



MassHealth
Personal Care Attendant Bulletin 10
September 2021

TO: Personal Care Attendant Program

FROM: Amanda Cassel Kraft, Acting Assistant Secretary for MassHealth

RE: COVID-19-related Administrative Flexibilities for the Personal Care Attendant Program

Overview

In light of the continued risks of COVID-19, MassHealth is authorizing certain COVID-19-related administrative flexibilities to long-term services and supports (LTSS) providers. Previous guidance described certain flexibilities in a document titled [MassHealth LTSS Provider Information: Updates Related to the Coronavirus Disease 2019 \(COVID-19\)](#) (hereinafter referred to as the “MassHealth COVID-19 LTSS Flexibilities document”).

This bulletin updates MassHealth’s COVID-19 related flexibilities for Personal Care Management (PCM) agencies and Fiscal Intermediaries (FIs) serving the MassHealth Personal Care Attendant (PCA) program. These updated flexibilities will help to ensure that members continue to receive appropriate PCA services, while promoting social distancing and mitigating the spread of COVID-19. The guidance in this bulletin replaces all previously issued guidance for the MassHealth PCA program described in the MassHealth COVID-19 LTSS Flexibilities document.

This bulletin applies to certain services covered by the MassHealth PCA Program and received on a fee-for-service basis, including services received by members enrolled in the Primary Care Clinician (PCC) plan who are receiving MassHealth-covered PCA services.

This bulletin describes COVID-19 related flexibilities for MassHealth PCM agencies and FIs with the following effective periods.

- a. Flexibilities effective until January 1, 2022; and
- b. Flexibilities effective until the final date of the Federal Public Health Emergency due to COVID-19.

Flexibilities Effective until January 1, 2022

New Hire Orientation Sanctions: Phase I

Sanctions for PCAs who fail to take New Hire Orientation within time periods prescribed by the collective bargaining agreement between the PCA Quality Home Care and Workforce Council and 1199SEIU are suspended for all PCAs. Even though this flexibility is in place until January 1, 2022, **EOHHS strongly encourages all PCAs who have not yet completed New Hire Orientation to do so prior to the expiration of this flexibility.** PCAs may register for a virtual New Hire Orientation session by calling the Homecare Training Benefit at (877) 409-8283 ext. 7, Monday through Friday, 9 a.m. - to 5 p.m., or by [preregistering online](#), based on how their

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Consumer-employers choose to provide training. PCAs may learn more about New Hire Orientation by calling their Fiscal Intermediary or having their Consumer-employers contact their PCM agency.

Beginning on January 1, 2022, New Hire Orientation sanctions will automatically resume for any PCA where both statements below are true:

1. Was subject to a New Hire Orientation sanction when the governor declared a state of emergency due to COVID-19 on March 10, 2020; **and**
2. Has not completed New Hire Orientation as of September 15, 2021.

Please note that EOHHS has not yet established a specific date for the resumption of New Hire Orientation sanctions for all other PCAs. Because EOHHS will eventually resume sanctions for all PCAs who have not taken New Hire Orientation within nine months of their hire date, all PCAs are strongly encouraged to take New Hire Orientation, as described above.

**Flexibilities Effective until the Final Date of the Federal Public Health
Emergency due to COVID-19**

**Suspension of Noncompliance Process for Failing to Adhere to Overtime Prior
Authorization**

MassHealth will suspend *enforcement* of its noncompliance process for failure to adhere to the overtime limits (weekly hour limits) described at 130 CMR 422.418(A) for members who schedule PCAs to work overtime hours without having received Overtime Prior Authorizations from MassHealth. **Members must continue to utilize PCA services as described in their prior authorization for PCA hours issued by MassHealth.**

EOHHS strongly encourages members to continue to request Overtime Prior Authorizations when possible, to prepare for the eventual discontinuation of COVID-19 flexibilities. Members who began participating in the MassHealth PCA program after the start of the COVID-19 public health emergency are also strongly encouraged to contact their PCM agencies and request Functional Skills Training regarding overtime. Any member requesting an Overtime Prior Authorization due to general COVID-19-related issues may contact their PCM agency and ask to submit a temporary request for Overtime Prior Authorization.

In all cases, members should schedule their PCAs with the health and well-being of both member and PCA in mind. Consumers who seek additional PCAs can consult the PCA Directory or contact their PCM agency for assistance with hiring PCAs.

Prior Authorization Adjustments: School Hours

PCM agencies must request an adjustment to the authorized PCA hours for any member whose PCA prior authorization requires a change due to the member being out of school or engaged in remote learning during the 2019-2020, 2020-2021 and/or 2021-2022 school years. PCM agencies are expected to work with Consumers and Surrogates or legal guardians, as applicable, to determine each member's upcoming school schedule and request an appropriate number of PCA hours based on the member's individualized circumstances and anticipated return date, if any.

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Additional PCA hours may only be requested for hands-on physical assistance that would have occurred while the member was in school. PCA hours may not be requested to replace cueing or supervision time, in accordance with 130 CMR 422.412.

PCM agencies are expected to submit such adjustment requests as quickly as possible, upon notification by the member that a change to the school schedule has taken place. Requests for adjustments to PCA prior authorizations must be submitted via the [MassHealth Long Term Services and Supports \(LTSS\) Provider Portal](#). Following adjudication of an adjustment request, notification to the member and Personal Care Management agency will be sent following usual processes, including written notification and information available via the MassHealth Long Term Services and Supports (LTSS) Provider Portal.

