



To: All ISS Housing Subsidy Provider Agencies
All Fiscal Intermediary Provider Agencies
All Care Coordination Organizations
OPWDD Regional Office Staff

From: Program Implementation, Regional Offices

Date: November 17, 2020

Re: OPWDD Housing Subsidy Guidance: Housing Subsidy Certification and Recertification Requirements – updates to the October 20, 2020 requirements are underlined in the language below

Purpose and Applicability

Due to changes in face-to-face requirements for Care Managers during the COVID-19 emergency, some of the required oversight activities related to the OPWDD Housing Subsidy program have been disrupted and/or not completed timely.

This guidance clarifies current documentation requirements and applies to agencies supporting individuals through OPWDD's housing subsidy program (formerly known as Individual Supports and Services or ISS).

Certification and Recertification Requirements

Individuals participating in OPWDD's housing subsidy program must meet specific criteria, including having their home and income certified before the individual initially moves into the home/apartment, and recertified at least annually thereafter. Historically, the Care Managers have assisted agencies in the collection of pertinent documents, and this may continue where practicable. However, the completion of all required documents to support billing of state dollars is ultimately the requirement of the biller of record (e.g., ISS Agency or the Fiscal Intermediary).

Income Evaluation and Reevaluation

The Agency must complete an initial evaluation before the individual is approved to receive a housing subsidy, and then must reevaluate an individual's subsidy amount at least annually. If there is an income change ***following the individual's last evaluation***, the Agency must reevaluate the individual's income subsidy as soon as practicable, but no later than 60 days after the change. For example, if an individual's income is impacted by job loss, their housing subsidy must be promptly reevaluated as the individual remains responsible for paying their contribution portion of the rent ***until*** their required contribution is adjusted.

The Agency administering the housing subsidy ***must collect*** income reevaluation documentation. The income reevaluation documentation must be submitted by a secure

electronic mechanism (e.g., secure e-mail or fax) whenever possible to OPWDD Regional Office (DDRO) for its review and approval. The documentation should go to either the DDRO's Self-Direction Liaison or ISS Coordinator, based upon how the person is accessing the housing subsidy. If the Agency's electronic submission is not possible, then the reevaluation documentation collected by the Agency must be provided via hard copy and sent to the DDRO using the most expedient means available to the Agency (e.g., USPS mail or third-party commercial carrier). The Agency must document its electronic submission hardship within the individual's record for any potential third-party review.

Quality Assurance Assessments

Quality assurance (QA) assessments are required before the individual is approved for a housing subsidy, and annually thereafter. QA assessments may be completed by the individual's ISS agency, a Fiscal Intermediary, or Care Manager. For health and safety considerations, any staff entering an individual's home to complete the assessment must follow social distancing guidelines and use masks, gloves, and other protective gear as recommended under guidance issued by New York State. OPWDD's guidance for providers is available at: <https://opwdd.ny.gov/coronavirus-guidance>.

The assessment can be completed by paid staff of an OPWDD approved provider, which includes, but is not limited to ISS Agency staff, Fiscal Intermediary staff, Support Brokers, Care Managers, and Community Habilitation staff. The housing subsidy biller of record is responsible for coordinating the accurate and timely completion of the assessment, including the signatures of the person conducting the assessment and the individual receiving the housing subsidy; the name and title of the person conducting the assessment must be clear, and depending upon the specific format used by the local Regional Office, there may be blank signature lines.

The QA checklist should be completed in-person to the greatest extent possible. In person assessments are important to ensure the ongoing health and safety of the individual receiving the OPWDD Housing Subsidy.

For annual housing subsidy reviews due during the public health emergency, the QA checklist may be completed virtually during the time period that the "Revised Interim Guidance Regarding the Delivery of Services Through the Use of Telehealth Modalities by Facilities and Programs Certified or Operated by OPWDD During COVID-19 Emergency" originally issued in April, 2020 is in effect (see information here: <https://opwdd.ny.gov/coronavirus-guidance/covid-19-guidance-documents>).

If a QA checklist is completed virtually, an in-person visit **must** be completed no later than 6 months after the date of the virtual QA checklist completion (see "Documentation Submission Timeframes" section below for any exceptions).

In order for a virtual review to be acceptable, the following must apply:

- QA assessments may be done remotely via visual technology. Audio-only modalities must not be used to complete the Quality Assurance checklist.
- Remote assessments must comply with the requirements detailed in the "Revised Interim Guidance Regarding the Delivery of Services Through the Use of

Telehealth Modalities by Facilities and Programs Certified or Operated by OPWDD During COVID-19 Emergency” which can be found here: <https://opwdd.ny.gov/coronavirus-guidance/covid-19-guidance-documents>.

- This new assessment must be submitted to the DDRO in a timely manner.

If the individual receiving a housing subsidy does not have other paid staff to assist in a virtual review, then the billing agency must complete an in-person assessment of the person’s apartment when the annual QA assessment is due.

Documentation Submission Timeframes

The following submission and recertification timelines apply, depending upon when the original annual recertification was due:

1. For the QA Assessment or other certification/recertification documentation which were due from March 2020 through the November 17, 2020, but have not yet been completed, the assessment is now past due. The biller of record must ensure that the documentation is completed immediately and submitted to the appropriate OPWDD Regional Office by December 4, 2020.

In this situation, if the “catch up review” is done virtually, the next in-person reassessment must be completed within six months of the virtual review, or when the next scheduled annual recertification is due, whichever is sooner.

2. If the QA Assessment or other certification/recertification documentation is due after November 17, 2020, the documents must be submitted to the Regional office on the schedule of the person’s annual recertification. Additionally, if the annual recertification is subject to a standard schedule issued by the Regional Office (e.g., by the end of December each calendar year), the documentation must be submitted by the dates determined by the Regional Office.

If this review is done virtually, then the in-person reassessment must be completed within six months of the virtual review.

The appropriate QA Assessment forms can be obtained from the DDRO ISS Coordinator. Documentation must be submitted to the DDRO electronically (e.g., fax or secure e-mail), whenever possible. If there is hardship on the electronic submission the recertification documentation hard copy format must be sent via the most expedient means available (e.g., USPS mail or third-party commercial carrier). The hardship must be documented within the individual’s record for any potential third-party review. Providers must retain hardcopies of the documentation with original signatures for six (6) years.

If you have any questions, please contact OPWDD’s Home and Community Living unit at 518-473-1973 or housing.initiatives@opwdd.ny.gov.