




State of Louisiana
Louisiana Department of Health
Office for Citizens with Developmental Disabilities

MEMORANDUM

OCDD-SC-20-068
OCDD-P-20-031
OCDD-R-20-015

DATE: December 23, 2020

TO: Local Governing Entities
OCDD Support Coordination Agencies
OCDD Provider Agencies
Fiscal Employer Agents (FEA)
Self-Direction Employers

FROM: 
Charles Ayles, OCDD Deputy Assistant Secretary

SUBJECT: Appendix K Exceptions Extended

Due to the increase of the COVID-19 virus nationwide, the Centers for Medicare and Medicaid Services (CMS) has extended the Appendix K COVID-19 exceptions for states, including Louisiana, until six months after the expiration of the declared public health emergency (until at least July 2021). On December 22, 2020 CMS released additional guidance on the COVID-19 exceptions and the Office for Citizens with Developmental Disabilities (OCDD) has determined that certain services outlined under the COVID-19 Appendix K will be extended.

The following exceptions are extended:

EXCEPTION	WAIVERS IMPACTED
Conversion of Vocational program hours in the current plan of care to in-home supports	NOW (IFS) ROW (CLS) SW (In home Respite) (20 hours)
Additional 20 hours per week of family support due to school closures	Children's Choice
Allowing the participant and direct service worker (DSW) to live in same household	NOW (IFS) ROW (CLS) SW (In home Respite) Children's Choice (FS)
Allowing legally responsible relatives, including parents and spouses as DSWs	NOW ROW

EXCEPTION	WAIVERS IMPACTED
	SW Children's Choice
Allowing an abbreviated DSW training prior to work	All Waivers
Allowing suspension of Background Checks if DSW lives in home with participant	All Waivers

Additionally the following General Exceptions have been extended:

EXCEPTION	WAIVERS IMPACTED
Hazard Pay for individuals working with participants exposed to or infected with COVID-19 per Hazard Pay Policy	All Waivers
Virtual Initial, Quarterly and Annual meetings with Support Coordination	All Waivers
Extension of current prior authorization beyond the plan of care year without penalty	All Waivers
Waive 30 day Continuity of Care Provision	ROW and NOW

OCDD is not extending acceptance of prior year Provider attachments for the Plan of Care. All provider attachments are required to be updated the first quarter of 2021. All annual plans of care submitted after 12/31/2020 will require updated provider attachments.

Additionally, the 90L requirements have not been extended at this time. 90L forms expiring on or before 1/26/2021 that cannot be obtained from the participant's physician (by office visit or telemedicine) can be substituted with a current statement of approval (SOA). 90L forms expiring on or after 1/27/2021, which are dated on or after 1/26/2020, must be obtained for the next plan year. If you have questions concerning specific 90Ls or participants please bring them to the attention of OCDD waiver staff. If the Public Health Emergency is extended beyond January 26, 2021, additional guidance will be provided.

This guidance supersedes the *Appendix K Exceptions Ending Memorandum* (OCDD-P-20-066, OCDD-SC-20-030) issued December 15, 2020.

Please share these extensions with **ALL** waiver families and participants in your care. If you have any questions please send them to OCDD-HCBS@la.gov.

As always, thank you for your support in these difficult times.