



MONTANA HEALTHCARE PROGRAMS NOTICE

March 21, 2023

Developmental Disabilities Program and Targeted Case Management Providers

Effective May 12, 2023

End of Public Health Emergency (PHE)

DDP 0208 Comprehensive Waiver, Applied Behavior Analysis, and Targeted Case Management Updates

On February 9, 2023, the State of Montana received notice from the Secretary of the U.S. Department of Health and Human Services (HHS) that the COVID-19 Public Health Emergency (PHE) would be extended for 90 days. Additionally, the Secretary noted that based on current trends regarding COVID-19 HHS is planning for this to be the final renewal and that the PHE will end on May 11, 2023.

Throughout the PHE many programmatic flexibilities were implemented at both the federal and state level. Many PHE flexibilities and policies have already been made permanent. With input from stakeholders, DPHHS reviewed each flexibility and policy enabled by the PHE declaration to determine whether it should remain in place after the PHE ends. Below is a list of certain Developmental Disabilities Program specific items that will and will not be impacted by the ending of the PHE on May 11, 2023.

Flexibilities That Will Continue after May 11, 2023

- Telehealth delivery for ABA services, with approved Telehealth Exception Request form.
 - Face-to-face service delivery is preferred. Telehealth may be substituted if clinically appropriate. Complete the Telehealth Exception Request Form available on the [Applied Behavior Analysis Services page of the Provider Information website](#). You must read and accept the end user agreement at the link. Telehealth exception requests must be approved prior to the delivery of services via telehealth.
- Telehealth delivery for some waiver services when clinically appropriate.
 - Please see the applicable [Montana Developmental Disabilities Program Service Manual](#) for information on services that require face-to-face-delivery and do not allow for telehealth.

Flexibilities That End on May 11, 2023

- Plan of Care – Electronic or on behalf of signatures.
- Quarterly supplemental payments to Home and Community-Based Service providers.
- Reimbursing for tiered services that are prior authorized provided staffing hours never fall below 80% of the lower end of the tier threshold.
- Temporarily allow services to be provided in an alternative setting (day supports and activities, retirement services, supported employment-follow along support and individual employment support, personal care, companion, personal supports, homemaker, and residential habilitation)
- Exceed service limitations on respite care.
- Targeted Case Management suspension of face to face requirements.
- Extension of required provider training for an additional 60 days past the original due date.
- Extension of medication certifications 60 days past the expiration date.
- Not complying with some aspects of the Home and Community-Based Services settings regulations.

Flexibilities That May Continue up to November 11, 2023

- Payment for legally responsible person, relative, or legal guardian for the following services:
 - Residential Habilitation
 - Companion Services
 - Personal Care
 - Personal Supports
 - Supported Employment Services:
 - Follow Along Support
 - Coworker Support
 - Individual Employment Support
 - Small Group Employment

There are some flexibilities that have been proposed as permanent as part of the 0208 Comprehensive Waiver Renewal and are awaiting approval. A follow-up provider notice will be issued once final approval and implementation dates have been received.

Contact and Website Information

If you have questions regarding these changes, please contact Deb Braga, Behavioral Health Program Officer, at (406) 444-3072 or email Deb.Braga@mt.gov.

For claims questions or additional information, contact Montana Provider Relations at (800) 624-3958 or (406) 442-1837 or email [Montana Provider Relations Helpdesk](#).

Visit the [Montana Healthcare Programs Provider Information website](#) to access your provider type page. Choose Resources by Provider Type in the left-hand menu.