



**CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL**

Andy Beshear
Governor

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Eric C. Friedlander
Acting Secretary

Adam Mather
Inspector General

TO: Residential Alcohol and Other Drug Treatment Entities (AODE)
FROM: Adam Mather, Inspector General *AM*
DATE: May 1, 2020
RE: COVID-19 Guidance – Provision of Services in Alternative Settings

On March 25, 2020, the Centers for Medicare and Medicaid Services (CMS) announced approval of a waiver to allow reimbursement to residential providers for services rendered in an “unlicensed facility”, provided that states make a reasonable assessment that the facility meets minimum standards, consistent with reasonable expectations in the context of the current public health emergency, to ensure the health, safety and comfort of residents and staff.

Therefore, in accordance with the CMS waiver and Executive Order 2020-215, Governor Andy Beshear’s declaration of a state of emergency due to the outbreak of COVID-19, the Cabinet for Health and Family Services will allow residential AODE programs to provide services in an alternative, unlicensed location as the result of an emergency evacuation or due to another need for relocating residents.

Prior to utilizing an alternative, unlicensed facility, a residential AODE program shall:

- Send written notification by email to Melanie Poynter, melanie.poynter@ky.gov, and Krisa Rapp, krisa.rapp@ky.gov;
- Include the location of the alternative, unlicensed facility; and
- If the Fire Marshal has approved the alternative site, include documentation of such approval.

If the Fire Marshal has not approved the alternative, unlicensed facility, a surveyor will visit the site to conduct a basic safety check. Nothing shall prevent the Cabinet from conducting a basic safety check of an unlicensed facility with Fire Marshal approval if the Cabinet deems necessary, or otherwise prevent the Cabinet from conducting an investigation related to a complaint in an unlicensed facility.

This arrangement shall be effective for the duration of the state of emergency. The use of alternative, unlicensed facilities shall not be authorized after Executive Order 2020-215 is rescinded.