




State of New Mexico
Medical Assistance Program Manual
Supplement



SPECIAL COVID-19 SUPPLEMENT #8

DATE: JUNE 24, 2020

TO: INTERMEDIATE CARE FACILITIES FOR INDIVIDUALS WITH INTELLECTUAL DISABILITIES (ICF/IID)

FROM: NICOLE COMEAUX, J.D., M.P.H., MEDICAL ASSISTANCE DIVISION DIRECTOR 

THROUGH: SHARI ROANHORSE-AGUILAR, BUREAU CHIEF, EXEMPT SERVICES AND PROGRAMS BUREAU

SUBJECT: COVID-19 ADMINISTRATIVE ORDERS – RESERVE BED DAYS AND LEVEL OF CARE

In response to the National Public Health Emergency associated with the COVID-19 pandemic, this Supplement is issued to inform ICF/IIDs of temporary modifications to Medicaid program standards for reserve bed days and Level of Care (LOC).

Reserve Bed Days

Per New Mexico Administrative Code (NMAC) 8.313.2.20 *ICF/IID Reserve Bed Days* and NMAC 8.313.3.15 *Cost Related Reimbursement of ICF/IID Facilities*, Medicaid covers 65 reserve bed days per calendar year for an ICF/IID resident for family visits, vacations, home visits, hospitalizations and adjustment to a new living environment.

The Human Services Department (HSD) issued an Administrative Order on May 21, 2020 to allow an additional 30 reserve bed days to support those residents who wish to remain at home for *self-isolation* or *self-quarantine* during the COVID-19 pandemic without penalty to the ICF/IID provider or resident being supported. This modification assures the continuation of essential services to Medicaid recipients without disruption or delay while following the Centers for Disease Control and Prevention direction to maximize social distancing for the duration of the national public health emergency.

The ICF/IID provider is required to obtain prior authorization for these additional reserve bed days. Please fax prior authorization requests to (505) 827-3138 and include the required information as detailed on the Administrative Order.

Level of Care

Per NMAC 8.350.3 *ICF/IID Abstract Submission for Level of Care Determinations*, the abstract describes the recipient's functional and level of care needs and includes the physician's history and physical examination.

HSD recognizes that recipients may have experienced difficulties accessing their primary care provider to complete a new level of care during this time. Therefore, HSD issued an Administrative Order on June 8, 2020 to allow a **continued stay** LOC to be submitted using the following guidance:

- 2019 completed Long-Term Care Abstract (MAD 378) will be accepted
- 2019 completed History and Physical (H&P) will be accepted

The process for LOC requests and required completed documents remains in place and includes the following to be submitted to the Medicaid Third-Party Assessor (TPA), Comagine Health:

- MAD 378
- H&P
- Psychological Evaluation
- Functional Assessment(s)

In the event an ICF/IID has an open/pending **continued stay** Request for Information (RFI) from the TPA for an expired, incomplete or missing MAD 378 or H&P, please submit the LOC documents as per the Administrative Order. The TPA will accept the 2019 MAD 378 and/or H&P up to ninety (90) calendar days following the lifting of the Public Health Emergency.

Should you have any questions regarding this Supplement, please contact Claudia Duran, ICF/IID Program Coordinator, at email: Claudia.Duran@state.nm.us or leave a message at (505) 827-3176.

Attachments: Administrative Order dated May 21, 2020
Administrative Order dated June 8, 2020

New Mexico Human Services Department (HSD)

ADMINISTRATIVE ORDER AND INSTRUCTIONS

Pursuant to the authority and power granted the Secretary of the Human Services Department (HSD) under 9-8-6 B (6), the following Administrative Order and Instruction is issued on this 21st day of May, 2020 and shall remain in effect for the duration of the current Public Health Emergency Declaration and thereafter until it is determined by the Secretary of HSD that these Orders and Instructions are no longer necessary to address the modification to program standards needed to respond to the current circumstances.

