

Retainer Days – PCIS2 Error Updates

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AUDIENCE

This procedural guidance is intended for DDA service providers.

PURPOSE

The purpose of this guidance is to provide instructions to DDA providers on how to make adjustments for retainer payment due to the increase of days from 18 to 30 consecutive billable days for the following services:

1. Residential;
2. Meaningful Day; and
3. Personal Support

OVERVIEW

On March 5, 2020, Governor Lawrence J. Hogan, Jr., declared a state of emergency due to disease (“COVID-19”) caused by the novel coronavirus. The COVID-19 outbreak was declared a national emergency on March 13, 2020 and was previously declared a nationwide public health emergency on January 31, 2020 (retroactive to January 27, 2020).

The DDA received federal Center for Medicare and Medicaid Services (CMS) approval through an Appendix K emergency authority to provide retainer payment for specific services effective March 13, 2020. Retainer payments are for direct care staff and providers who normally provide services that include habilitation and personal care, but are currently unable to due to: (1) health and safety risk; (2) State mandates; (3) complications experienced during the COVID-19 pandemic because the participant is sick due to COVID-19; and/or (4) the participant is isolated or quarantined based on local, State, federal and/or medical requirements/orders.

CMS initially approved retainer payments up to 18 consecutive billable days. Subsequently, CMS revised their policies, guidance, and FAQs so that states can request under the Appendix K emergency authority up to 3-30 days episodes of retainer payments. The DDA revised the Appendix K and received approval on September 2, 2020 for 1-30 day retainer payments episode.

Therefore, DDA providers may request up to 30 consecutive billable retainer days. This guidance informs providers standards and processes to increase or decrease retainer payment claims up to 30 consecutive billable days.

APPLICABILITY

This guidance is applicable to all DDA providers authorized to provide residential, meaningful day, or personal support services within the State of Maryland. This guidance is applicable to FY'20 and FY'21.

DEFINITIONS

The following terms are used throughout this guidance.

| Table 1: Definitions | |
|---|---|
| Term/Process | Definition |
| Retainer Day | Retainer Days are days or hours that allow a provider to bill for a service when the service is not able to be provided due to the COV-19 pandemic. This includes days previously known as “absence” or “V” days for residential services as of January 1, 2020. |
| PCIS2 | This is the legacy system that is utilized to record attendance and process payments for services rendered. |
| Consecutive billing days - Residential | Consecutive days mean consecutive calendars days for residential services without interruption of the entry of a regular payable day |
| Consecutive billing days - Meaningful Day | Consecutive billing days for Meaningful Day services means consecutive billable days. If services are rendered 5 days/week, Monday through Friday, but not on Saturday or Sunday, then the following Monday would be the 6th consecutive billable day. There may be no interruption of the consecutive days of service by the entry of a regular payable day. |
| Consecutive billing days-Personal Support | Consecutive billing days for Personal Support means consecutive billable days of service where Retainer Hours are entered alone or in conjunction with regular hours in PCIS2 without interruption of a day where only regular hours are entered. |

RESIDENTIAL SERVICES

Retainer payments may be requested for Community Living - Group Home and Supported Living services.

Standards and Requirements

1. A provider could have used 30 residential “V” days between July 1, 2019 and December 31, 2019. However, effective January 1, 2020, a provider is limited to 30 consecutive retainer days.
2. Absence or “V” days that were allowed under the Community Pathways waiver prior to clarifying guidance from CMS in April 2020 are considered retainer days. Retainer days are based on a calendar year, unlike the previous absence or “V” days that were based on a state fiscal year. Therefore, the effective date of retainer days is January 2020.
3. Residential services retainer payments can be paid for up to 30 consecutive days
4. Residential services are provided on a daily basis. Therefore requests for retainer payments must be consecutive.
5. Providers that have billed for 18 consecutive days but the person they support actually used more than the 18 consecutive days, can submit an error update to change the attendance for the additional consecutive days up to a total of 30.
6. Providers that billed more than the 18 consecutive retainer days and submitted an error update to reduce the days in excess of 18 days should check PCIS2 to see if current attendance in the system matches their records. The DDA reversed any error updates submitted to reduce these days down to 18 and the system should now show the previously entered and certified attendance. If the attendance record in PCIS2 does not match the provider’s record, an error update must be submitted to correct the calendar.
7. Providers that billed for days that were not consecutive should:
 - a. Submit an error update to correct the days that exceed the initial episode; or
 - b. Assess attendance to identify the maximum consecutive days and submit an error update to delete initial request and add the new dates
8. Error updates should be sent to emails listed below by December 31, 2020:
 - a. CMRO - fiscal.cmro@maryland.gov
 - b. ESRO - renee.benjamin@maryland.gov
 - c. SMRO - terrie.logue@maryland.gov
 - d. WMRO - deneice.robinson@maryland.gov

Resources:

- [DDA Appendix K #1 - Retainer Payment Guidance - Revised September 2, 2020](#)
- [Retainer Payments - Revised September 2, 2020](#)

MEANINGFUL DAY

Retainer payments may be requested for Employment Services, Supported Employment, Career Exploration, Community Development Services, and Day Habilitation services.

Standards and Requirements

1. Retainer days are based on billable service days provided to a person.

2. Meaningful day services retainer payments can be paid for up to 30 consecutive billable retainer days.
3. Retainer days for Meaningful Day services are available during the effective period of the Appendix K, which is March 13, 2020 through March 12, 2021 only.
4. Given that a person may have a mix of meaningful day services during a week, it is possible for multiple providers to bill retainer days for one person.
5. Most meaningful day services provided Monday through Friday.
 - a. If the service is only rendered five (5) days per week then Saturday and Sunday are not considered billable days. Therefore, billing for retainer payments on the following Monday is then considered the 6th consecutive billable day.
 - b. If the service is provided daily for the participant, then the requests for retainer payments must be consecutive calendar days. For example a person receiving employment supports daily.
6. Providers that have billed for 18 consecutive days but the person they support actually used more than the 18 consecutive billable days, can submit an error update to change the attendance for the additional consecutive billable days up to a total of 30.
7. Assess attendance to identify the maximum consecutive billable days and submit an error update to delete the initial request and add the new dates.
8. Providers that billed for days that were not consecutive should submit an error update to correct the days that exceed the initial episode.

Resources:

- [DDA Appendix K #1 - Retainer Payment Guidance - Revised September 2, 2020](#)
- [Retainer Payments - Revised September 2, 2020](#)

PERSONAL SUPPORTS

Appendix K - CMS approved the request to increase retainer days from 18 to 30 **consecutive** days per calendar year. For Personal Support Services, this means that the allowable retainer units increased from 72 hours / 288 units to 120 hours / 480 units. Guidance on how to account for retainer days in LTSS *Maryland* will be forthcoming.

1. Retainer Units are available during the effective period of the Appendix K, which is March 13, 2020 through March 12, 2021.
2. PCIS2 is set up to accommodate both Personal Support units and retainer units on the same day.
3. In the case where consecutive days of service (Episode) are broken by the entry of regular pay units only on a service day, providers should submit an error update to remove any entered retainer hours occurring after the first episode.
4. Providers that billed the maximum number of allowable consecutive units but additional units could have been used should submit an error update to change the attendance calendar in PCIS2.

Resources:

- [DDA Appendix K #1 - Retainer Payment Guidance - Revised September 2, 2020](#)
- [Retainer Payments - Revised September 2, 2020](#)