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SECRETARY

MEMORANDUM

TO: Area Agencies on Aging (AAA) NOTICE: 070815-1-PC-SCBS

FROM: Samuel P. Vergheze, Secretary

DATE: July 8, 2015

SUBJECT: Notice of Policy Clarification: Older American Act (OAA) Congregate Meals and Statewide Medicaid Managed Care Long-Term Care (SMMC LTC) Program Enrollees

The purpose of this Notice is to provide responses to questions asked regarding Notice # 032515-2-PC-SCBS, which addresses the provision of OAA Title III nutrition services to SMMC LTC enrollees. This Notice includes two attached documents:

- Older Americans Act (OAA) Congregate Meals and Statewide Medicaid Managed Care Long-Term Care (SMMC LTC) Program Enrollees Frequently Asked Questions (FAQs), containing questions and answers regarding the responsibilities of nutrition services providers and managed care plans (MCPs) for SMMC LTC enrollees accessing OAA congregate nutrition services; and
- Statewide Medicaid Managed Care Long-Term Care (SMMC LTC) Plan Notification, provided to the Agency for Health Care Administration for distribution to the MCPs, containing the SMMC LTC enrollee referral process.

The SMMC LTC enrollee referral process is to be used as a reference by OAA providers and MCPs regarding the expectations and responsibilities of each related to SMMC LTC enrollees' access to OAA congregate nutrition services.

Thank you for your cooperation. If you have any questions, please contact your contract manager.

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Older Americans Act (OAA) Congregate Meals and Statewide Medicaid Managed Care Long-Term Care (SMMC LTC) Program Enrollees Frequently Asked Questions (FAQs)

Q 1. When does this policy clarification take effect? Is it considered retroactive back to January? How soon are we to advise providers that this policy clarification has taken effect?

A. The policy is effective March 25, 2015, the date of the Notice of Policy Clarification (NOPC).

Q 2. The NOPC states that “since the Administration for Community Living has provided guidance and SMMC LTC does not cover congregate meals, individuals enrolled in SMMC LTC may receive congregate meals if coordinated by the managed care plan and paid for by OAA funds.” What does this mean?

A. Individuals enrolled in SMMC LTC may receive nutrition services at congregate meals sites provided through Title III C1 of the OAA.

Q 3. Is it the intent of the NOPC that congregate meals, as well as transportation for the enrollee receiving congregate meals, be provided only when coordinated by the managed care plan (MCP)? If so, what documentation should be included in the client file to support or request coordination and authorization of the service by MCP to OAA Service Provider?

A. Yes, the intent of the NOPC is for MCPs to coordinate, as needed, with nutrition service providers for SMMC LTC enrollees to receive OAA funded congregate meals and transportation to congregate meals sites. The enrollee file maintained by the nutrition service provider must include the *DOEA Congregate Meal Nutrition Service Referral Form #243*, completed by the SMMC LTC plan case manager. DOEA provided the Agency for Health Care Administration the SMMC LTC Enrollee Referral Process, attached to this FAQ as a reference, for distribution to the MCPs.

Q 4. Are SMMC LTC enrollees receiving OAA Title III C1 services to be enrolled? In the past, these enrollees have been served as guests.

A. SMMC LTC enrollees receiving OAA Title III C1 nutrition services are to be enrolled as OAA C1 clients.

Q 5. Can Nutrition Education be included as an allowable service to a Long-Term Care enrollee that is billed to OAA?

A. Yes, OAA Title III C1 services include nutrition education in accordance with the *Department of Elder Affairs Programs and Services Handbook*, Appendix A: Service Descriptions and Standards, Section 2: Services, page A-214.

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Q 6. How do we verify that an MCP is coordinating an enrollee's receipt of congregate meals funded through OAA?

A. The MCP may include congregate meals in the coordination of services for SMMC LTC enrollees. The MCP will forward the OAA nutrition services provided a completed "DOEA Congregate Meal Nutrition Services Referral Form #243."

Q 7. We are aware that the initial assessment done by the Comprehensive Assessment and Review for Long-Term Care Services (CARES) office is visible in the Client Information Registration and Tracking System (CIRTS), but annual reassessments completed by the MCPs are not in CIRTS. If there is an assessment entered in CIRTS by CARES for SMMC LTC, can the OAA Provider use that assessment or should they conduct their own? Will the CARES assessment for SMMC LTC be updated every year and will that assessment be entered in CIRTS? How do we confirm that each congregate meal client has a current 701 assessment on file?

A. The annual 701B assessments completed by the MCPs are entered in CIRTS by CARES and are available in CIRTS to nutrition providers. The OAA nutrition services provider should use the current 701B assessment in CIRTS.

Q 8. What other coordination is the MCP expected to do? How will they know that the enrollee is attending and/or wants to attend a meal site?

A. SMMC LTC plans must coordinate with local OAA nutrition service providers in each of the planning and service areas (PSAs) to access congregate nutrition services and transportation to congregate meal sites, if needed. Coordination includes contacting the service provider, with the enrollee's documented consent. Please see attached process that has been provided to the MCPs.

Q 9. Does this policy clarification also apply to the Local Services Program (LSP) as LSP currently follows OAA standards? What about other OAA services not covered through SMMC LTC?

