

COVID-19 Flexibility Authority Chart

The following chart depicts the authority of the each of the COVID flexibilities in place. **If multiple authorities exists, the flexibility expires at the earlier of the two dates.**

The 1135 flexibilities expire upon the termination of the Public Health Emergency currently set to expire on April 21, 2021.

The state flexibilities expire upon the termination of the State Declaration of Emergency currently set to expire on August 31, 2021.

The Appendix K flexibilities expire no later than 6 months from the termination date of the Public Health Emergency. Appendix K flexibilities only apply to waiver services: Independent Living Waiver, Aged and Disabled Services, and Adult Day Care Waiver.

Flexibility	1135	State	App K
Suspend requirements for background screening and Good Cause Waiver to be returned prior to aides providing care.		✓	✓
Allow training to be in a limited format in order to bring on new staff quickly.		✓	✓
Allow vendors to provide notice to DHSS by telephone, if needed, in lieu of writing		✓	
Suspend signature requirement on timesheets *REMOVED* - FLEXIBILITY NO LONGER EXISTS			
Suspend notification requirements for change in tasks that don't affect the overall units authorized.		✓	
Provider offices can close and staff may work remotely.		✓	
Waiver of prior authorization in limited circumstances. Formal guidance must be released by MHD and the Division in each circumstance that no prior authorization is required. Example: Telephone Checks, RCF congregate meal restrictions	✓	✓	
Waive the initial onsite evaluation for new Advanced Respite clients; allow training to be conducted via telephone		✓	✓
Allow NEMT to be provided by the personal care provider if NEMT is documented to be unavailable.		✓	
Suspend designated manager trainings		✓	✓
Suspend the prohibition of family members from providing care to allow an individual who is a member of the participant's family, who does not reside in the same household, to provide care, if no other caregiver is available		✓	✓

Suspend reference checks for in-home attendants		✓	✓
Temporarily waive the experience requirements for nurses and attendants. Including allowance of graduate nurses.		✓	✓
Suspend on site evaluations		✓	✓
Waive orientation and in-service hours		✓	✓
Suspend the physician notification mailing		✓	
Allow providers to exceed authorized units and deliver outside of the prior authorization under the direct guidance and limitations from MHD and DHSS.		✓	✓
Waive the twenty-one (21) day notice requirement for providers during this period		✓	
Suspend monitoring of utilization		✓	
Waive requirement for client signature – required forms and other necessary documents may be discussed via telephone.	✓	✓	✓
Suspend face-to-face requirement for assessments and care planning.		✓	✓
Temporarily suspend certain requirements for nutrition services for the elderly to permit Area Agencies on Aging to contract with local restaurants to prepare and deliver home delivered meals		✓	
Temporarily suspend the requirement for vendors to make face-to-face visits for performance of personal care assistance plan monitoring.		✓	
Extend duration of approved waiver applications until the end of the public health emergency.	✓		
Respite services may be provided in any setting necessary such as state alternative care facilities (hospital overflow), hospitals, and emergency shelter locations (including hotel or other arrangements as necessary to isolate individuals) to ensure the individual's health and safety needs can be met. Room and board is not included.			✓
Adult day care providers may provide respite as needed due to ADC closure or participants at high risk concerned about exposure, etc.			✓
Discontinuation of the prescreen assessment			✓
Temporarily allowed to limit service delivery to essential services if needed due to staffing shortages or in order to limit exposure to COVID-19.		✓	✓
Temporarily waive setting requirements regarding visitors.			✓