**DATE: January 28, 2019 – November 18, 2019**

**OPERATIONS MEMORANDUM# 19-01-05**

**SUBJECT:** **Revised** - Nursing Home Transition (NHT)

**TO:** Executive Directors

**FROM:** Inez Titus

 Director

 Bureau of Operations

**PURPOSE**

 To provide policy and procedures to County Assistance Offices (CAOs) in reference to NHT.

**BACKGROUND**

 The NHT process assists individuals in moving out of institutions and eliminates barriers in the service system so that individuals receive services and supports in settings of their choice. In accordance with Centers for Medicare and Medicaid Services (CMS) guidance, participants being enrolling into a waiver may receive coordination of transition services while they are still institutionalized. However, the payment for transition coordination may only occur on the date the individual is discharged from the facility and enrolled in the waiver. The Office of Long-Term Living (OLTL) has included transition service coordination in the OLTL waivers as part of the service definitions for service coordination.

**DISCUSSION**

 When it is determined that an individual in a facility is functionally able to be discharged to the community with Home and Community-Based Services (HCBS), it is important to begin waiver services the day of discharge to ensure a safe discharge and avoid any gaps in coverage. NHT was developed to assist individuals with a seamless transition from a facility to the community while addressing their need for waiver services.

 NHT applies to all OLTL and Office of Developmental Programs (ODP) waivers, except for Living Independence for the Elderly (LIFE) (waiver code 96) and the Adult Community Autism Program (ACAP) (waiver code 51).

**PROCEDURES**

**Adding a Waiver to the Long-Term Care (LTC) Facility Budget**

When a facility resident and the individual’s service coordinator decide that the individual can safely transition to the community with HCBS, they will work with the Independent Enrollment Broker (IEB) or Administrative Entity (AE) to start services on the anticipated date of discharge from the facility. A HCBS Eligibility/Ineligibility/Change Form (PA 1768) will be sent to the CAO at least two weeks prior to the anticipated date of discharge. The service begin date on the PA 1768 will be a future date to match the date of anticipated discharge. The comment section of the PA1768 will indicate that a NHT is occurring.

When the CAO receives the PA 1768, the CAO will review it for completeness. If the PA 1768 is complete and shows that the individual is functionally eligible for HCBS, then the CAO will take the following actions within five (5) business days to add a waiver code and determine eligibility for HCBS, only if the individual is otherwise eligible for HCBS:

1. In eCIS, enter Maintenance mode.
2. Enter a “Y” for waiver services on the Individual Non-Financial Questions screen.
3. Enter the waiver code from the PA 1768 on the Waiver screen with a ‘Begin Date’ matching the service begin date.
4. Run eligibility. The facility budget will remain open with the waiver code, so that the individual will continue to receive LTC facility services until he or she is discharged.
5. Send the appropriate notice to the individual and the individual’s representatives.

**NOTE:** When determining financial eligibility, the CAO may find that the individual is financially ineligible for HCBS. This will occur if new information presented at the time the PA 1768 is received shows that the individual’s income exceeds 300% of the Federal Benefit Rate (FBR) or if the individual is in a TAN or TJN budget. If the individual is not financially eligible for HCBS, do NOT add the waiver code to the LTC budget. Send the manual ineligibility notice.

**Important Notice Procedures**

The CAO must suppress the system generated waiver eligibility notice for individuals with an active penalty period, because it will display an incorrect waiver effective date. The CAO will need to send a manual notice with an effective date to match the ‘Begin Date’ entered on the Waiver screen.

**NOTE:** Notice templates for all applicable manual notices described below can be found on Docushare by navigating to ‘Statewide Forms’ -- ‘General Forms’ -- ‘Long Term Care Forms.’

The CAO will issue the following manual notice for individuals with an active penalty period:

* For a penalty period due to a resource transfer, send a manual 986 L. In the detail section of the notice, the transferred amount is the amount that caused the original penalty period, found on the original 986 L notice. The date the client’s ineligibility for HCBS begins is the ‘Begin Date’ entered on the Waiver screen. The date the client’s ineligibility for HCBS ends is the original penalty period end date from the 903Q TPL.
* For a penalty period due to excess home equity, send a manual 986 M. In the detail section of the notice, the CAO will enter the equity value of the home, found on the Real Property and Mobile Home screen in eCIS. The date the client’s ineligibility for HCBS begins is the ‘Begin Date’ entered on the Waiver screen.

**NOTE:** Do not send an Application for Undue Hardship Waiver (PA 1827) with this waiver penalty period notice. The individual was given the opportunity to request an undue hardship waiver when the penalty period was first established during the LTC facility application process.

**Closing the Facility Budget**

When the individual is discharged from the facility, the facility will send a Long-Term Care Admission and Discharge Transmittal Form (MA 103) to the CAO. Depending on the individual’s circumstances, the actual discharge date may be sooner or later than the originally anticipated discharge date, or the individual may not discharge at all.

If the IEB or AE does not provide the PA 1768 indicating NHT prior to the CAO receiving the MA 103, the CAO may not know right away that NHT is occurring. When the CAO receives a MA 103 indicating discharge from the facility, they are to follow current procedures to end date the facility code and review for other MA. If a PA 1768 is received at a later date indicating NHT in the comment section, the CAO is to determine eligibility for HCBS retroactively back to the date of discharge from the facility. The CAO will follow current HCBS procedures to send the proper notice.