A. This policy clarification applies to LSP, to the extent that LSP providers are operating under OAA standards.

Q 10. If an SMMC LTC enrollee receives congregate meals service, a dual enrollment exception will occur in CIRTS monitoring reports. To ensure that OAA and LSP providers do not appear to breach programmatic compliance, will DOEA amend CIRTS exception reports that show active SMMC LTC enrollees receiving congregate meals by also being active in OAA or LSP?

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A. CIRTS currently allows for posting OAA units to SMMC LTC enrollees. The enrollees, however, will continue to appear as dual enrollments in two CIRTS monitoring reports: “MLTC Consumers Receiving CCE/ADI/ LSP/OAA Service” and “Active MLTC Clients Who Are ACTV, APCL or APPL in Another Program.” DOEA has added two new service codes to CIRTS – CNMLM and TRSM – so that OAA and LSP providers can appropriately report congregate meals services for SMMC LTC enrollees.

“CNMLM” stands for “Congregate Meals for Managed Long-Term Care Clients” and will be associated with SMMC LTC enrollees receiving LSP or OAA IIIC1 services. “TRSM” stands for “Transportation to Meal Site for Managed Long-Term Care Clients” and will be associated with SMMC LTC enrollees receiving LSP or OAA IIIB transportation services to congregate meals sites.

CIRTS reports are being changed to exclude individuals who are active in SMMC LTC and receive TRSM or CNMLM.

Q 11. How do we verify that an MCP is coordinating a client’s receipt of congregate meals funded through OAA?

A. The MCP will forward the nutrition service provider the completed “DOEA Congregate Meals Service Nutrition Referral Form #243,” as indicated in the SMMC LTC Enrollee Referral Process.

Q 12. Providers are allowed to claim Nutrition Services Incentive Program (NSIP) funds for meals they serve through alternate funds such as county and United Way, as long as those meals meet OAA standards. Can a provider claim NSIP reimbursement for congregate meals served under other funding sources? What about home-delivered meals (HDM)?

A. Congregate meals served to SMMC LTC enrollees cannot be included in NSIP reporting as individuals are means tested as a prerequisite for program participation. HDM is a covered service under SMMC LTC and cannot be provided by OAA programs to SMMC LTC enrollees.

Q 13. Beyond assessments, what other CIRTS data entry will be required? Should the Enrollment and Services Report continue to be the minimum reporting requirements for enrollees receiving both SMMC LTC and OAA services?

A. The nutrition service provider will access the enrollee’s current assessment information from CIRTS and prioritize the enrollee for services. The SMMC MCP must ensure the enrollee has a current 701B assessment in CIRTS upon making the referral. The Enrollment and Services Report will continue to be the minimum reporting requirement notwithstanding future guidance or changes in requirements.

Statewide Medicaid Managed Care Long-Term Care (SMMC LTC) Plan Notification

Dear Statewide Medicaid Managed Care Long-Term Care (SMMC LTC) Plans:

The purpose of this correspondence is to provide notification that the Department of Elder Affairs (Department) issued a policy notice to Area Agencies on Aging (AAAs), effective March 25, 2015, allowing for the provision of Older Americans Act (OAA) congregate meals to SMMC LTC enrollees. Although home-delivery of meals is a covered service for individuals enrolled in SMMC LTC, congregate meals are not a Medicaid-covered service in the program. The Department recognizes that certain SMMC LTC enrollees may benefit from the provision of a nutritionally sound meal in a congregate meal site setting. SMMC LTC managed care plans (MCP) may consider OAA congregate meals in the coordination of services for SMMC LTC enrollees.

OAA congregate nutrition services are targeted to persons age 60 or older. Priority is given to older individuals with greatest economic and social need, with preference to low-income older individuals, including low income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas. In addition to meeting established eligibility, individuals must be mobile, not homebound, and physically, mentally, and medically able to attend a congregate nutrition program.

Individuals eligible to receive a congregate meal include the following:

- Individuals age 60 or older;
- The spouse of an individual age 60 or older who attends the dining site, regardless of age or disability; and
- Individuals with disabilities, regardless of age, who reside at home with and accompany older eligible individuals to the congregate site.

SMMC LTC Enrollee Referral Process

1. SMMC LTC MCPs must coordinate with local OAA nutrition service providers in each of the planning and service areas (PSAs) to access congregate nutrition services, and transportation to congregate meal sites, if needed. Coordination includes contacting the service provider, with the enrollee's documented consent (to be maintained by the MCP).
2. The nutrition service provider will access the enrollee's current assessment information from CIRTS and prioritize the enrollee for services. In addition to frailty, priority is based upon OAA targeting criteria. The MCP must ensure the enrollee has a current "701B assessment" in CIRTS upon making the referral.
3. The nutrition services provider will notify the SMMC LTC MCP case manager prior to release of an SMMC LTC enrollee from the OAA congregate nutrition services priority list. If an individual is receiving OAA congregate meal services prior to Enrollment Management System (EMS) release, then there will be no interruption in the individual's OAA services. The priority list for OAA congregate nutrition services is managed by the local OAA provider.
4. The SMMC LTC MCP case manager must provide the attached completed "DOEA Congregate Meal Nutrition Services Referral Form #243" to the nutrition service provider, (to be maintained by the nutrition service provider). The nutrition service provider will contact the enrollee to begin services.

Note: This guidance is applicable to Local Service Program (LSP) Providers in PSAs 5, 10, and 11, providing congregate nutrition services under OAA standards. A current list of OAA Congregate Nutrition Service Providers by PSA is attached.