

Notes from 10/24/20 11am Provider Call with OPWDD- Cluster Strategy Guidance
Presented by Willow, Roger, Leslie and Abiba

Notification:

- OPWDD DQI will notify providers where they have a facility(s) located in a cluster zone and in changes in clusters. OPWDD will monitor changes in communication with DOH.

Testing:

- OPWDD expects providers to encourage[s] the enhancement of testing that is occurring not only statewide but within these geographic areas. Testing is NOT mandated. OPWDD is limited in legal authority at this time to mandate testing. OPWDD is requiring that providers refer employees and individuals to testing.
 - Non-exempt staff we would be paying for time when they are traveling to testing. There may be some insurance coverage for the cost of testing, but more research into this is needed. OPWDD is going to explore with the NYS DOH.

Visitation Guidance:

- Note there are restrictions on visitation to certified residential facilities in red zones, and in orange zones where individual or staff are COVID-19 positive.
- Exceptions in the visitation policy only apply to NYS DOH Hospitals.
 - **Comment:** The NYS DOH guidance is not clear on this. This may cause confusion to family members who review the guidance. **OPWDD Response:** Clarification was provided within the 10/23/20 email guidance from OPWDD.
- This does not mean home visits or community outings are suspended as of now.

Operational Guidance:

- Note there are program suspension requirements and group size limits depending upon zone designation of facility.
- The effective date of the guidance is tomorrow afternoon.
- OPWDD intends to release some operational guidance detailing how the notification process will occur. Belief is that OPWDD additional guidance will come out on 10/25/20.
- Each individual agency will receive an email if they operate 1 or more program within an identified zone. The first notifications will be sent on 10/25/20. Providers who have to close programming will need to notify OPWDD regional offices via email to a designated mailbox that will be identified in the initial OPWDD notification to providers. DQI will be made aware of the program closure.
- Providers should ensure that an employee is monitoring the designated mailbox. The notification email from OPWDD to providers will require a response confirming receipt.
- Current data collected in IRMA includes positive and negative test data.
- There will likely be operational changes as OPWDD moves through the process.

Questions and Comments:

- **Q:** What if someone resides in a red zone but goes to day habilitation in a yellow zone? **A:** Program and closure runs where the program is operating. That person from the red zone can still attend, but the IDT should review the appropriateness of the person attending.
- **Comment:** It can be tedious to identify the cluster area and zone designation. We should not await OPWDD notification and instead continuously review the status of the geographic areas.

- **Comment:** Many people may live in red zones, PA asks that OPWDD in guidance speak to providers to encourage staff who live in a red zone to also be tested. **OPWDD response:** Providers could encourage this as it is not prohibited in the guidance.
- **Q:** Guidance requires referral of testing for staff and individuals. When we are required to close day services because we are in a specific zone, should we be notifying families of the benefit in getting testing? **A:** Yes.
- **Comment:** On October 19th, DOH has put out guidance for testing in congregate settings. That link is cross referenced within the OPWDD guidance.
- **Comment:** There is certain information that only providers will be aware of and be able to take action in response to (e.g., family members living in red zones and visiting an individual receiving services within a yellow zone). **OPWDD Response:** Providers should use reasonable judgement to implement safeguards (including additional restrictions on community outings and visitation) consistent with previously released OPWDD guidance.
- **Q:** Visitation to a congregate setting in a red zone is not allowed. As providers, should we to look to individuals who reside in red zones still be able to go home for home visits? **A:** Yes. Currently OPWDD is not suspending visitation to homes that are not a congregate setting. Inter Disciplinary Teams (IDTs) should discuss the appropriateness of these visits.
- **Comment:** Individuals and advocates continue to have concerns about restrictions being placed on their rights and freedoms. It is recognized this may be necessary due to risks of living in a congregate setting. Providers need to be sure to communicate with individuals about restrictions and why they are needed to protect health and safety. OPWDD will also be addressing this issue in communication plan guidance to providers.
- **Comment:** OPWDD needs to consider if PHI on employees is necessary to include as part of collecting information on employee testing. If it is unclear that OPWDD needs this, we urge them to not require it. **Response:** OPWDD requires the staff name and DOB. OPWDD went through analysis of the legal right to this information and OPWDD does have the authority under the public health emergency to acquire this information.
- **Comment:** CCOs should be copied in on transmittals (such as zone designations) from OPWDD to providers. Also, CCOs should be a required entity to be copied on any provider plan changes that are sent to OPWDD (e.g., closure of day programs notification to regional offices).
- **Q: Clinic and IPSIDD services and visitation:** Clinics are not included on the list of programs that need to close if within a zone. The OPWDD guidance from the summer on clinic services are still in effect and the clinics are not considered congregate settings.
- **Q: Refusal of testing:** How do we manage refusals? **A:** At this time OPWDD is not mandating the testing. Providers who believe it is important enough to require testing will need to determine their own response to refusals.
- **Q:** What billing flexibilities, testing, etc., is OPWDD considering to support provider sustainability? **A:** OPWDD is continuing to look at this and focused on the strategy to address the public health need first. OPWDD is looking at another Appendix K Waiver amendment. One thing that is not on the table is a retainer day program as the federal government has made it clear that they will not entertain another round of this programing. The hope is that by mid-week OPWDD will be in discussions with the PA on strategies to address sustainability in response to the continued increasing numbers and potential program closures, etc.

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