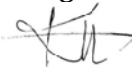




**MassHealth**  
**Adult Foster Care Bulletin 10**  
**July 2014**

**TO:** Adult Foster Care Providers Participating in MassHealth

**FROM:** Kristin L. Thorn, Medicaid Director 

**RE:** **Adult Foster Care Providers' Responsibilities for Members' Health and Safety**

### **Background**

Adult foster care (AFC) is a MassHealth program that provides eligible MassHealth members with both nursing oversight services and a caregiver who lives with the member and provides supervision and support with activities of daily living (ADL) and instrumental activities of daily living (IADL). MassHealth AFC providers are required to comply with MassHealth regulations at 130 CMR 408.000 and 130 CMR 450.000.

The following are points of clarification for MassHealth providers of AFC services.

### **Covered Services**

Adult foster care services include the provision of the following:

- direct care provided by a caregiver who lives with the member. Direct care includes supervision and assistance with ADLs, such as bathing, dressing, eating, transferring, ambulating, and toileting, as well as assistance with IADLs, such as cleaning, cooking, and laundry (see AFC regulations at 130 CMR 408.415 (A)); and
- nursing oversight and care management provided by a registered nurse and care manager that must occur on **at least** a bimonthly basis for Level I and a monthly basis for Level II (alternating visits between the registered nurse and care manager); and, if the member's health condition changes, **increased visits as warranted**. See AFC regulations at 130 CMR 408.415 (B) and (C).

### **Noncovered Days**

In accordance with 130 CMR 408.437, MassHealth does not pay for AFC services when a member is receiving other personal care services, such as the following.

- PCA services as described at 130 CMR 422.000.
- Home care services under Executive Office of Elder Affairs regulations at 651 CMR 3.03(5) and MassHealth regulations at 130 CMR 403.000.
- Group adult foster care.

The following MassHealth services do not fall within the scope of the noncovered-days restriction under 130 CMR 408.437. A member receiving AFC services may also receive the following services.

- Adult day health, as described in 130CMR 404.000.
- Day habilitation, as described in 130 CMR 419.000.
- Waiver services provided under a 1915c Home and Community-Based Services (HCBS) Waivers, such as the Acquired Brain Injury Waiver, the Department of Developmental Services (DDS) Residential and Community Services Waivers, the Frail Elder Waiver, and the Money Follows the Person waiver.
- Hospice services, as described in 130 CMR 437.000. Note: When a member is receiving both AFC services and hospice services, the AFC and hospice providers must coordinate their provision of services to ensure that the member receives appropriate services, without duplication.

### **Alternative Placement Days**

An AFC provider may bill for up to 14 short-term alternative-placement days per member per calendar year. (See regulation 130 CMR 408.419 (L).) Note: If a member receiving AFC services is also enrolled in an HCBS waiver, nursing facility placement should not be used as an alternative placement for the member, as this may affect the member's eligibility for continued receipt of HCBS waiver services.

### **Discharge Procedures**

Pursuant to 130 CMR 408.432, the AFC provider must continue to assess the member's needs. If the member's needs **exceed the scope** of AFC services, the AFC provider must develop and implement a discharge plan. The AFC provider and caregiver have the obligation to ensure that the member's needs fall within the scope of AFC services. The AFC caregiver must take the time that is required to provide necessary personal care to the member and that ensures the member's safety and well-being at all times, pursuant to 130 CMR 408.434 (B)(3). If a member cannot be supported safely within the AFC program, then that member must be transitioned to another MassHealth service(s) more appropriate for meeting the member's needs.

### **Questions**

If you have any questions about the information in this bulletin, please contact the MassHealth Customer Services Center at 1-800-841-2900; e-mail your inquiry to [providersupport@mahealth.net](mailto:providersupport@mahealth.net); or fax your inquiry to 617-988-8974.