

MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES

NOTICE OF PROPOSED POLICY

Public Act 280 of 1939, as amended, and consultation guidelines for Medicaid policy provide an opportunity to review proposed changes in Medicaid policies and procedures.

Please review the policy summary and the attached materials that describe the specific changes being proposed. Let us know why you support the change or oppose the change.

Submit your comments to the analyst by the due date specified. Your comments must be received by the due date to be considered for the final policy bulletin.

Thank you for participating in the consultation process.



**Director, Program Policy Division
Bureau of Medicaid Policy, Operations, and Actuarial Services**

Project Number: 2032-LTC **Comments Due:** May 21, 2020 **Proposed Effective Date:** Immediately

Mail Comments to: Emily Frankman

Telephone Number: 517-241-2115 **Fax Number:**
E-mail Address: frankmane@michigan.gov

Policy Subject: COVID-19 Response: Policy for Designated COVID-19 Regional Hubs

Affected Programs: Medicaid, MI Choice, Program of All-Inclusive Care for the Elderly (PACE), MI Health Link

Distribution: Nursing Facilities, MI Choice Waiver Agencies, PACE Providers, Integrated Care Organizations, Adult Foster Care, Homes for the Aged, Assisted Living Facilities, Hospitals, Prepaid Inpatient Health Plans, Community Mental Health Services Programs

Policy Summary: To minimize the impact and spread of COVID-19, the Michigan Department of Health and Human Services (MDHHS) will work with Medicaid certified nursing facilities to establish COVID-19 Regional Hubs to care for COVID-19-affected residents. This policy temporarily grants Medicaid Certified Nursing Facilities the flexibility to operate as a COVID-19 Regional Hub during the COVID-19 emergency.

Purpose: To provide policy for designating COVID-19 Regional Hubs that will provide care to COVID-19-affected residents.

Bulletin Number: MSA 20-27

Distribution: Nursing Facilities, MI Choice Waiver Agencies, Program of All-Inclusive Care for the Elderly (PACE) Providers, Integrated Care Organizations, Adult Foster Care, Homes for the Aged, Assisted Living Facilities, Hospitals, Prepaid Inpatient Health Plans, Community Mental Health Services Programs

Issued: April 16, 2020

Subject: COVID-19 Response: Policy for Designated COVID-19 Regional Hubs

Effective: Immediately

Programs Affected: Medicaid, MI Choice, PACE, MI Health Link

PURPOSE

Executive Order 2020-50 (EO 2020-50) establishes procedures for long-term care facilities to use to transfer or discharge COVID-19-affected residents to protect the resident's welfare and the welfare of other residents or staff. To minimize the impact and spread of 2019 Novel Coronavirus Disease (COVID-19), Michigan Department of Health and Human Services (MDHHS) will work with Medicaid certified nursing facilities to establish COVID-19 Regional Hubs to care for COVID-19-affected residents. While all long-term care facilities must operate to mitigate the spread of COVID-19 within their facilities, COVID-19 Regional Hubs support multiple facets of the continuum of care: offering load balancing support to hospitals, allowing appropriate leveraging of acute care availability, supporting isolation where it otherwise might not be possible, and managing staffing or other resource constraints.

COVID-19-affected residents may be appropriate for COVID-19 Regional Hub admission when they are discharged from a hospital and no longer need acute hospital level of care but continue to require additional medical care or support. Those residents currently living in a long-term care facility and identified as a COVID-19-affected resident may be transferred to a Regional Hub when their existing facility has an inability or incapacity to care for the COVID-19-affected resident or to safely isolate the COVID-19-affected resident from other residents.

This policy temporarily grants Medicaid Certified Nursing Facilities the flexibilities to operate as a COVID-19 Regional Hub during the COVID-19 emergency.

COVID-19 REGIONAL HUB ADMISSION REQUIREMENTS

EO 2020-50 describes the conditions appropriate for referral to and discharge from a COVID-19 Regional Hub. Eligibility for admission to a COVID-19 Regional Hub will not be dependent on verification of Medicaid eligibility, timely Preadmission Screening and Resident Review (PASARR) screenings, meeting Nursing Facility Level of Care Determination (LOCD) criteria, or completion of a Freedom of Choice form as described in the Nursing Facility Level of Care Determination Chapter of the Medicaid Provider Manual, at the time of admission. Appropriate verifications must be made subsequent to admission and to ensure applicable funding streams. The Medicaid Provider Manual can be accessed on the MDHHS website at www.michigan.gov/medicaidproviders >> Policies, Letters & Forms.

The level of care required for admission to a Regional Hub is restricted to COVID-19-affected residents who have a need for medical care or the need for additional support.

MDHHS HUB DESIGNATION

Nursing facilities must request designation as a COVID-19 Regional Hub from MDHHS. A nursing facility may request COVID-19 Regional Hub designation for the whole facility or a unit in the facility. Individual beds of a unit do not warrant COVID-19 Regional Hub designation. MDHHS reserves the right to deny a request for COVID-19 designation and denials are not appealable. Regional Hub designation will be effective upon approval and terminated at a date determined by the MDHHS.

