

March 9, 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) for MI Choice and MI Health Link Home and Community Based Services (HCBS) Waiver.

The purpose of this letter is to allow continued enrollment for beneficiaries who are currently receiving services from MI Choice and MI Health Link Home and Community Based Services (HCBS) Waiver with an eligible LOCD. The LOCD is an eligibility tool used to determine functional eligibility of individuals seeking LTSS in a Medicaid-certified nursing facility, MI Choice, Program of All-Inclusive Care for the Elderly (PACE), and MI Health Link HCBS Waiver.

All eligible LOCDs (Doors 1-8, 67, 77) for beneficiaries enrolled with MI Choice and MI Health Link HCBS Waiver with an end date from March 1, 2021 through the duration of the public health emergency (PHE) will have eligibility extended from 365 days to 730 days. No LOCD records will be extended beyond 730 days. The updates to LOCD records with end dates from March 1, 2021 through June 30, 2021, will show in the Community Health Automated Medicaid Processing System (CHAMPS) by March 31, 2021. LOCD records will be updated as appropriate on a quarterly basis.

As of March 1, 2021, MI Choice and MI Health Link HCBS Waiver providers are required to conduct new LOCDs on all beneficiaries on or prior to the end date of the current LOCD record. LOCDs may be conducted remotely using telehealth or telemedicine technology (see Bulletin MSA 20-30, issued November 4, 2020). The passive redetermination process continues to run during the PHE and may create a new eligible LOCD record in CHAMPS for a beneficiary.

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If a currently enrolled MI Health Link HCBS Waiver beneficiary does not meet LOCD Doors 1-7 or Door 8 exception criteria, the provider must enter LOCD Door 8 with approval criteria Frailty and approval code 2019. The provider must enter a comment that states “LOCD eligibility maintained due to public health emergency.” This supports a beneficiary’s right to maintain enrollment/admission during the coronavirus Public Health Emergency.

If a currently enrolled MI Choice beneficiary does not meet an eligible LOCD Door (1-7), the provider must enter Door 0 into CHAMPS and request a secondary review. The provider must upload supporting documentation for Door 0 and an additional document that states “LOCD eligibility maintained due to public health emergency.” If the third-party reviewer determines that the beneficiary does not meet LOCD Doors 1-7 or Door 8 exception criteria, they will enter Door 8 with approval criteria Frailty and approval code 2019. This supports a beneficiary’s right to maintain enrollment/admission during the coronavirus Public Health Emergency.

LOCD Door 8 records with approval criteria Frailty and approval code 2019 cannot be adopted by another provider. If a beneficiary is seeking enrollment and has Door 8-Frailty 2019, the provider must conduct a new LOCD.

MI Choice and MI Health Link HCBS Waiver providers must conduct a new LOCD on all beneficiaries who have a Door 8- Frailty 2019 once the PHE has ended. The provider will have from the end of the PHE until the termination of Appendix K to conduct a new LOCD for these beneficiaries. The provider also retains responsibility for conducting a new LOCD for any beneficiary when there is a significant change in the beneficiary’s condition during the PHE.

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 >> Policy, Letters & Forms.

MDHHS strongly encourages providers to subscribe to COVID-19 updates at www.Michigan.gov/coronavirus.

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