Prior Authorization Adjustments: Day Program Hours

PCM agencies must request an adjustment to the authorized PCA hours for any member whose PCA prior authorization requires a change due to a change in the member's attendance at an Adult Day Health or Day Habilitation program. PCM agencies are expected to work with Consumers and Surrogates or legal guardians, as applicable, to determine each member's upcoming day program schedule and request an appropriate number of PCA hours based on the member's individualized circumstances and anticipated return date, if any.

Additional PCA hours may only be requested for hands-on physical assistance that would have occurred while the member was in an Adult Day Health or Day Habilitation program. PCA hours may not be requested to replace cueing or supervision time, in accordance with 130 CMR 422.412.

PCM agencies are expected to submit such adjustment requests as quickly as possible, upon notification by the member that a change to the day program schedule has taken place. Requests for adjustments to PCA prior authorizations must be submitted via the [MassHealth Long Term Services and Supports \(LTSS\) Provider Portal](#). Following adjudication of an adjustment request, notification to the member and Personal Care Management agency will be sent following usual processes, including written notification and information available via the MassHealth Long Term Services and Supports (LTSS) Provider Portal.

Prior Authorization Extensions

PCM agencies may request up to 90 days' worth of additional prior authorization extensions for any member whose individual circumstances relative to COVID-19 prevent the timely submission of a new prior authorization request.

Personal Care Management agencies may not extend members' prior authorizations by more than 180 days in total, inclusive of COVID-19-related extension requests plus any additional extension requests approved by MassHealth. To request any extension of a member's prior authorization by more than 90 days, a Personal Care Management agency must first request permission via email from MassHealth PCA Program staff. This email must be sent via the state's secure email system and include, at minimum:

1. A clear description of why an extension is necessary, based on the circumstances of the case;
2. All applicable progress notes from the member record; and
3. The member's last date of PCA program utilization.

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After receiving permission from MassHealth, the Personal Care Management agency must request an extension via the [MassHealth Long Term Services and Supports \(LTSS\) Provider Portal](#). All such requests must be submitted prior to the end date of members' existing prior authorizations, per existing program rules and regulations.

Standard Documentation to Include with a Prior Authorization Request for Personal Care Attendant (PCA) Services

PCM agencies are not required to submit standard documentation, as listed on the [PCA-SD form](#), when requesting a Prior Authorization for PCA services. However, PCM agencies are still obligated to identify and note any other services being provided to members to prevent a duplication of personal care services.

In instances where a member is receiving additional services but the PCM agency is unable to obtain standard documentation, the PCM agency must indicate these services on the Prior Authorization request and provide any pertinent information, such as schedules, specific services rendered, etc., to justify the request for unduplicated PCA hours. To the extent necessary, PCM agencies should utilize the comments section of the Prior Authorization request to record this information and provide sufficient detail for MassHealth to adjudicate the request. PCM agencies should also utilize the comments section to indicate that the standard documents listed in the PCA-SD form were not submitted pursuant to MassHealth's COVID-19 flexibilities.

As part of the above flexibility, PCM agencies are not required to submit a Consumer Assessment to Manage PCA Services form with each Prior Authorization request.

EOHHS encourages all PCM agencies to obtain and submit the documentation described above to the extent able. Other than the documents identified above, PCM agencies must continue to submit the documentation required pursuant to 130 CMR 422.416.

Clinical Signature Requirements for Prior Authorization Requests

PCM agencies are not required to obtain physician/nurse practitioner/physician assistant signatures for the purpose of submitting Prior Authorization requests. PCM agencies are also not required to include clinical staff signatures on Prior Authorization requests; however, such staff members must include the text "COVID-19" within the Prior Authorization Request to indicate that the lack of signature is due to COVID-19, and also clearly document the date and time of evaluation within the member record.

Consumer/Surrogate/Legal Guardian Signature Requirements

PCM agencies are not required to obtain signatures from Consumers, Surrogates, and/or Legal Guardians on required forms and documentation, including (but not limited to) Initial Clinical Evaluations, Clinical Re-Evaluations, Consumer Assessments, Service Agreements, and Overtime Prior Authorization Requests, in situations where PCM agencies are unable to conduct in-person visits to obtain wet signatures for such paperwork. Additionally, when in-person visits are not possible, PCM agencies must:

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1. Obtain and document verbal approval from the Consumer, Surrogate, and/or Legal Guardian in lieu of signature;
2. Include the text “COVID-19” on the documentation to indicate that the lack of signature is due to COVID-19; and
3. Document, within the member record, the date and time of verbal approval, name of person(s) providing verbal approval, telephone number of person(s) providing verbal approval (if applicable), and any other relevant information regarding such attestation of agreement.

This flexibility does not apply to situations in which PCM agencies are able to conduct in-person visits and obtain wet signatures on paperwork signed by Consumers, Surrogates, and/or Legal Guardians.

Additional Information

For the latest Massachusetts-specific information, visit www.mass.gov/resource/information-on-the-outbreak-of-coronavirus-disease-2019-covid-19.

The latest Centers for Disease Control and Prevention (CDC) guidance for healthcare professionals is available at www.cdc.gov/coronavirus/2019-ncov/hcp/index.html.

MassHealth Website

This bulletin is available on the [MassHealth Provider Bulletins](#) web page.

[Sign up](#) to receive email alerts when MassHealth issues new bulletins and transmittal letters.

Questions

If you have questions about the information in this bulletin, please contact the LTSS Provider Service Center.

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