



Nursing Home Transition Diversion

CMS approved an amendment to the
Appendix K for the TBI and NHTD Waivers



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Dear Traumatic Brain Injury (TBI) and Nursing Home Transition and Diversion (NHTD) Providers:

The Centers for Medicare and Medicaid Services (CMS) **approved** an amendment to the Appendix K for the Traumatic Brain Injury (TBI) and Nursing Home Transition and Diversion (NHTD) Waivers. This Appendix K was amended to enact provisions of the CMS approved spending plan and narrative for Section 9817 of the American Rescue Plan Act (ARPA).

Nursing Visit: In response to “eFMAP” provisions NYS is making modifications to the current NHTD service of Home and Community Support Services (HCSS) Nursing Visit rate unit from per-visit to hourly and adding a new TBI rate code of 9884 for HCSS Nursing Visit approved effective the approval of the most recent Appendix K amendment. NYS is seeking further approval to correct this date to allow this change to begin as of April 1, 2021.

Structured Day Program: A rate differential of \$10.00 per hour will be added to new rate codes for Structured Day Program’s (SDP’s) that provided face-to-face services effective April 1, 2021. The new NHTD rate code is 9749. The new TBI rate code is 9885.

Direct Service Stipend: Also approved is a stipend for all direct service staff HCSS (nurses and aides), Respite, SC, CIC, ILST, PBIS, Peer Mentoring (NHTD only); Substance Abuse (TBI only,) SDP staff who provide(d) services from April 1, 2021 to six months after the end of the Federal PHE. NYS provides a stipend to all waiver service providers employing the staff indicated above in the amount of \$2,500 for each direct service staff person the provider hires/hired on or after April 1, 2021 and maintains/maintained that employee for thirty days or more throughout the PHE and/or Appendix K period. An additional amount of \$500 will be added for each employee fully vaccinated. A \$3,000 stipend will be provided to each direct service staff member HCSS (nurses and aides), Respite, SC, CIC, ILST, PBIS, Peer Mentoring (NHTD only), Substance Abuse (TBI only), SDP staff hired prior to April 1, 2021 employed and providing direct services to waiver participants for thirty days or more during the period of the PHE and/or the Appendix K waiver amendment period. An additional amount of \$500 will be added for each fully vaccinated employee meeting these criteria. This provision is

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effective April 1, 2021.

Training: Due to the high volume of staff turnover as a result of the PHE, providers are required to increase available staff training. NYS is implementing a training stipend for all waiver providers approved and offering services during the PHE, not to exceed \$350.00 of the providers per staff cost to provide PCA training and/or a stipend of \$100.00 for costs associated with training staff in waiver service protocols effective April 1, 2021.

Additionally, this amendment terminates retainer payments effective December 31, 2021.

A copy of the approved Appendix K is available at:

- https://www.health.ny.gov/health_care/medicaid/redesign/mrt90/2022/docs/2022-05-13_appendix_k.pdf

Any questions regarding the TBI Waiver may be submitted to: tbi@health.ny.gov

Any questions regarding the NHTD Waiver may be submitted to: nhtdwaiver@health.ny.gov

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