


<b>ISSUE DATE</b> September 20, 2023	<b>EFFECTIVE DATE</b> October 1, 2023	<b>NUMBER</b> 05-23-08, 07-23-02
<b>SUBJECT</b>  Update to Electronic Visit Verification Requirements for Pediatric Home Health Aide Services in the Fee-for-Service and Managed Care Delivery Systems		<b>BY</b>    Sally A. Kozak, Deputy Secretary Office of Medical Assistance Programs

**IMPORTANT REMINDER:** All providers must revalidate the Medical Assistance (MA) enrollment of each service location every 5 years. Providers should log into PROMISE to check the revalidation dates of each service location and submit revalidation applications at least 60 days prior to the revalidation dates. Enrollment (revalidation) applications may be found at: <https://www.dhs.pa.gov/providers/Providers/Pages/PROMISE-Enrollment.aspx>.

## **PURPOSE:**

The purpose of this bulletin is to advise providers of updates to electronic visit verification (EVV) requirements for shift care home health aide services for Medical Assistance (MA) beneficiaries under 21 years of age, effective with dates of service on and after October 1, 2023.

## **SCOPE:**

This bulletin applies to MA enrolled home health agencies that render services to beneficiaries under 21 years of age in the fee-for-service (FFS) and managed care delivery systems. Providers in the managed care delivery system are to address any provider EVV-related interface, billing, and payment questions with the appropriate managed care organization.

## **BACKGROUND:**

Section 12006(a) of the 21st Century Cures Act, signed into law on December 13, 2016, added section 1903(l) to the Social Security Act, 42 U.S.C. § 1396b(l), which mandates that states require EVV use for Medicaid-funded personal care services (PCS) and home health care services (HHCS) provided in the home or community.

### **COMMENTS AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO:**

Fee-for-service provider service center: 1-800-537-8862

Physical and Community HealthChoices providers should address any questions regarding EVV to the applicable MCO.

Visit the Office of Medical Assistance Programs website at:

<https://www.dhs.pa.gov/providers/Providers/Pages/Health%20Care%20for%20Providers/Contact-Information-for-Providers.aspx>.

The Department of Human Services (Department) previously advised providers that it would implement EVV for PCS provided to MA beneficiaries under 21 years of age, effective for dates of service on and after September 1, 2020. See MA Bulletin 05-20-02, 07-20-02, titled "Implementation of Electronic Visit Verification in the FFS and Physical Health Managed Care Delivery Systems", issued and effective June 11, 2020 (<https://www.dhs.pa.gov/docs/Publications/Documents/FORMS%20AND%20PUBS%20MAP/MAB2020061001.pdf>).

The Department also advised providers rendering PCS in the FFS delivery system of the minimum requirements for EVV systems in the FFS delivery system in MA Bulletin 05-20-03, titled "Electronic Visit Verification for Personal Care Services Provided in the Fee-for-Service Delivery System", issued August 26, 2020, and effective September 1, 2020 (<https://www.dhs.pa.gov/docs/Publications/Documents/FORMS%20AND%20PUBS%20MAP/MAB2020082601.pdf>). The only PCS covered as a State Plan service is pediatric PCS provided as shift care, and at the time MA bulletin 05-20-03 was issued, the procedure code S9122 was used for these PCS. Subsequently, procedure code T1019 was added to the MA Program Fee Schedule, which could also be used for these PCS services, as announced in MA Bulletin 05-22-01, 07-22-01, titled "Additions to the Medical Assistance Fee Schedule for Personal Care Services Provided to Beneficiaries Under the Age of 21", issued April 18, 2022, and effective May 1, 2022. (<https://www.dhs.pa.gov/docs/Publications/Documents/FORMS%20AND%20PUBS%20MAP/MAB2022041801.pdf>).

## **DISCUSSION:**

Federal regulations at 42 CFR 440.167, prohibit Medicaid payment for PCS provided by an individual's legally responsible relative (LRR). During the COVID-19 Public Health Emergency, the Department received approval from the Centers for Medicare & Medicaid Services (CMS) for a Section 1135 waiver that, in part, waived the prohibition under 42 CFR 440.167 to allow parents or other LRRs to be paid for PCS they provide in order to mitigate the spread of COVID-19 and ensure delivery of these services to MA covered children. The Section 1135 waiver flexibility ended on May 11, 2023, when the public health emergency ended.

CMS advised states that personal care services provided by a qualified parent or other LRR under the home health benefit, as described in 42 CFR 440.70, is allowable if the parent or LRR meets the federal and state requirements for the provision of those services. The MA Program has provided PCS by paying home health agencies for services provided by home health aides. In response to CMS' guidance, the Department will cover shift care home health aide services provided to MA beneficiaries under 21 years of age under the HHCS benefit, effective with dates of service on and after October 1, 2023.

To facilitate this change, the Department is adding procedure code G0156 with modifier U7 for pediatric home health aide services by a non-LRR and procedure code G0156 with modifiers U7 and SC for pediatric home health aide services by a LRR to the MA Program Fee

Schedule, effective October 1, 2023. Additionally, the Department is closing PCS procedure codes S9122 and T1019, effective September 30, 2023. For additional guidance on these procedure codes, please see MA Bulletin 05-23-06, titled "Pediatric Shift Care Services for Beneficiaries Under 21 Years of Age," effective October 1, 2023

(<https://www.dhs.pa.gov/docs/Publications/Documents/FORMS%20AND%20PUBS%20OMAP/MAB2023091101.pdf>).

**PROCEDURE:**

Beginning October 1, 2023, pediatric shift care home health aide services rendered to beneficiaries under 21 years of age will be subject to HHCS EVV requirements. Home health agencies are to follow the requirements as set forth in MA Bulletin 05-22-09, titled "Electronic Visit Verification Requirements for Home Health Care Services in the Fee-for-Service Delivery and Managed Care Delivery Systems," issued and effective August 10, 2022,

(<https://www.dhs.pa.gov/docs/Publications/Documents/FORMS%20AND%20PUBS%20OMAP/MAB2022081001.pdf>).

**RESOURCES:**

Information and updates related to EVV may be viewed by accessing the Department's website at the following link: <https://www.dhs.pa.gov/providers/Billing-Info/Pages/EVV.aspx>.

HHCS are subjected to EVV for all delivery systems. Procedure codes subject to EVV are listed on the Department's HHCS EVV web page at the following link: <https://www.dhs.pa.gov/providers/Billing-Info/Pages/EVV-HHCS.aspx>.

Providers may view the MA Program Fee Schedule by accessing the Department's website at the following link:

<https://www.dhs.pa.gov/providers/Providers/Pages/Health%20Care%20for%20Providers/MA-Fee-Schedule.aspx>.