

March 24, 2020

Summary of AHCCCS Request to CMS for Additional Flexibilities*

If these requests are approved, each will be considered for possible implementation after further business review of operational, timing and resource considerations.

New 1115 Waiver Authorities

Arizona requested the following new 1115 Waiver Authorities for the duration of the emergency period:

- Authority to make retention payments to all provider types as appropriate, including but not limited to HCBS providers.

Modification to Arizona's Existing 1115 Waiver Authority

Arizona requested the following modification to the State's existing 1115 Waiver for the duration of the emergency period:

- Remove the current hourly service limitation for the Spouse as Paid Caregiver Program for duration for the emergency period (currently, spouses can render no more than 40 hours of services in a 7-day period).

1115 Waiver Appendix K Authorities

Arizona requested the following authorities under the 1115 Waiver Appendix K template to bolster Home and Community Based (HCBS) service for the duration of the emergency period:

- Authority to provide long-term care services and supports to impacted members regardless of whether or not timely updates are made in the plan of care, or if services are delivered in alternative settings;
- Authority to waive the State from complying with the HCBS settings requirement at 42 CFR 441.301(c)(4)(vi)(D), which details that individuals are able to have visitors of their choosing at any time, for settings added after March 17, 2014. The state is seeking this authority to minimize the spread of infection during the COVID-19 pandemic;
- Authority to add an electronic method of service delivery (e.g., telephonic), allowing services to continue to be provided remotely in the home setting for:
 - Case managers
 - Personal care services that only require verbal cueing
 - In-home habilitation
- Authority to expand the provision of home delivered meals to long term care members enrolled in the Arizona Long Term Care System (ALTCS) Department of Economic Security/Division of Developmental Disabilities (DES/DDD);
- Authority to modify service providers for home-delivered meals to allow for additional providers, including non-traditional providers;
- Allowing case management entities to provide direct services in response to COVID-19;
- Extending reassessments and reevaluations of a member's institutional level of need for up to one year past the due date, if needed;
- Allowing the option to conduct evaluations, assessments, and person-centered service planning meetings virtually/remotely in lieu of face-to-face meetings;
- Adjusting prior approval/authorization criteria approved in the waiver;
- Adjusting assessment requirements; and

- Adding an electronic method of signing off on required documents, such as the person-centered service plans.

Items that Need CMS' Concurrence

AHCCCS seeks concurrence from CMS on their ability to implement the following flexibilities, if and when it is deemed appropriate to ensure member access to care:

- Temporarily expand setting(s) where services may be provided (e.g. hotels, shelters, schools, churches)
- Temporarily allow for payment for services for the purpose of supporting waiver participants in an acute care hospital or short-term institutional stay when necessary supports (including communication and intensive personal care) are not available in that setting, or when the individual requires those services for communication and behavioral stabilization, and such services are not covered in such settings.