

Sept. 29, 2020

MEDICAID ALERT

TO: Home and Community Based Services Providers

SUBJECT: Approval of South Carolina's Appendix K-Retainer Payments

As part of the South Carolina Department of Health and Human Services' (SCDHHS) ongoing response to the state and federal states of emergency related to coronavirus disease 2019 (COVID-19), SCDHHS has sought and received approval to issue "temporary retainer payments" to certain home and community based services providers in South Carolina. The approval letter, which applies to the waivers listed below in Table 1, was issued by the Centers for Medicare and Medicaid Services (CMS) on Sept. 22, 2020. The [letter](#) and [Appendix K amendment](#) are available on SCDHHS' [COVID-19 website](#).

Temporary Retainer Payments

While typically implemented to retain individual slots for personal care services for up to three periods of 30 billable days, CMS has granted the state of South Carolina flexibility to issue temporary retainer payments to providers for each service listed below in Table 2. This flexibility is available to eligible providers for services typically offered to beneficiaries on an average aggregate basis for each service. These temporary retainer payments may be available to providers in instances when individual Healthy Connections Medicaid members did not receive services because of circumstances directly related to the COVID-19 pandemic, including public response efforts such as social distancing or self-quarantine measures. Providers also may be eligible for retainer payments if they were unable to render services because of the pandemic.

Providers who render personal care services may be eligible to receive temporary retainer payments equal to 40% of lost revenue during certain periods of the pandemic and public response. Providers who meet the following criteria may be eligible for temporary retainer payments:

- Are currently enrolled in South Carolina Healthy Connections Medicaid and were enrolled as of Jan. 1, 2020;
- Have been active in the program, as demonstrated by three months of billing activity prior to the COVID-19 public health emergency;
- Have submitted and will attest to having submitted all claims for the temporary retainer payment period;
- Have experienced sufficient losses as to require a temporary retainer payment, as measured by the greater of 10% revenue loss or \$1,000; and,
- Comply with all other forms, guidance and attestations as issued by the agency.

SCDHHS will implement a series of safeguards to monitor payments, avoid duplication of billing and monitor the use of retainer payments. Providers are required to submit an attestation for each service they provide. All services fall into one of two groups, as depicted in Table 2, based upon the number of calendar days required to complete 30 billable service days. Most providers will fall into either Service Group One or Service Group Two, as SCDHHS has identified only 11 non-governmental providers that provide services from both groups under a single provider identification number.

Service Group One encompasses services typically offered on a weekday schedule leading to five billable service days per week (30 billable service days over six weeks). Service Group One providers must complete [Form 950K1](#). When filling out the form, providers must list their usual and customary revenue received for each service over a six-week period, as well as actual revenue received for those services provided during the following periods:

- March 16 to April 24, 2020;
- April 27 to June 5, 2020; and,
- June 8 to July 17, 2020.

Service Group Two encompasses services typically offered on a calendar, or seven-day-a-week, basis (30 days of billable services in 30 calendar days). Service Group Two providers must complete [Form 950K2](#). When filling out the form, providers must list their usual and customary revenue received for each service over a 30-day period, as well as actual revenue received for those services provided during the following periods:

- March 16 to April 14, 2020;
- April 15 to May 14, 2020; and,
- May 15 to June 13, 2020.

To apply for temporary retainer payments, providers will be required to complete one or both attestation forms included in this alert (forms [950K1](#) and [950K2](#)). Providers should note:

- SCDHHS will verify the provider's usual and customary revenue using an eight-month average of actual service and billing activity from July 1, 2019, to Feb. 29, 2020;
- Actual revenue should be reported on a date-of-service and not a date-of-payment basis; and,
- All providers must attest that all claims for the relevant dates of service have been submitted at the time they submit their attestation.

Temporary Retainer Payments Webinars

SCDHHS will host two temporary retainer payment webinars for providers on Oct. 1 and 2, 2020. During both webinars, SCDHHS staff will review the application process, payment methodology, required forms (including the attestation forms mentioned above) and additional requirements and parameters. Providers can register for the webinars, which will be held from **10-11 a.m. on Oct. 1 and from 10-11 a.m. on Oct. 2**, by following the instructions below. Providers only need to register for one of the webinars, both webinars will cover the same guidance and topics.

Oct. 1 Webinar

- Webex:
 - [Registration link](#)

Oct. 2 Webinar

- Webex:
 - [Registration link](#)

Additional Guidance

SCDHHS will issue additional guidance related to the Appendix K temporary retainer payments through future Medicaid alerts. This guidance will include a recording of the webinar and additional provider resources, which will also be available on the agency's [COVID-19 website](#).

Please refer any questions or concerns regarding this alert to COVID@scdhhs.gov.

Thank you for your continued support of the South Carolina Healthy Connections Medicaid program.

Table 1: Affected Waivers

Waiver Name	CMS Amendment Control Number
Community Choices (CC)	SC.0405.R03.02
Community Supports (CS)	SC.0676.R02.04
Head and Spinal Cord Injury (HASCI)	SC.0284.R05.03
HIV-AIDS	SC.0186.R06.02
Mechanical Ventilator Dependent (VENT)	SC.40181.R05.02
Intellectually Disabled and Related Disabilities (ID/RD)	SC.0237.R05.04

Table 2: Eligible Services

Group	Service	Procedure Codes
1	Adult Day Healthcare	S5102, X6987
1	Adult Day Healthcare Nursing	S5105, X2045
1	Career Preparation	T2014, X1001
1	Community Services	H2016
1	Day Activity	T2020, X1003
1	Group Employment Services	H2026
1	Individual Employment Services	H2025, X1002
1	Support Center Services	S5151, G0177
2	Agency Companion Services	S5135, X686, X0274
2	Attendant Care Services	S5125, X0241, X0247, X0243
2	Nursing Services	S9123, S9124, T1002, T1003
2	Personal Care Services	S5130, T1019
2	Respite	S5150, S9125, T1005, X6985, X7028