

Tony Evers  
Governor



**DIVISION OF MEDICAID SERVICES**

1 WEST WILSON STREET  
PO BOX 309  
MADISON WI 53701-0309

Andrea Palm  
Secretary

**State of Wisconsin**  
Department of Health Services

Telephone: 608-266-8922  
Fax: 608-266-1096  
TTY: 711

Date: January 20, 2021

To: Managed Care Organizations (MCOs)  
HCBS Waiver Services Providers

From: Kiva Graves, Director  
Bureau Quality and Oversight

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Betsy Genz, Director  
Bureau Programs and Policy

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Subject: Updated Temporary Guidance for Family Care, PACE, and Family Care Partnership Remote Waiver Services

**The contract language in the Department of Health Services (DHS)-[MCO Contract Article V.K.1.e](#) regarding remote provision of services will be effective as soon as the public health emergency (PHE) has ended. During the PHE, MCOs and providers shall follow the guidance in this document.**

DHS is updating **temporary guidance** for home and community-based (HCBS) waiver services delivered to members remotely. This guidance will be in effect during, **and only during**, the PHE.

DHS is actively working to protect and ensure the capacity of the state's long-term care system as it responds to COVID-19. Allowing the option to provide HCBS waiver services remotely during the PHE expands the support options that MCOs and contracted HCBS providers have to offer to members.

For the duration of the PHE for COVID-19, DHS will allow waiver services to be delivered utilizing synchronous technology for all HCBS waiver services that can be delivered with the functional equivalency to the face-to-face service. Synchronous technology permits two-way, real time, interactive communications between the provider at a distant site and the member. Face-to-face equivalence exists when there is no reduction in quality, safety, or effectiveness of the in person service because it is delivered by using audiovisual telecommunication technology.

HCBS providers must maintain complete and accurate documentation according to existing contractual requirements. Additionally, providers must document the type of technology utilized and the reason for remote provision of services for each remote waiver service.

## **Temporary Guidance for Remote Waiver Service Authorization**

The Interdisciplinary Team (IDT) will use the existing service authorization policy, the Resource Allocation Decision (RAD) Method, or other DHS approved alternative to authorize remote waiver services. The IDT must consider whether the member has the proper equipment and is comfortable and capable to participate in the remote waiver services. The IDT will update the Member Centered Plan (MCP) when a need for remote waiver services is identified.

If the member cannot obtain technology equipment from another source, the IDT will use the RAD process to determine whether equipment is appropriate to authorize for the member. The [Using the Resource Allocation Decision Process During the COVID-19 Pandemic](#) document may be a helpful tool to explore the use of remote waiver services and technology.

If the IDT determines that the service cannot be authorized remotely, the IDT must authorize the service in person. A member may grieve the IDT decision.

## **Connecting Via Technology**

Contracted HCBS providers may use a variety of electronic platforms to connect with members they serve, matching their programming with the platform that makes the most sense to meet the person's needs.

Contracted HCBS providers may need to alter or add elements when services are delivered using remote technology. Documentation for services delivered through remote technology must include verification of the length of time the member was logged into the activity, such as time in and time out, as well as the content of the activity or the service delivered.

## **Claims Submission for Remote Waiver Services**

There are no changes to the claims submission process for HCBS providers providing remote HCBS waiver services. Waiver services provided remotely in accordance with this guidance should be coded by MCOs using the appropriate procedure code, modifiers and place of service. In addition, MCOs should include modifier 95 so DHS can track remote provision of waiver services.

Waiver services that are provided remotely in accordance with this policy should be coded using the appropriate procedure code, modifiers, and place of service.

Providers should contact the MCO for instructions on claims submission.

## **Remote Services Reminders and Consent**

MCOs and HCBS providers may **not** require the use of remote waiver services as a condition of providing services to a member. HCBS providers must implement methods of informed consent to confirm that a member agrees to receive waiver services remotely.