



**Office for People With
Developmental Disabilities**

Memorandum from OPWDD

July 17, 2020

Day Service Retainer Program- Last Eligible Day for Claiming is July 21, 2020

To: Day Habilitation, Prevocational Services and Community Habilitation Providers that have opted to participate in the OPWDD Day Service Retainer Program

Subject: Day Service Retainer Program – Last Eligible Day for Claiming July 21, 2020

Please note: this guidance does not address retainer payments for Community Habilitation services delivered by 'self-hired' staff and paid by Fiscal Intermediary agencies as part of a person's self-directed budget.

Based on recent federal guidance in which CMS limited the number of retainer days that providers are allowed to bill, the last service date for submitting retainer day claims to eMedNY under the Day Service Retainer Program is July 21, 2020. As you are aware, this program was announced in a memorandum from DOH Deputy Director Donna Cater, dated 06/05/20, and provided retainer payments to agencies that signed an attestation, agreeing to the program's rules of participation. We fully understand that agencies did not anticipate this end-date for the program. OPWDD and our state agency partners are examining options to address the ability of agencies to continue to support individuals and families.

Please note the following:

- If your agency has signed and submitted to OPWDD the Day Service Retainer Day program Attestation, then you may continue to submit retainer day claims (using revenue code 0180) to eMedNY for service dates of April 18, 2020 through July 21, 2020. Retainer day claims are subject the requirements of the Day Service Retainer program and guidance available at the following site: <https://opwdd.ny.gov/providers/home-and-community-based-services-waiver>.

- This guidance does not affect the ability of Supervised Individualized Residential Alternative Agencies (IRAs) to deliver and bill eMedNY for Group Community Habilitation-Residential (Group CH-R) for individuals who live in the Supervised IRA and participated in another agency's Day Habilitation or Prevocational Services. The authorized provision of Group CH-R services continues to be eligible for claiming to eMedNY.
- Agencies that participate in the Day Service Retainer Program may continue to deliver and bill Medicaid for alternate services as documented in the person's Life Plan. For example, delivering Community Habilitation to individuals who live with their family and participated in your agency's Day Habilitation program prior to the onset of COVID-19.
- Agencies continue to have the flexibility to deliver remote services per guidance available at <https://opwdd.ny.gov/coronavirus-guidance/covid-19-guidance-documents> .

We appreciate your understanding and dedication to the individuals and families that we serve. Further guidance will be forthcoming. Please direct any questions and concerns to peoplefirstwaiver@opwdd.ny.gov.

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