



N.C. Department of Health
and Human Services

Additional Safeguards
Session Law 2013-306
House Bill 492

Personal Care Services
State Plan Amendment 13-009

May 23, 2014



N.C. Department of Health and Human Services

Session Law 2013-306

House Bill 492

Purpose:

Direct the Department of Health and Human Services (DHHS) to adjust Medicaid Personal Care Services (PCS) to provide additional safeguards for qualified individuals.

– Approved 18th day of July, 2013



Additional Safeguards

- As required by [N.C. Session Law 2013-306](#), DHHS shall adjust Medicaid PCS to provide additional safeguards for qualified individuals.
- A Medicaid beneficiary who meets the criteria of N.C. Session Law 2013-306, Sections 10.9F(c)(1) and (2) and 10.9F(d) is eligible for up to 80 hours of PCS.
- Additional safeguards of up to 50 additional hours of PCS per month (a total of up to 130 hours per month) may be authorized for a Medicaid beneficiary who meets the above eligibility criteria as well as the criteria in Session Law 2013-306, Section 10.9F(c)(3). ³



Requesting Personal Care Services Additional Safeguards

- To request additional safeguards, a physician must complete and submit a DMA 3051 Request for Services Form on the beneficiary's behalf. The form and instructions are available under "Forms" at:
<http://www.ncdhhs.gov/dma/pcs/pas.html>
- The beneficiary's physician must sign and date the appropriate section of the form allowing the physician to attest to the beneficiary's need for additional safeguards.
- The physician attestation is **Section E** of the DMA 3051 Request for Services Form. PCS additional safeguards may be requested as *a new request* for PCS services or as a *change of status* to existing PCS.



Authorization of Additional Safeguards

- Beneficiaries who submitted complete requests for additional safeguards/hours on or prior to **November 15, 2013** will receive PCS authorization effective **October 1, 2013**.
- Beneficiaries who submitted complete requests for additional hours prior to the approval of State Plan Amendment (SPA) 13-009 will receive PCS authorization effective the date Liberty Healthcare Corporation received the request.



N.C. Department of Health and Human Services

Beneficiary Decision Notices and Appeal Rights

Beneficiaries and designated providers will receive decision notification results of the assessments conducted.

Adverse decision notices will include an appeal request form and instructions and deadlines for filing an appeal.

Adverse decisions include service reductions and denial of Medicaid PCS.



Beneficiary Decision Notices and Appeal Rights

- Reductions of beneficiaries' current service levels and denials of new requests for PCS qualify as adverse decisions and can be appealed.
- In accordance with federal regulations, maintenance of service will be available for beneficiaries whose request for continuation of PCS has been denied or reduced, and who have filed a timely appeal.
- ***Reminder:*** providers may not file appeals on behalf of beneficiaries unless the beneficiary lists the provider as the representative on the appeal request form. ⁸



Prior Approval for Additional Safeguards

- PCS providers will receive prior approvals for additional hours through the QiRePort (an integrated web service designed to support the operation of the PCS program) Provider Interface and U.S. mail notification.
- PCS providers are required to register with QiRePort.
- Using QiRePort, the PCS Independent Assessment Entity (IAE) organizes and tracks PCS service requests, assessments and notifications.



Prior Approval for Additional Safeguards

- PCS provider agencies access QiRePort to receive and acknowledge service referrals, view assessments and communicate electronically with the IAE.
- QiRePort interfaces with NCTracks daily by transmitting prior approvals.
- The prior approval authorization records identify the monthly level of service (in units) being authorized for the beneficiary and the ID of the authorized/selected service provider.



3L, Personal Care Services Policy

The current Clinical Coverage 3L PCS policy is being updated to include the allowed additional safeguards mandated by Session Law 2013-306.

A person-centered plan of care that addresses all unmet needs identified in the independent assessment must be *implemented* before providing services to beneficiaries.

Clinical Coverage Policy 3L, PCS, is available at:
<http://www.ncdhhs.gov/dma/mp/index.htm>



SL 2013-306 Training Attestation

- In accordance to N.C. Session Law 2013-306; Caregivers who provide services to beneficiaries receiving additional safeguards require training in caring for individuals with degenerative disease, characterized by irreversible memory dysfunction, that attacks the brain and results in impaired memory, thinking, and behavior, including gradual memory loss, impaired judgment, disorientation, personality change, difficulty in learning, and the loss language skills.



