

Open for Public Comment: Proposed Waiver Amendments for One-Time Workforce Recovery Supplemental Payments **ODP Announcement 24-017**

AUDIENCE:

All Stakeholders

PURPOSE:

The purpose of this communication is to announce that proposed amendments to the Consolidated, Person/Family Directed Support (P/FDS), Community Living, and Adult Autism Waivers are available for public review and comment. **There is a 30-day public comment period that starts on February 3, 2024, and ends on March 4, 2024, at 11:59 PM.**

DISCUSSION:

ODP is pleased to announce the opportunity for public comment on one proposed change to the Consolidated, P/FDS, Community Living, and the Adult Autism Waivers.

The Department proposes to amend the Consolidated, P/FDS, Community Living, and Adult Autism Waivers to allow providers to request a one-time supplemental payment to cover recruitment, retention, and any unusual staffing expenses resulting from the COVID-19 pandemic for direct support professionals, frontline supervisors, or supports coordinators. The one-time supplemental payments can be used to fund excessive overtime, shift differential incentives, costs of recruitment efforts, sign-on bonuses, retention bonuses,

wage increases for supports coordinators, supports coordinator supervisors, direct support professionals, and frontline supervisors, and other incentive payments. The funding is intended to allow providers to accept new participants into service. Payments may not be used to increase or supplement compensation for agency executive staff.

Providers must request the one-time supplemental payments which will be calculated as a percentage of total claims paid to a provider for participants in the Consolidated, P/FDS, Community Living and Adult Autism Waivers for the services listed below. Payments will be calculated at 6% of fee for services revenue received for services rendered between July 1, 2023, through December 31, 2023 for the below listed services.

Services in the Consolidated, Community Living, and P/FDS Waivers:

- Advanced Supported Employment
- Behavioral Support
- Benefits Counseling
- Communication Specialist
- Community Participation Support
- Companion
- Consultative Nutritional Services
- Family/Caregiver Training and Support
- Homemaker/Chore
- Housing Transition and Tenancy Sustaining Services

- In-Home and Community Support
- Licensed and Unlicensed Life Sharing
- Music, Art and Equine Assisted Therapy
- Licensed and Unlicensed Residential Habilitation
- Respite
- Shift Nursing
- Small Group Employment
- Supported Employment
- Supported Living
- Supports Broker
- Supports Coordination
- Therapy (Physical, Speech/Language, Occupational, Orientation, Mobility and Vision)
- Transportation Trip

Services in the Adult Autism Waiver:

- Career Planning
- Day Habilitation
- Family Support

- Nutritional Consultation
- Residential Habilitation (Community Homes and Life Sharing)
- Respite
- Small Group Employment
- Specialized Skill Development (Behavioral Specialist Services, Systematic Skill Building, and Community Support)
- Supported Employment
- Supports Coordination
- Temporary Supplemental Services
- Therapies (Speech/Language and Counseling)
- Transportation Trip

This change is considered substantive and requires approval from the Centers for Medicare and Medicaid Services (CMS) prior to implementation. ODP is requesting an approval date of May 1, 2024, from CMS with the goal of implementing the one-time payments by the end of the current fiscal year when requested by providers.

The waiver amendments in their entirety can be found at:

<https://www.dhs.pa.gov/Services/Disabilities-Aging/Pages/Proposed-Waiver-Amendments.aspx>.

Information regarding the proposed waiver amendment changes, including how to provide comments, can be found in the Pennsylvania Bulletin, Volume 54, Number 5 published on

Saturday, February 3, 2024, at:

<https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol54/54-5/135.html>.

COMMENTS:

Interested persons are invited to submit written comments regarding the proposed waiver amendments as outlined below. Comments received by 11:59 p.m. on March 4, 2024, will be reviewed and considered for revisions to the waiver amendments submitted to the Centers for Medicare and Medicaid Services (CMS). Comments and requests for copies of this notice and documents should be addressed to:

Julie Mochon

Department of Human Services, Office of Developmental Programs,

625 Forster Street, Room 510,

Harrisburg, PA 17120.

Comments and requests for copies of this notice and documents may also be submitted to ODP at RA-odpcomment@pa.gov. Comments submitted should use subject header "Waiver Comments."

CONTACT:

Questions about this communication should be directed to RA-odpcomment@pa.gov.