

# The Medicaid Waiver Review

News from Kentucky's 1915(c) Home and Community Based Services (HCBS) waiver programs  
December 2020

## Requirement to Use Electronic Visit Verification Delayed

On December 22, DMS issued an update on electronic visit verification (EVV). EVV is used to verify the delivery of certain 1915(c) HCBS waiver services as outlined in the 21<sup>st</sup> Century Cures Act. The requirement to use EVV no later than January 1, 2021, is being delayed. Because of the ongoing public health emergency, DMS wants to make sure the system is operating at maximum performance before requiring use. Details on the delay are available at <http://bit.ly/kyevvdelay>.

Many providers across the Commonwealth have started using EVV already. DMS is receiving feedback from providers who have started using EVV. The feedback helps to identify and resolve issues and to note potential improvements to the system in future phases. DMS has a website dedicated to providing comprehensive EVV information. You can find all the resources and information you need at <https://bit.ly/kywaiverEVVinfo>.

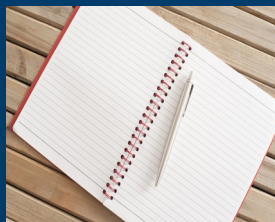


## EVV Use as of mid-December

**286** Providers Enrolled □ **11,689** Users □ **8,389** Visits Completed

## Services Notes, EVV, and the Medicaid Waiver Management Application

With the introduction of EVV and the option to use the Medicaid Waiver Management Application (MWMA) to enter services notes, DMS is getting a lot of questions about what services notes should be recorded where. Here's a list.



- If it's a **service required to use EVV**: Service notes are required to be entered in your agency's EVV system. Services can also be entered into MWMA or kept in an electronic health record (EHR) system or paper system, but this is an individual business decision and is not required.
- If it's a **service that is not required to use EVV**: Providers can choose to enter service notes in MWMA or to continue keeping notes in an EHR or paper system. DMS encourages providers using a paper system to transition to MWMA.

## Incident Reporting Moves to the Medicaid Waiver Management Application

Beginning December 1, 2020, DMS switched to an electronic process for reporting incidents involving participants in all 1915(c) HCBS waivers. Providers and case managers/support brokers/service advisors now enter incident reports directly into MWMA, eliminating the previous paper process. Electronic reporting will improve participant health, safety, and welfare as it allows DMS, the Department for Aging and Independent Living, and the Department for Behavioral Health, Developmental and Intellectual Disabilities to review, respond, and track incidents more effectively.



As part of this update, DMS expanded access to MWMA to all providers delivering 1915(c) HCBS waiver services. These [providers can also use MWMA to keep service notes](#) for each waiver participant, however, this is not required at this time.



## An Update on the Home and Community Based and Model II Waiver Public Comment

DMS held an official public comment period for the Home and Community Based (HCB) and Model II (MIIW) waivers in October and November 2020. These waivers expire in 2020 and need to be renewed with the Centers for Medicare and Medicaid Services (CMS). DMS thanks the caregivers, providers, and advocates who took the time to review the waivers and submit a comment.

DMS released an official response for MIIW on December 17 and is now in the process of submitting it to CMS for approval. The response is available at <http://bit.ly/miiwresponse>. DMS is still reviewing public comments submitted regarding HCB and will issue a response soon. No updates to MIIW or HCB take effect until the waivers are approved by CMS.

### Respite, Non-Traditional Instruction, and COVID-19

As the COVID-19 pandemic continues, many schools have transitioned to non-traditional instruction (NTI). DMS issued guidance in November regarding the use of respite services during NTI. After consulting with CMS, DMS determined school-aged children can receive respite services while participating in NTI.



It's important to note respite is only intended for the supervision needed while the child's parent or caregiver is unavailable. Respite workers cannot provide educational services beyond basic assistance getting started with NTI. If a child requires more complex assistance to participate in NTI, this should be provided by the child's school or covered using Medicaid's Early Periodic Screening, Diagnostic, and Treatment benefit. Read the Respite and NTI during COVID-19 letter available at <http://bit.ly/kyrespiteNTI> for more information.

- For 1915(c) HCBS Waiver-related COVID-19 guidance, review the waiver COVID-19 FAQ or visit the DMS DCA website at <https://bit.ly/kyhcbstwaiverinfo>.
- For the latest COVID-19 numbers in Kentucky, testing information, and guidance from Governor Andy Beshear and the Kentucky Department for Public Health, visit [kycovid19.ky.gov](http://kycovid19.ky.gov).



### Stay Up to Date on Kentucky's 1915(c) HCBS Waivers

Do you know someone who could benefit from receiving 1915(c) HCBS waiver updates via email? If so, encourage them to subscribe using our "How to Subscribe" email directions at <https://bit.ly/getkywaiverupdates> or have them email us at [MedicaidPublicComment@ky.gov](mailto:MedicaidPublicComment@ky.gov).



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