

DEPARTMENT OF SOCIAL SERVICES

Notice of Proposed Medicaid State Plan Amendment (SPA)

SPA CT-21-T: Rescission of COVID-19 Medicaid Disaster Relief Flexibilities Regarding Bed Leave Reserve Days for Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IIDs) and Semi-Annual Time Studies for Private Non-Medical Institutions (PNMIs) for Adults

The State of Connecticut Department of Social Services (DSS) proposes to submit the following Medicaid State Plan Amendment (SPA) to the Centers for Medicare & Medicaid Services (CMS) within the U.S. Department of Health and Human Services (HHS).

Changes to Medicaid State Plan

Effective on the effective dates noted below, this SPA will add a new Section 7.4-B of the Medicaid State Plan to rescind the following flexibilities that were previously approved by CMS in Coronavirus Disease 2019 (COVID-19) Medicaid Disaster Relief SPA CT-20-0015 effective from March 1, 2020 through the end of the federal public health emergency declaration for COVID-19.

First, effective on or after April 28, 2021, this SPA rescinds the flexibility approved in SPA CT-20-0015 that removed the limit on the number of home and hospital bed leave days for which an ICF/IID can be paid in order to reserve the beds for when the individuals are able to return to the ICF/IID. Rescinding that flexibility restores the standard approved Medicaid State Plan limit in Attachment 4.19-D of Medicaid paying an ICF/IID for: (1) no more than fifteen hospital leave bed reserve days per year, provided that the facility meets applicable vacancy rate and other requirements set forth in the state plan and (2) no more than thirty-six home leave bed reserve days per year, provided that the ICF/IID meets the applicable vacancy rate requirement set forth in the state plan.

Second, effective on or after May 21, 2021, this SPA rescinds the flexibility approved in SPA CT-20-0015 that allowed private non-medical institutions (PNMIs) for adults to conduct only one random-moment time study (RMTS). Rescinding that flexibility restores the standard approved Medicaid State Plan requirement in Attachment 4.19-B of PNMIs for adults conducting two time studies per year.

DSS is making the changes in this SPA because the above-referenced flexibilities previously approved in SPA CT-20-0015 are no longer necessary. Specifically, due to high vaccination rates among ICF/IID staff and residents, residents who had been on extended home leave to reduce the

risk of COVID-19 infection have been returning to reside at the ICF/IID and the standard limit of Medicaid paying for no more than thirty-six bed leave reserve days is now sufficient. Similarly, due to high vaccination rates among PNMI staff and residents, providers are able to reinstate their standard procedures to perform accurate time studies on a semi-annual basis.

Fiscal Impact

Due to high COVID-19 vaccination rates, DSS anticipates that (1) ICF/IIDs will no longer need to exceed the standard limits on bed leave reserve days and (2) PNMI for adults will be able to complete accurate time studies on a semi-annual basis. Therefore, DSS does not anticipate that this SPA will change annual aggregate expenditures in State Fiscal Year (SFY) 2021 and SFY 2022.

Obtaining SPA Language and Submitting Comments

The proposed SPA is posted on the DSS website at this link: <http://portal.ct.gov/dss>. Scroll down to the bottom of the webpage and click on “Publications” and then click on “Updates.” Then click on “Medicaid State Plan Amendments”. The proposed SPA may also be obtained at any DSS field office, at the Town of Vernon Social Services Department, or upon request from DSS (see below).

To request a copy of the SPA from DSS or to send comments about the SPA, please email: Public.Comment.DSS@ct.gov or write to: Department of Social Services, Medical Policy Unit, 55 Farmington Avenue, 9th Floor, Hartford, CT 06105. Please reference “Rescission of COVID-19 Medicaid Disaster Relief Flexibilities Regarding Bed Leave Reserve Days for ICF/IIDs and Semi-Annual Time Studies for PNMI for Adults”.

Anyone may send DSS written comments about this SPA. Written comments must be received by DSS at the above contact information no later than May 12, 2021.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Connecticut

Section 7 – General Provisions

7.4-B. Rescissions to the State’s Disaster Relief Policies for the COVID-19 National Emergency

1. ICF/IID Bed Leave Days: Effective April 28, 2021, the state rescinds the election at item E.4.c of section 7.4-A (approved on August 13, 2020 in SPA Number CT-20-0015) of the state plan, which provided that individuals residing at the ICF/IID may exceed the standard limit home and hospital leave days and that the state would pay the ICF/IID for those days without limit during the public health emergency.
2. Semi-Annual Time Studies for PNMI’s for Adults: Effective May 21, 2021, the state rescinds the election within item E.4.e of section 7.4-A (approved on August 13, 2020 in SPA Number CT-20-0015) of the state plan, which provided that only one random moment time study (RMTS) will be conducted in private non-medical institutions (PNMIs) for adults (where two time studies are otherwise required each state fiscal year). In all other respects, the other elections within item E.4.e of section 7.4-A remain in effect.