

APPENDIX K: Emergency Preparedness and Response

Background:

This standalone appendix may be utilized by the state during emergency situations to request amendment to its approved waiver. It includes actions that states can take under the existing Section 1915(c) home and community-based waiver authority in order to respond to an emergency. Other activities may require the use of various other authorities such as the Section 1115 demonstrations or the Section 1135 authorities.¹ This appendix may be completed retroactively as needed by the state.

Appendix K-1: General Information

General Information:

A. State: Alaska

B. Waiver Title:

People with Intellectual and Developmental Disabilities (IDD) Adults with Physical and Developmental Disabilities (APDD) Children with Complex Medical Conditions (CCMC) Individualized Supports Waiver (ISW)
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C. Control Number:

<ul style="list-style-type: none">AK.0260.R05.13 (IDD)AK.0262.R05.11 (APDD)AK.0263.R05.12 (CCMC)AK.1566.R00.09 (ISW)

D. Type of Emergency (The state may check more than one box):

<input checked="" type="radio"/>	Pandemic or Epidemic
<input type="radio"/>	Natural Disaster
<input type="radio"/>	National Security Emergency
<input type="radio"/>	Environmental
<input type="radio"/>	Other (specify):

E. Proposed Effective Date: Start Date: March 11, 2020 Anticipated End Date: six months after the end of the public health emergency

F. Brief Description of Emergency. *In no more than one paragraph each, briefly describe the: 1) nature of emergency; 2) number of individuals affected and the state's mechanism to identify individuals at risk; 3) roles of state, local and other entities involved in approved waiver operations; and 4) expected changes needed to service delivery methods, if applicable. The state should provide this information for each emergency checked if those emergencies affect different geographic areas and require different changes to the waiver.*

Alaska is submitting a **fifth** Appendix K request adding to the Appendix K amendments approved by CMS on March 25, 2020, June 10, 2020, October 30, 2020, and December 21, 2020. This fifth amendment makes one change to existing approved Appendix K language (which continues to be effective):

At K-2-b-ii, Temporarily exceed service limitations (including limits on sets of services as described in Appendix C-4) or requirements for amount, duration, and prior authorization to address health and welfare issues presented by the emergency), the State adds Day Habilitation to the list of services requiring modification of existing service limitations (the other services previously approved in K-2-b-ii remain).

Alaska's waiver and regulations amendments that contain information on the conditions under which recipients of day habilitation can receive in excess of the 624 hours/year limit were to become effective on October 1, but were amended to begin January 1, 2021. The State will review and approve support plans that contain justification for requests for day habilitation services in excess of 624 hours/year annual limit when the public health emergency declaration ends and the State has resources available to conduct the internal and external work needed to implement the regulatory change. The State will approve requests up to 60% more than the annual limit, with adequate justification.

In the interim period before the end of the emergency declaration, support plan reviewers will evaluate all requests for additional hours beyond the annual limit to determine whether or not the person would be at risk of institutionalization or their health and safety would be at risk if the additional hours of day habilitation were not to be approved. Reviewers will consider all factors related to the recipient's case and the request for additional hours as presented within the recipient's support plan. Each request will be reviewed by a supervisor, and also brought to the entire team of IDD waiver reviewers if additional consideration is needed and to ensure consistency in practice.

Appendix K-2: Temporary or Emergency-Specific Amendment to Approved Waiver

Temporary or Emergency-Specific Amendment to Approved Waiver:

These are changes that, while directly related to the state's response to an emergency situation, require amendment to the approved waiver document. These changes are time limited and tied specifically to individuals impacted by the emergency. Permanent or long-ranging changes will

need to be incorporated into the main appendices of the waiver, via an amendment request in the waiver management system (WMS) upon advice from CMS.

b. X Services

- ii. X Temporarily exceed service limitations (including limits on sets of services as described in Appendix C-4) or requirements for amount, duration, and prior authorization to address health and welfare issues presented by the emergency.**

[Explanation of changes]

<p>At the end of the public health emergency (PHE), the State will review and approve support plans that contain justification for requests for day habilitation services in excess of 624 hours/year annual limit as the State will have completed the internal and external work needed to implement the regulatory change. The State will approve requests up to 60% more than the annual limit, with adequate justification.</p> <p>In the interim period before the end of the PHE, support plan reviewers will evaluate all requests for additional hours beyond the annual limit to determine whether or not the person would be at risk of institutionalization or their health and safety would be at risk if the additional hours of day habilitation were not to be approved. Reviewers will consider all factors related to the recipient's case and the request for additional hours as presented within the recipient's support plan. Each request will be reviewed by a supervisor, and also brought to the entire team of IDD waiver reviewers if additional consideration is needed and to ensure consistency in practice.</p>

Authorizing Signature

Signature:



Date:

1.15.21

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