

Kansas 1915(c) HCBS Waiver Programs **COVID-19 Guidance**

Date: Tuesday, March 17, 2020

Time: 1:00 PM

Brain Injury Waiver Measures

Throughout the COVID-19 emergency period, to encourage social distancing and stop the spread of the pandemic, the agency directs that providers and participants limit participation in congregate settings or activities.

1. The state will allow waiver services to be provided wherever a participant authorized to receive such services is located.
2. The criteria to use a service at a minimum of every 30 days is waived.
3. The state will allow payment to family caregivers or legally responsible individuals, suspending the conflict of interest mitigation for PCS.
 - a. These services may be delivered in a person's home or a temporary setting, including a family member's home.
4. The EVV requirements for temporary staff or in temporary living arrangements is suspended.
5. Behavior Therapy, Cognitive Therapy, and Speech Language Therapy may be completed using telecommunications (phone), televideo consultations/telemedicine or telehealth services methods that meet the following criteria:
 - a. Comply with the Health Insurance Portability and Accountability Act (HIPAA);
 - b. Such a process must provide interactive audio or video communications, permitting real-time contact between a distant provider, who is present and participating in the visit, and the individual receiving an appointment.
6. Waiver services that require face-to-face contact between a provider, case manager or caregiver should be conducted using methods that promote social distancing throughout the period of the pandemic.

The exception granted through this guidance is good through May 1, 2020, at which time the guidance will be revisited for a potential extension, as necessary.

Amy Penrod
Commissioner
Aging & Disability Community Services & Programs
Kansas Department for Aging and Disability Services
503 S. Kansas Avenue
Topeka, KS 66603-3404