### GeoSTATE OF WASHINGTON

## DEPARTMENT OF SOCIAL AND HEALTH SERVICES

## Aging and Long-Term Support Administration

## Home and Community Services Division

PO Box 45600, Olympia, WA 98504-5600

**HCS MANAGEMENT BULLETIN**

**H20-098 –** Policy & Procedure

November 30, 2020

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| **TO:** | |  | | --- | | Home and Community Services (HCS) Division Regional Administrators    Developmental Disabilities Administration (DDA) Regional Administrators | |
| **FROM:** | |  | | --- | | Bea Rector, Director, Home and Community Services Division  Shannon Manion, Director of Field Services Developmental Disabilities Administration | |
| **SUBJECT:** | |  | | --- | | **COVID-19 post eligibility treatment of income for institutional and HCB Waiver programs** | |
| **PURPOSE:** | Changes in post-eligibility treatment of income (PETI). PETI is the participation calculation for institutional and HCB Waiver clients that are subject to pay for their cost of care. |
| **BACKGROUND:** | States were previously notified by Centers for Medicare and Medicaid Services (CMS) that due to the COVID-19 Public Health Emergency the department was not to increase cost of care unless there is a change in program or setting. On the award letter this is called participation. |
| **WHAT’S NEW, CHANGED, OR CLARIFIED:** | The Centers of Medicaid and Medicare Services filed a new interim regulation on 11/2/2020 in 42 Code of Federal Regulation (C.F.R.) 433.400 which permits states to make changes to post-eligibility treatment of income (participation) without violating the condition in section 6008(b)(3) of the Families First Corona Virus Response Act (FFCRA). Prior to this rule filing, the department was not increasing the amount of participation effective 3/18/2020. Cases will be adjusted to reflect the participation clients are responsible to pay their provider based on current monthly income and deductions. |
| **ACTION:** | Public Benefit Specialists (PBS):  A list based on the workaround using the code UA (Adult Day Health) workaround described in the Financial COVID-19 temporary procedures document will be provided to regional and DDA PBS staff.  Since we have been coding the correct income and deductions in the workaround using the UA code, removing the code and processing the change will change the participation to the correct amount.  Process the change effective with benefit month 1/1/2021 by 10 day notice deadline in December 2020.  Add text on the attachment to the change notice: |
| **RELATED REFERENCES:** | [Financial COVID-19 temporary procedures](https://teamshare.dshs.wa.gov/sites/hcs/FP/Documents/COVID-19%20Temporary%20Emergency%20Procedures.docx?web=1)  [HCA COVID-19 webpage](https://www.hca.wa.gov/information-about-novel-coronavirus-covid-19) |
| **ATTACHMENT(S):** |  |
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