

Bulletin Number: MSA 20-62

Distribution: Durable Medical Equipment, Prosthetics, Orthotics and Supplies (DMEPOS) Providers, Home Health Agencies, Hospice Agencies, Hospitals, Practitioners, Pharmacies, Medicaid Health Plans (MHPs), Integrated Care Organizations (ICOs)

Issued: September 2, 2020

Subject: COVID-19 Response: Correction to Bulletin MSA 20-35

Effective: March 1, 2020

Programs Affected: Medicaid, Healthy Michigan Plan, Children's Special Health Care Services (CSHCS)

This bulletin is being issued as a correction to bulletin MSA 20-35 - Medicaid Compliance with Interim Final Rule CMS-5531: Improving Care Planning for Medicaid Home Health Services; COVID-19 Response: Temporary Waiver of Beneficiary Signature for Home-Delivered DMEPOS and retains that policy's original effective date of March 1, 2020. The **bolded** information below was not included in final bulletin MSA 20-35. All other policy language issued as part of bulletin MSA 20-35 remains as indicated in that bulletin.

Medicaid Compliance with Interim Final Rule CMS-5531: Improving Care Planning for Medicaid Home Health Services

Home Health Agencies (HHAs) and DMEPOS Providers

Interim Final Rule CMS-5531 permanently amends 42 CFR 440.70 (a)(2) to allow non-physician practitioners (i.e., nurse practitioner [NP], clinical nurse specialist [CNS], and physician assistant [PA]), within their scope of practice, to order Medicaid Home Health services. This permanent change applies to all services covered under the Medicaid home health benefit (i.e., home health nursing and aide services, medical supplies, equipment and appliances, and therapy services). The Interim Final Rule further codifies the ordering non-physician practitioner (NPP) may perform, **certify and document** the face-to-face encounter for the beneficiary for whom they ordered home health services **and is not required to communicate the clinical findings of the face-to-face encounter to the physician. Physician certification of the face-to-face encounter performed by a NPP is no longer required.** In accordance with the Affordable Care Act (ACA), all other home health face-to-face rules remain unchanged.

Public Comment

The public comment portion of the policy promulgation process is being conducted concurrently with the implementation of the change noted in this bulletin. Any interested party wishing to comment on the change may do so by submitting comments to Michelle Tyus, Policy Specialist, via e-mail at Tyusm@michigan.gov.

Please include "COVID-19 Response: Correction to Bulletin MSA 20-35" in the subject line.

Comments received will be considered for revisions to the change implemented by this bulletin.

Manual Maintenance

Retain this bulletin until the information is incorporated into the Michigan Medicaid Provider Manual.

Questions

Any questions regarding this bulletin should be directed to Provider Inquiry, Department of Health and Human Services, P.O. Box 30731, Lansing, Michigan 48909-8231, or e-mailed to ProviderSupport@michigan.gov. Be sure to include your name, affiliation, NPI number, and phone number so you may be contacted if necessary. Providers may phone toll-free 800-292-2550.

Approved



Kate Massey, Director
Medical Services Administration