IT IS SO ORDERED THAT:

In response to the National Public Health Emergency associated with the 2019 COVID-19 pandemic, the Human Services Department, Medical Assistance Division (HSD/MAD) is issuing this administrative order and instruction for Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID) for modification to program standards to allow an additional 30 reserve bed days. This temporary allowance is intended to assure the continuation of essential services to Medicaid recipients without disruption or delay while following the Centers for Disease Control and Prevention direction to maximize social distancing for the duration of the national public health emergency.

Per NMAC 8.313.2.20 ICF/IID Reserve Bed Days and NMAC 8.313.3.15 Cost Related Reimbursement of ICF/IID Facilities, Medicaid covers 65 reserve bed days per calendar year for an ICF/IID resident for family visits, vacations, home visits, hospitalizations and adjustment to a new living environment. An additional 30 reserve bed days supports those residents who wish to remain at home for *self-isolation* or *self-quarantine* during the COVID-19 pandemic without penalty to the ICF/IID provider or resident being supported.

The ICF/IID facility is required to obtain prior authorization for the additional reserve bed days and abide by the following instructions:

1. Contact Claudia Duran, ICF/IID Program Coordinator, at email: Claudia.Duran@state.nm.us or leave a message at 505-827-3176 to request prior authorization.
2. The request must include:
 - a. Name of Resident
 - b. Resident's Medicaid identification information
 - c. Requested approval dates



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- d. Name and address of the individual caring for the resident
 - e. Justification for additional reserve bed days
3. The reserve bed days will still be accumulated in the Medicaid claims payment system therefore providers must continue to bill reserve bed days according to NMAC 8.313.2.20 ICF/IID Reserve Bed Days and NMAC 8.313.3.15 Cost Related Reimbursement of ICF/IID Facilities. The provider must maintain documentation of the approved prior authorization. This will ensure that there is not a request for recoupment in the future.
4. If prior authorization is not obtained, the claims will be denied as per current claims processing requirements.

Please contact Claudia Duran for questions related to this Order and Instructions.

ORDERED ON THIS 21ST DAY OF MAY, 2020.

Handwritten signature of Angela Medrano in blue ink.

ANGELA MEDRANO

Deputy Secretary HSD

Under Delegated Authority from

David R. Scrase, M.D., HSD Secretary

Handwritten date "5/21/2020" in blue ink.

Date



Michelle Lujan Grisham, Governor
David R. Scrase, M.D., Secretary

New Mexico Human Services Department (HSD)

ADMINISTRATIVE ORDER AND INSTRUCTIONS

Pursuant to the authority and power granted the Secretary of the Human Services Department (HSD) under 9-8-6 B (6), the following Administrative Order is issued on this 8th day of June, 2020 and shall remain in effect until the current Public Health Emergency Declaration is lifted and thereafter until it is determined by the Secretary of HSD that these Orders and Instructions are no longer necessary.

IT IS SO ORDERED THAT:

In response to the National Public Health Emergency associated with the 2019 COVID-19 pandemic, the Human Services Department, Medical Assistance Division (HSD/MAD) is issuing this administrative order and instruction for Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID) for modification to program standards to allow a continued stay level of care to be submitted using the following guidance:

- 2019 completed Long-Term Care Abstract (MAD 378) will be accepted
- 2019 History and Physical (H&P) will be accepted

Per New Mexico Administrative Code 8.350.3 ICF/IID Abstract Submission for Level of Care Determinations, the abstract describes the recipient's functional and level of care needs and includes the physician's history and physical examination.

This temporary allowance is intended to assure the continuation of essential services to Medicaid recipients without disruption or delay while following the Centers for Disease Control and Prevention direction to maximize social distancing for the duration of the national public health emergency. HSD recognizes that



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recipients may have experienced difficulties accessing their primary care provider to complete a new level of care during this time.

Please contact Claudia Duran, ICF/IID Program Coordinator, at email: Claudia.Duran@state.nm.us or leave a message at 505-827-3176 for questions related to this Order.

ORDERED ON THIS 8TH DAY OF JUNE, 2020.

ANGELA MEDRANO

Deputy Secretary HSD

Under Delegated Authority from

David R. Scrase, M.D., HSD Secretary

Date