



## OPERATIONAL MEMO

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<b>TITLE:</b>	<b>UPDATED GUIDANCE ON DAY HABILITATION SERVICES IN RESPONSE TO COVID-19</b>
<b>SUPERSEDES NUMBER:</b>	<b>HCPF OM 20-083</b>
<b>EFFECTIVE DATE:</b>	<b>AUGUST 1, 2021</b>
<b>DIVISION AND OFFICE:</b>	<b>BENEFITS AND SERVICES MANAGEMENT DIVISION, OFFICE OF COMMUNITY LIVING</b>
<b>PROGRAM AREA:</b>	<b>HOME AND COMMUNITY-BASED SERVICES (HCBS) WAIVERS</b>
<b>KEY WORDS:</b>	<b>HOME AND COMMUNITY-BASED SERVICES, HCBS, PROVIDER, PASA, COVID-19, CORONAVIRUS, DAY HABILITATION, SPECIALIZED HABILITATION, SUPPORTED COMMUNITY CONNECTIONS, SCC, SH, HOST HOME PROVIDER, HHP</b>
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<b>APPROVED BY: BONNIE SILVA</b>	

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### **Purpose and Audience:**

The purpose of this Operational Memo is to inform Home and Community-Based Services (HCBS) Day Habilitation provider agencies, Residential Habilitation Services (RHSS) providers, and Case Management Agencies (CMAs), that the Department of Health Care Policy & Financing (Department) is amending the temporary changes and flexibilities previously approved in response to the COVID-19 pandemic by removing the allowance for residential providers to provide Supported Community Connections services to members who reside in their home. Furthermore, this Operational Memo provides additional guidance for in-person services and clarity on how virtual Day Habilitation services are to be provided through the end of the Department's Appendix K approval.

### **Information:**

On April 16, 2021 the Statewide COVID-19 Dial evolved into [Public Health Order 20-38: Limited COVID-19 Restrictions](#), which allows counties to implement regulations at the local



level while still maintaining some limited requirements across the state. Counties may use the statewide dial framework as a model for implementing their own restrictions through the end of the Public Health Emergency. Since COVID-19 restrictions are being lifted and vaccinations are readily available to all persons 12 years or older, there is a need for updated guidance and information for Specialized Habilitation (SH) services and Supported Community Connections (SCC) as some previous changes and flexibilities allowed at the beginning of the pandemic are no longer necessary.

This memo supersedes Operational Memo 20-083, which temporarily allowed Individual Residential Services and Supports (IRSS) and Group Residential Services Supports (GRSS) providers to provide SCC service to a member who resides in the home, due to health and safety reasons. With lifted restrictions on business closures and capacity limits, the availability of vaccinations to all adults, and the addition of the 1:1 Day Habilitation service delivery method, this temporary allowance is no longer necessary and will be discontinued effective August 1, 2021. Similarly, while SH services were never allowed to be provided by the residential provider due to services being duplicative, SH services must once again take place in the community, based out of the day program's setting location.

### **These Provisions & Flexibilities on Virtual Services Will Continue as Follows:**

#### Specialized Habilitation

Specialized Habilitation (SH) services are provided to support the member to maintain or increase their level of self-sufficiency. As stated in Operational Memo 21-025 (found on the [Department's Memo Series page](#)), through the end of the Department's Appendix K approval, members can receive site-based group SH services virtually or in-person, utilizing the rate structure based on the members' current Support Level.

- Members who do not feel comfortable returning to group settings, but would like to receive in-person services, should work with their case managers to add individual SH to their service plan.
- Members adding 1:1 SH services will need to remain within their pre-pandemic Day Habilitation utilization dollar limits as outlined in Operational Memo 21-025 (found on the [Department's Memo Series page](#)).
- Individualized SH services must be provided in-person.
- Virtual SH services can be provided to either an individual member or to a group of members and should utilize the rate structure based on the members' current Support Level.
- At this time, individualized in-person SH may continue to be provided in the member's home by the SH service agency.

#### Supported Community Connections



Supported Community Connections (SCC) services are provided to support the maintenance or development of the skills necessary to enable the member to access typical activities and functions of community life. As stated in Operational Memo 21-025 (found on the [Department's Memo Series page](#)), through the end of the Department's Appendix K approval, SCC services can be received virtually or in-person, utilizing the existing rate structure, based on the members' current Support Level. SCC services provided virtually do not have to "**utilize the community as a learning environment**" to be billed under SCC. However, virtual SCC services must consist of community-hosted virtual groups and activities as opposed to provider-hosted virtual groups and activities. SCC services provided virtually either to an individual member or to a group of members must utilize the rate structure based on the members' current Support Level. The following temporary modifications to SCC services are only allowable when SCC is provided virtually. Those modifications are bolded:

- Provide a wide variety of opportunities to facilitate and build relationships and natural supports in the community while **accessing** the community as a learning environment to provide services and supports as identified in the member's service plan.
- Are conducted in a variety of settings, in which the member interacts with persons without disabilities other than those individuals who are providing services to the member. These types of services may include socialization, adaptive skills and personnel to accompany and support the client in community settings, **including virtual community settings**. Examples of appropriate virtual SCC activities include community-hosted virtual book clubs, cooking classes, yoga classes, etc. Provider-hosted virtual activities and groups, where there is not outside participation by persons without disabilities not including staff, would be considered and should be billed as virtual SH services.
- Provide resources necessary for participation in activities and supplies related to skill acquisition, retention or improvement and are provided by the service agency as part of the established reimbursement rate.
- May be provided in a group or may be provided to a single member in a learning environment to provide instruction when identified in the service plan.
- Activities provided exclusively for recreational purposes are not a benefit and shall not be reimbursed.

### **The Following Temporary Provisions from OM 20-083 are Being Amended:**

#### Supported Community Connections

Beginning on June 14, 2021, the Department once again requires in-person group and individual SCC service delivery to take place out in the community due to the vast majority of businesses reopening to 50% or higher capacities, as well as the availability of vaccinations to all SCC members and staff. Members who do not feel comfortable



returning to group services, but would like to receive in-person services, should work with their case managers to add individual SCC to their service plan. Members adding 1:1 SCC services will need to remain within their pre-pandemic Day Habilitation utilization dollar limits as outlined in Operational Memo 21-025 (found on the [Department's Memo Series page](#)).

### Specialized Habilitation

Due to the availability of vaccinations, along with the increasing capacities of most businesses, group SH services must once again take place in the community, based out of the day program's setting location. The exceptions to this include if the member chooses to receive virtual SH or individual SH services, or when services are necessary in the residence due to medical or safety needs. SH services have not previously been allowed to be provided by the residential provider, and this continues to not be allowed due to services being duplicative.

### Role of Residential Providers

The Department is rescinding the prior temporary allowance for HCBS members who reside in Individual Residential Services and Supports (IRSS) settings or Group Homes to receive SCC services through their residential provider due to health and safety reasons. Beginning August 1, 2021, all HCBS members receiving SCC should no longer use their residential provider to receive SCC services. Based on the member's preference and comfort, SCC services can be received in any combination of virtual, in-person group, or in-person individualized services. Members should work with their case managers to find SCC providers who can best meet members' needs and to add individual SCC to their service plan, if the member chooses. Members adding 1:1 SCC services will need to remain within their pre-pandemic Day Habilitation utilization dollar limits as outlined in Operational Memo 21-025 (found on the [Department's Memo Series page](#)).

### **Attachment(s):**

None

### **Department Contact:**

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