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GOVERNOR

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September 08, 2023

Statewide Medicaid Managed Care (SMMC) Policy Transmittal: 2023-12

Applicable to the **2018-2024 SMMC contract benefits** for:

- Managed Medical Assistance (MMA) and MMA Specialty
- Long-Term Care (LTC)
- Dental

Re: Ad Hoc Request for Individualized Transition Plan for Nursing Facility Children - Implementation of Private Duty Nursing (PDN) Services and Supports

The managed care plan is required to provide the Agency or its agents any other information or data relative to this contract in accordance with 42 CFR 438.604(b). In such instances, and at the direction of the Agency, the managed care plan must fully cooperate with such requests and furnish all data or information in a timely manner, in the format in which it is requested. The managed care plan must have at least thirty (30) days to fulfill such ad hoc requests unless the Agency directs the managed care plan to provide data or information in less than thirty (30) days. The managed care plan must certify that data and information it submits to the Agency is accurate, truthful, and complete in accordance with 42 CFR 438.606. (MMA & LTC: Attachment II, Section XVI.A.1.b.). The purpose of this policy transmittal is to inform the managed care plan how the Agency is implementing the requirement to offer “home visits to other family homes where PDN Children are receiving PDN in the Community” (Family-to-Family Home Visiting) and “family to family peer support from a family that has received PDN for a child” (Family-to-Family Peer Support) as part of the Transition Planning Process, inform the managed care plan of new requirements for these services, and advise the managed care plan of a new ad-hoc reporting requirement related to these support services.

An Order of Injunction (Document 1171) entered in *United States v. Florida*, 12-60460-CV (S.D. Fla.), was issued July 14, 2023. The injunction requires an individualized transition plan be completed for all “Nursing Facility (NF) Children” between August 1, 2023, and September 1, 2023. On July 28, 2023, the Agency issued Statewide Medicaid Managed Care (SMMC) Policy Transmittal: 2023-10, *Individualized Transition Plan for Nursing Facility Children – Reporting Requirements*, to inform managed care plans of these requirements for transition planning.

As part of the “Individualized Transition Planning Process” required by the injunction, “parent(s)/guardian(s) must be provided complete, accurate, individualized information about, and outreach and engagement that provides a full opportunity to learn about and explore receipt of, available PDN and other community-based services and supports. These other services and supports include home visits to other family homes where PDN Children are receiving PDN in the Community, as well as family to family peer support from a family that has received PDN for a child.” The injunction defines “Nursing Facility Children” as “individuals who live in Nursing Facilities, have Complex Medical Needs, and either (1) are under 30 years of age and began living in a Nursing Facility before reaching 21 years of age, or (2) are under 21 years of age. A NF Child who is hospitalized remains, during the period of hospitalization, a NF Child.”



On September 5, 2023, the Agency mailed a letter to each parent/guardian of a child receiving PDN services to inform families of these new services and identify families willing to volunteer as a host family for either Family-to-Family Home Visiting or Family-to-Family Peer Support services, or both. This letter is included as Attachment A. Below are descriptions of each service:

1. **Family-to-Family Home Visiting.** This is an opportunity for families of children receiving PDN services to provide visiting opportunities to a family with a child in a nursing facility who is interested in learning about PDN services. Home visits can be either in-person or virtual, and the care coordinator of the child residing in the nursing facility shall accompany the family during all visits. The purpose of these visits is to allow the family of a child residing in a nursing facility to observe PDN services provided in the home and to afford these parent(s)/guardian(s) the opportunity to ask questions. Families that volunteer for this service as a host for home visits shall determine the date, duration, and frequency of these visits and can stop participation at any time.
2. **Family-to-Family Peer Support.** This is an opportunity for families of children receiving PDN services to be a sponsor to a family with a child in a nursing facility who is interested in learning about PDN services. Families that volunteer as a sponsor providing peer support will serve as a resource for families with a child in a nursing facility to learn about PDN services provided in the home. Interactions may be one-on-one or with groups of families and can take place in person, virtually, or by telephone. Families that volunteer for this service as a family sponsor for peer support shall determine the date, duration, frequency, and modality of these interactions and can stop participation at any time. Family-to-Family Peer Support does not include home visiting.

The Agency will maintain an up-to-date centralized list of all families that have communicated their interest in participating in either the Family-to-Family Home Visiting service, Family-to-Family Peer Support service, or both. This list will be made available continuously to all managed care plans.

Managed Care Plan Requirements

Upon notification by the Agency of the implementation of these services, the managed care plan shall offer the Home Visiting and Peer Support services to parent(s)/guardian(s) of a NF Child at all transition plan updates, to occur at least once every three months. The managed care plan will coordinate the provision of these services and shall ensure that the care coordinator of the NF Child attends all in-home visits provided through the Family-to-Family Home Visiting service. The managed care plan shall report information related to these services in a manner and format directed by the Agency.

Should the managed care plan become aware of parent(s)/guardian(s) interested in participating in either the Family-to-Family Home Visiting or Family-to-Family Peer Support services, or both, the managed care plan shall provide the Agency with the parent/guardian's contact information.

If you have any questions, please contact your Agency contract manager.

Sincerely,

A handwritten signature in black ink, appearing to read 'AN', is positioned below the word 'Sincerely,'.

Austin Noll
Deputy Secretary for Medicaid Policy, Quality, and
Operations