If the individual is not eligible for MA and the case is closed, the IEB or AE must forward a new Medical Assistance (Medicaid) Financial Eligibility Application for Long Term Care, Supports and Services (PA 600 L) for HCBS in order for the CAO to process the PA 1768. If the individual is in a CHC zone and the PA 1768 indicates CHC waiver, the CAO is to take the following action to ensure proper CHC MCO enrollment:

Email RA-PWEnrollmentUnit@pa.gov with the following information:

• Master Client Index (MCI) number of the recipient

• First and Last name of the recipient

• Retroactive effective date of opening

• Date data entry was completed by the CAO

**NOTE:** When the update is made for change in category from LTC MA to HCBS, the system should be correctly end dating the cost of care 902Z TPL to match the budget end date. If the TPL is not ended correctly or at all, the CAO will end date the TPL manually to match the budget end date.

**Timely Discharge**

If the individual is discharged timely, meaning the discharge date is the same date that was entered as the ‘Begin Date’ on the Waiver screen in eCIS, the facility will send an MA 103 to the CAO with the discharge date.

The CAO will then take the following steps within five (5) business days:

1. On the Facility Placement screen, enter the proper ‘Discharge Code’ and a ‘Discharge Date’ based on the information on the MA 103.
2. Run eligibility. This will cause the facility budget to fail and the waiver budget to be authorized.
3. Send the appropriate notice to the individual and the individual’s representatives.

**NOTE:** For individuals with an active penalty period, see the Important Notice Procedures section above.

**Early Discharge**

If the individual is discharged earlier than the originally anticipated discharge date, the facility will send a MA 103 to the CAO with the actual discharge date.

The CAO will then take the following steps within five (5) business days:

1. In eCIS, enter Maintenance mode. Navigate to the Waiver screen.
2. Negate the waiver by entering an ‘End Date’ that is one day prior to the ‘Begin Date.’
3. Choose ‘Add More’ to schedule a new Waiver screen.
4. Enter a ‘Begin Date’ matching the actual discharge date.
5. Navigate to the Facility Placement screen. Enter the ‘Discharge Code’ and ‘Discharge Date’ based on the information on the MA 103. The ‘Explore LTL’ field should be blank.
6. Run eligibility. This will cause the facility budget to fail and the waiver budget to be authorized.
7. Send the appropriate notice to the individual and the individual’s representatives.

**NOTE:** For individuals with an active penalty period, see the Important Notice Procedures section above.

**Discharge Less Than 30 Days After Anticipated Date**

If the individual is discharged less than 30 days after the anticipated discharge date, the facility will send an MA 103 to the CAO with the actual discharge date.

 The CAO will then take the following steps within five (5) business days:

1. In eCIS, enter Maintenance mode. Navigate to the Waiver screen.
2. Negate the waiver by entering an ‘End Date’ that is one day prior to the ‘Begin Date.’
3. Choose ‘Add More’ to schedule a new Waiver screen.
4. Enter a ‘Begin Date’ matching the actual discharge date.
5. On the Facility Placement screen, enter the proper ‘Discharge Code’ and a ‘Discharge Date’ based on the information on the MA 103.
6. Run eligibility. This will cause the facility budget to fail and the waiver budget to be authorized.
7. Send the appropriate notice to the individual and the individual’s representatives.

**NOTE:** For individuals with an active penalty period, see the Important Notice Procedures section above.

**Discharge More than 30 Days After Anticipated Date**

If the discharge is more than 30 days after the originally anticipated discharge date, a new PA 1768 will be sent to the CAO with the new anticipated discharge date.

The CAO will then take the following steps within five (5) business days:

1. In eCIS, enter Maintenance mode. Navigate to the Waiver screen.
2. Negate the waiver by entering an ‘End Date’ that is one day prior to the ‘Begin Date.’
3. Choose ‘Add More’ to schedule a new Waiver screen.
4. Enter a new Waiver screen with a ‘Begin Date’ matching the new, anticipated discharge date.
5. Run eligibility. The facility budget will remain open with the waiver code, so that the individual will continue to receive LTC facility services until he or she is discharged.

**NOTE:** No notice is needed in this situation, because there is no change to eligibility.

**No Discharge**

If the individual’s circumstances result in the individual not discharging at all, a new PA 1768 will be sent to the CAO indicating that the individual will not be discharging and will not be receiving HCBS.

The CAO will then take the following steps within five (5) business days:

1. In eCIS, enter Maintenance mode. Navigate to the Waiver screen.
2. Negate the waiver by entering an ‘End Date’ that is one day prior to the ‘Begin Date.’
3. Run eligibility. This will keep the facility budget open and close the waiver code, so the individual can continue to receive LTC facility services.
4. Send the appropriate notice to the individual and the individual’s representatives.

**NOTE:** If the individual received a 986 L or 986 M notice prior to the CAO learning that the individual will not be discharging, do not send a manual notice. The previous notice informed the individual that he or she does not qualify.

**Other Changes in Eligibility**

If at any time during the NHT process, the CAO receives information that would cause ineligibility for the facility or HCBS budget, the CAO will follow current procedure to determine eligibility and send proper notice to the individual and the individual’s representatives.

**NEXT STEPS**

1. Review the manual notice templates found on Docushare, by navigating to ‘Statewide Forms’ -- ‘General Forms’ -- ‘Long Term Care Forms.’

1. Review this Operations Memorandum with appropriate staff.
2. Contact your Area Manager if you have any questions.