478.htm> 800-986-3505
Provides access to information, care options, and benefit enrollment as a single point of entry for individuals seeking assistance across a spectrum of long-term care services and supports.
- Indiana 211
<https://in211.communityos.org/> 211
A free and confidential service that helps Hoosiers across Indiana find the local resources they need.
- Division of Family Resources
https://www.in.gov/fssa/files/DFR_Map_and_County_List.pdf 800-403-0864
Administers Medicaid, TANF, and SNAP
- WIC: Women, Infants, and Children nutritional assistance
<https://www.in.gov/isdh/files/public-roster.pdf> 800-522-0874
Provides nutritional assistance to pregnant women and children ages 0-5yr.