

August 11, 2021

<Provider Name>  
<Provider Address 1>  
<Provider Address 2>  
<City> <State> zipcode5-zipcode4

Dear Provider:

RE: Long Term Supports and Services (LTSS) COVID-19 Response: Level of Care Determination (LOCD) End Date Extensions - Nursing Facilities and Program of All-Inclusive Care for the Elderly (PACE)

The purpose of this letter is to allow continuing flexibilities related to the completion of existing LOCDs for beneficiaries who are currently receiving services from Medicaid-certified nursing facilities or PACE with LOCD end dates from September 1, 2021, through the duration of the COVID-19 public health emergency (PHE). The LOCD is an eligibility tool used to determine functional eligibility of individuals seeking LTSS in a Medicaid-certified nursing facility, MI Choice, PACE, and MI Health Link Home and Community Based Services (HCBS) Waiver.

Due to the ongoing COVID-19 PHE, MDHHS will extend the end date of existing LOCDs in the Community Health Automated Medicaid Processing System (CHAMPS) for beneficiaries who are currently receiving services from a Medicaid-certified nursing facility or PACE program where LOCD end dates fall between September 1, 2021 and the termination of the PHE. **Medicaid-certified nursing facilities and PACE programs must not conduct LOCDs during this timeframe if there is an existing eligible LOCD in CHAMPS for an admitted or enrolled beneficiary.** A beneficiary seeking services must meet LOCD Doors 1-8 and all other program requirements for admission or enrollment.

The following LOCDs will be extended **an additional 180 days: existing eligible LOCD Doors (Doors 1-8, 67, 77) with end dates of September 1, 2021, through the termination of the PHE for Medicaid-certified nursing facilities and PACE enrolled beneficiaries.** The end dates will be updated in CHAMPS on a quarterly basis as needed. If a beneficiary has an LOCD record that has been extended, no action is needed by the provider or agency.

L 21-57

The passive redetermination process continues to run during the PHE and may create a new eligible LOCD record in CHAMPS for a beneficiary. LOCD Door 8 records with approval criteria “frailty” and approval code “2019” cannot be adopted. **For more details on conducting or adopting LOCDs during the PHE, see Numbered Letter L 21-37.**

At the conclusion of the PHE, Medicaid LTSS providers must ensure the beneficiary continues to meet eligibility requirements on an ongoing basis. The provider also retains responsibility for conducting a new LOCD after the termination of the PHE for any beneficiary when there is a significant change in the beneficiary’s condition during the PHE. **Further guidance will be provided regarding the termination of the PHE and resumption of normal operations.**

Enrolled beneficiaries may elect to voluntarily disenroll regardless of LOCD eligibility. Providers must offer discharge planning to beneficiaries who are considering voluntary disenrollment. Discharge planning must take into consideration issues unique to the coronavirus pandemic, including the beneficiary’s vaccination status prior to disenrollment. Providers must be aware of the current guidance from the Centers for Disease Control and Prevention (CDC) regarding coronavirus variants, vaccine efficacy and other community mitigation strategies-as these factors will be relevant to discharge planning.

Policy information for the LOCD can be found in the Nursing Facility Level of Care Determination Chapter of the MDHHS Medicaid Provider Manual at [www.michigan.gov/medicaidproviders](http://www.michigan.gov/medicaidproviders) >> Policy, Letters & Forms.

MDHHS strongly encourages providers to subscribe to COVID-19 updates at [www.Michigan.gov/coronavirus](http://www.Michigan.gov/coronavirus).

Electronic versions of this document and letter L 21-37 are available at [www.michigan.gov/medicaidproviders](http://www.michigan.gov/medicaidproviders) >> Policy, Letters & Forms.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Massey", with a long horizontal flourish extending to the right.

Kate Massey, Director  
Medical Services Administration