

## **Frequently Asked Questions (FAQ)**

### **Day Service Retainer Program**

OPWDD has initiated a Day Service Retainer Program for agencies that deliver Day Habilitation, Prevocational and Community Habilitation services. The Day Service Retainer Program coverage is retroactive to April 16, 2020 for providers of Day Habilitation and Prevocational services. For Community Habilitation, the coverage will be retroactive to service dates beginning on March 18, 2020.

#### **1. Is participation in the Day Service Retainer Program optional?**

Yes. Participation in the Day Service Retainer Program is optional. Providers who opt into the Day Service Retainer Program must sign an attestation and agree to the terms of the program.

#### **2. What services are included in the Day Service Retainer Program?**

The Day Service Retainer Program applies to Day Habilitation (including site-based, without walls and supplemental Day Habilitation), Prevocational services (site-based and community based), Community Habilitation (including agency supported self-directed Community Habilitation). Community Habilitation delivered by self-hired staff to people who self-direct with budget authority is not included in the Day Service Retainer Program (i.e., services billed to Medicaid by a Fiscal Intermediary).

#### **3. Can a provider choose which services they would like to include in the Day Service Retainer Program – for example, including only Day Habilitation if they operate both Day Habilitation and Prevocational services programs?**

No. If a provider chooses to participate in the Day Service Retainer Program, they must include all eligible services they provide.

#### **4. What are the Day Service Retainer Program billing requirements?**

The agency is eligible to bill retainer units for an individual when a) the agency signs the attestation and agrees to the terms of the program, b) the agency delivered the service to the individual prior to the COVID-19 state of emergency, c) the agency bills retainer units in accordance with the individual's pre-COVID-19 service delivery schedule, and d) the individual has not selected to receive a different service (i.e., Respite) or his/her needs are fully met by a new/different service provider.

#### **5. Is there a limit on the units an agency will receive?**

The agency will receive two (2) values of units for each service that the agency operates. The agency will receive an authorized number of monthly retainer units that may be billed and the total number of monthly units (service + retainer units) that may be billed. The retainer units will be based on eighty percent (80%) of the average units billed during the July 1, 2019 – December 31, 2019 period. The total monthly units (service + retainer units) will be based on one hundred percent (100%) of the average monthly units for the same period.

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**6. Will the agency need to update the individual's Life Plan to reflect billing of retainer units?**

The individual's Life Plan does not need to be updated to reflect the billing of retainer units because the retainer units are for the same service. However, in some cases an agency may deliver Community Habilitation in lieu of Day Habilitation. (In other words, the 2- or 4-hour unit of service cannot be met, but Community Habilitation can be delivered in 15-minute increments and therefore may be billable.) In these cases, the provision of Community Habilitation would need to be added to the individual's Life Plan using the Addendum to Life Plan/Staff Action Plan template.

**7. Can day services be provided in Supportive residences and Family Care Home settings?**

Day services may be provided in these settings during the COVID-19 state of emergency without special authorization if the individual is already authorized for the service. If needed, the DDRO can assist with arranging a new service in the residence for emergency needs on a case by case basis.

**8. Do we reconcile units or dollars for our monthly cap? What if a provider now has greater service delivery of Community Habilitation and goes over its cap?**

DOH will do a reconciliation based on dollars paid vs the shared cap total for all services in an agency's Day Service Retainer Program. Amounts paid over the established formula can be recovered by the State. Keep in mind that retainer day payments are limited to eighty percent (80%) of the base period's average units for Day Habilitation, Community Habilitation and Prevocational services. Providers can supplement the eighty percent (80%) of the units with additional service provision, up to one hundred percent (100%) of the unit cap for each service. There is one (1) exception, Community Habilitation billing may be allowed over the one hundred percent (100%) unit cap if it is provided to individuals who, prior to the COVID-19 state of emergency, participated in the agency's Day Habilitation or Prevocational services program and the total claiming remains within the total dollars paid for all the services included in an agency's Day Service Retainer Program.