SL 2013-306 Training Attestation

- **Providers must attest to the training of their caregiver staff to provide services by submitting the DMA 3085 – SL 2013-306 PCS Training Attestation Form available under forms at:**
<http://www.ncdhhs.gov/dma/pcs/pas.html>
- Providers may use training made available through the N.C Division of Health Service Regulation licensure section or Liberty Healthcare Corporation Alzheimer's and Dementia Caregiver Center.
- The Alzheimer's and Dementia Caregiver Center offers free individual on-line care training in dementia care through the Alzheimer's Association.¹³



Session Law 2013-306 PCS Training

- Providers must ensure that aides providing increased level of care mandated by N.C. Session Law 2013-306 receive Alzheimer's and dementia caregiver training.
- Liberty Healthcare Corporation provides appropriate training for aides at <http://www.nc-pcs.com/Alzheimers/>
- Providers who supply Alzheimer's dementia training for hired aides may submit the DMA 3085 form to DMA attesting that aides have received the appropriate training. The DMA 3085 is available at: <http://info.dhhs.state.nc.us/olm/forms/dma/dma-3085-ia.pdf> and may be submitted to DMA.PCSTraining@lists.ncmail.net



Provider Rates & Reimbursement

- With the approval of SPA 13-009 (HB492) by CMS, the reimbursement rate from October 1, 2013 through December 31, 2013 is \$3.58 per 15 minutes (\$14.32 per hour). *The rate prior to October 1, 2013 was \$3.88 per 15 minutes or (\$15.52 per hour).*
- To comply with the Shared Savings plan enacted by N.C. Session Law 2013-360, DMA applied the 3% reduction on January 1, 2014 to the current rate of \$3.88 per 15 minutes (\$15.52 per hour) which equated to \$3.76 per 15 minutes (\$15.04 per hour).
- The reimbursement rate from January 1, 2014 will now be \$3.47 per 15 minutes (\$13.88 per hour). This equates to \$3.58 per 15 minutes reimbursement rate less the 3% reduction.



Provider Rates & Reimbursement

<u>Dates of Service</u>	<u>Rate</u>	
Prior to 10/1/13	\$3.88	per 15 minutes (\$15.52 per hour)
10/1/2013- 12/31/13	\$3.58	per 15 minutes (\$14.32 per hour)
01/01/2014 forward	\$3.47	per 15 minutes (\$13.88 per hour)



Recoupment/Repayment

- DMA will provide updates and additional details in upcoming Medicaid bulletins.
- Discussion about Recoup/Repay plan will be added as an agenda item at monthly PCS stakeholder meetings.



Communication Plan

- Additional Safeguards Decision Notices will be released beginning May 30, 2014.
- A special provider bulletin will be published in early June to relay full details of these changes.
- A recorded copy of this webinar will be posted to the PCS web page.



Communication Plan

- Liberty Healthcare-NC will host webinars and regional trainings on the implementation of Session Law 2013-306.
- DMA will continue to host monthly stakeholder meetings and update the PCS webpage with current information.
- Contact the DMA PCS program at 919-855-4340 or email: PCS_Program_Questions@dhhs.nc.gov



Personal Care Services Contacts

Beneficiaries and Providers who have questions about the additional safeguards allowed by N.C. Session Law 2013-306 and the implementation of additional hours may contact:

- The DMA PCS Program at 919-855-4340 or email: PCS_Program_Questions@dhhs.nc.gov
- Liberty Healthcare-NC, **Call Center** at 855-740-1400 or 919-322-5944; **Independent Assessment Email:** ncfax@libertyhealth.com for questions.



Resources

DMA website: <http://www.ncdhhs.gov/dma/contactus.htm>

PCS website: <http://www.ncdhhs.gov/dma/pcs/pas.html>

Liberty Healthcare: <http://www.NC-IAsupport@libertyhealth.com>

The Alzheimer's and Dementia Caregiver Center is located on the Liberty Healthcare Corporation-NC website at: <http://www.nc-pcs.com/Alzheimers/>