

Additional Guidance for the End of Appendix K Flexibilities in the Consolidated, Community Living, Person/Family Directed Support (P/FDS) and Adult Autism Waivers

ODP Announcement 23-087

AUDIENCE:

All Stakeholders

PURPOSE:

To provide additional guidance on which Appendix K waiver flexibilities have been added to the approved intellectual disability/autism waivers (Consolidated, Community Living and P/FDS Waivers) and the Adult Autism Waiver (AAW), as well as which Appendix K flexibilities will be ending November 11, 2023.

DISCUSSION:

On February 21, 2023, the Office of Developmental Programs (ODP) published [ODP Announcement 23-023](#): *Federal COVID-19 Public Health Emergency Ending on May 11, 2023*. This announcement included two attachments, one for the ID/A waivers and one for the AAW, which provided brief descriptions of the waiver flexibilities that were approved through Appendix K and were still in effect. In this communication, ODP is providing additional information about the flexibilities which have been added to the approved ID/A waivers and the AAW.

The two attached documents that are included with this announcement (Attachment A and Attachment B) are updated versions of attachments from ODPANN 23-023 and include a table with a simple list of which of those flexibilities are already in the approved waivers and which will be ending.

No later than November 11, 2023, all stakeholders must follow the requirements in the approved ID/A waivers and AAW as the flexibilities allowed through Appendix K are ending. All information and guidance in the ID/A and AAW Appendix K Operational Guides, Version 3, will be obsolete after that date. Individual Support Plan teams have been planning for the end of Appendix K flexibilities and the incorporation of those flexibilities in the approved waivers by November 11, 2023. The following are flexibilities from Appendix K that have been incorporated into the ODP waivers.

The following Appendix K flexibilities have been added to the approved Consolidated, Community Living, Person/Family Directed Support and Adult Autism Waivers:

- Waiver services delivered to individuals in an acute care hospital.
- Teleservices: The provision of services using remote technology approved through Appendix K were included for certain services, and in certain situations. The ID/A ISP Manual, the AAW Provider Information Table and approved waivers include additional information about which services are allowed to utilize teleservices and the requirements under which it can occur.

- Community Participation Support (CPS): The Variance Form is no longer required to be completed for individuals who receive less than 25% of their time in community locations when receiving the CPS service in the ID/A waivers, and the Request for Exception Form is no longer required to be completed for individuals who receive less than 25% of their time in community locations when receiving the Day Habilitation service in the AAW.
- Rates: Payment of enhanced rates for CPS (ID/A waivers) and Transportation Trip (ID/A and AAW) services. ODP examined rate data in accordance with Chapter 6100 and determined that the enhanced rates continue to reflect expected expenses for the delivery of CPS and Transportation Trip services. As a result, ODP is maintaining the temporary enhanced rates for CPS and Transportation Trip as the fee schedule rates effective November 11, 2023.

The following Appendix K flexibilities have been added to the Consolidated, Community Living, and Person/Family Directed Support Waivers:

- Coverage of Personal Protective Equipment (PPE) through the Specialized Supplies service.
- Allow Supports Coordination Organizations to be Organized Health Care Delivery Systems (OHCDS).



The following Appendix K flexibilities have been added to the approved Adult Autism Waiver:

- **Family Support: Family Support teleservices may be rendered.**
- **Life Sharing: Relatives and legal guardians are allowed to be life sharers if certain conditions are met. Additional information is included in the most recent AAW Provider Info Table.**

QUESTIONS:

Any questions regarding this communication and its attachments can be directed to the appropriate ODP regional program office.

ATTACHMENTS:

- Attachment A – Quick Guide for End Dates of ID/A COVID Flexibilities (Updated)
- Attachment B – Quick Guide for End Dates of AAW COVID Flexibilities (Updated)

OBSOLETE ON NOVEMBER 11, 2023:

- ODPANN 22-010 – Now Available: Version 3 of the ODP Operational Guide for the Intellectual Disability/Autism Waivers During the Federal COVID-19 Public Health Emergency

- ODPANN 22-015 – Now Available: Version 3 of the Operational Guide for the Adult Autism Waiver During the Federal COVID-19 Public Health Emergency