Facilities will be selected by MDHHS and designated as COVID-19 Regional Hubs at the discretion of the department and subject to such factors as stated willingness to serve as a COVID-19 Regional Hub, capacity to contribute to local need for services, proximity to acute care facilities experiencing high COVID-19 related demand, physical attributes of the facility to effectively quarantine affected residents, performance history of the facility, and other factors deemed relevant by MDHHS.

COVID-19 REGIONAL HUB MINIMUM REQUIREMENTS

COVID-19 Regional Hubs are expected to adhere to guidance issued by the Centers for Medicare & Medicaid Services (CMS), Centers for Disease Control and Prevention (CDC), and MDHHS, and follow the minimum requirements listed below:

COVID-19 Regional Hub Bed Capacity and Admission Requirements

Prior to being designated a COVID-19 Regional Hub, the facility must identify their bed capacity dedicated to COVID-19-affected residents. COVID-19 Regional Hubs must reserve their COVID-19-identified beds for admission of COVID-19-affected residents until the COVID-19 Regional Hub designation expires.

COVID-19 Regional Hub Staffing Requirements

COVID-19 Regional Hubs must maintain the staffing levels and strategies necessary to care for residents receiving treatment in a COVID-19 Regional Hub, as outlined in the “COVID-19 Long-Term Care Facility Guidance” document located on the CMS website at the following link: <https://www.cms.gov/files/document/4220-covid-19-long-term-care-facility-guidance.pdf>.

Physical Space Planning Requirements

COVID-19 Regional Hubs not seeking this designation for the entire facility must provide MDHHS with the facility layout including information on how they will appropriately isolate COVID-19-affected residents from other residents.

Mitigation of COVID-19 Spread and Sanitation Requirements

COVID-19 Regional Hubs will need to demonstrate their ability to mitigate the spread of COVID-19 to staff and residents through the appropriate use of Personal Protective Equipment (PPE), infection control measures and environmental services to disinfect units and remove waste from the facility.

Reporting Requirements

COVID-19 Regional Hubs will be subject to reporting requirements. Guidance on reporting requirements will be provided to facilities who are designated as COVID-19 Regional Hubs.

COVID-19 Cost-Reporting Guidance

Guidance on cost-reporting will be provided to facilities who are designated as COVID-19 Regional Hubs.

COORDINATION WITH OTHER PAYERS

Upon transferring an individual to or from the COVID-19 Regional Hub, the receiving entity is responsible to identify other insurers or payers as soon as possible. Other insurers and payers include but are not limited to private insurance companies, Medicare, Medicaid, Medicaid Managed Care organizations, and the beneficiary’s long-term care facility of residence.

COORDINATION WITH OTHER PROGRAMS

Regional Hubs must notify and coordinate with applicable Medicaid Managed Care Organizations, including Medicaid Health Plans (MHPs), Integrated Care Organizations (ICOs), PACE organizations, MI Choice Waiver Agencies, and PIHPs when members are admitted to the Regional Hub as appropriate.

DEFINITIONS

The following terms used in this policy are defined consistently with Executive Order 2020-50 (EO 2020-50):

COVID-19-affected resident means a resident of a long-term care facility who is COVID-19 positive, a Person Under Investigation (PUI), or displays one or more of the principal symptoms of COVID-19.

Long-term care facilities means nursing homes, homes for the aged, adult foster care facilities, and unlicensed assisted living facilities.

Medicaid-certified nursing facility is defined as a nursing home, State Veterans' Home, county medical care facility, or hospital long-term care unit with Medicaid certification.

Medically unstable means a change in mental status or a significant change or abnormality in blood pressure, heart rate, oxygenation status, or laboratory results that warrants emergent medical evaluation

Person under investigation means a person who is currently under investigation for having the virus that causes COVID-19.

Principal symptoms of COVID-19 are fever, atypical cough, or atypical shortness of breath.

Regional Hub means a nursing home that is designated by MDHHS as a dedicated facility to temporarily and exclusively provide care to COVID-19-affected residents.

Public Comment

The public comment portion of the policy promulgation process is being conducted concurrently with the implementation of the change noted in this bulletin. Any interested party wishing to comment on the change may do so by submitting comments to Emily Frankman via e-mail at:

E-mail: FrankmanE@michigan.gov

Please include "COVID-19 Response: Policy for Designated COVID-19 Regional Hubs" in the subject line.

Comments received will be considered for revisions to the change implemented by this bulletin.

Manual Maintenance

Information is time-limited and will not be incorporated into any policy or procedure manuals.

Questions

Any questions regarding this bulletin should be directed to Provider Inquiry, Department of Health and Human Services, P.O. Box 30731, Lansing, Michigan 48909-8231, or e-mailed to ProviderSupport@michigan.gov. When you submit an e-mail, be sure to include your name, affiliation, NPI number, and phone number so you may be contacted if necessary. Providers may phone toll-free 1-800-292-2550.

Approved

A handwritten signature in black ink, appearing to read 'K. Massey', with a long horizontal flourish extending to the right.

Kate Massey, Director
Medical Services Administration