



Policy Memo	
KDHE-DHCF POLICY NO: 2021-09-01	From: Erin Kelley, Senior Manager
Date: 9/15/2021	Medical KEESM References: 1423, 8112.4, 8113, 8173.4
RE: State Institutional Alternative (SIA) Policy Implementation	Program(s): Elderly & Disabled/Long Term Care

The purpose of this memo is to communicate implementation instructions for individuals admitted into the newly approved State Institutional Alternative (SIA) facilities. These facilities are existing IMD and Non IMD facilities that have specialized beds for individuals requiring State Mental Health Hospital level of care. This policy is effective September 15, 2021 to align with the implementation date that KDADS authorized these facilities. Medical KEESM 8112.4 (4) will reflect this update with the next scheduled revision. It is important to note that any reference to discontinuing coverage must still align with the existing policies and procedures implemented throughout the scope of the COVID-19 Public Health Emergency (PHE).

I. BACKGROUND

Due to the COVID-19 Public Health Emergency, an “Eviction Moratorium” was implemented in the state of Kansas that restricted the eviction of individuals residing in a State Mental Health Hospital for reasons such as lack of payment. This has led to a limited number of beds available in Osawatomie and Larned State Mental Health Hospitals, thus creating the need to have specialized State Mental Health Hospital level of care beds available in individual counties at select locations such as general hospitals, PRTF facilities, etc. These admissions are anticipated to be short-term, generally less than 14 days.

II. SIA PROGRAM IMPLEMENTATION

At the time of the release of this memo, KDADS has currently onboarded three (3) SIA-IMD facilities and four (4) SIA-Non IMD facilities. As the program moves forward, additional facilities may be added. These facilities, once onboarded, will be noted on the Active Nursing Facility List as SIA-IMD or SIA-Non IMD. The individuals admitted into these facilities are expected to be acute, short term stays and if determined otherwise eligible, will receive State Mental Health

Hospital coding, unless active on HCBS and admitted as a temporary stay, where the HCBS coverage remains in place. The policies described hereafter also apply to Working Healthy recipients. The MS-2126 Notice of Facility Admission/Discharge has been revised to include an SIA level of care designation.

A. LEVEL OF CARE SCREENING

As these individuals are admitted into the SIA facilities (both IMD and Non IMD), the same screening process as State Mental Health Hospital admissions will apply. While the individual is required to have a screening to determine State Mental Health Hospital level of care, the level of care screening is not required to determine eligibility for SIA-IMD or SIA-Non IMD coverage. The expectation is that individuals admitted into a SIA facility are presumed to meet the State Mental Health Hospital level of care.

Eligibility staff are to review the MS-2126 form to determine if the individual admitted to a SIA facility. Eligibility staff must ensure that the facility is an approved Medicaid SIA facility prior to coding eligibility.

B. INSTITUTIONS FOR MENTAL DISEASE (IMD) FACILITIES

Individuals admitted into a SIA-IMD facility will follow the same policy and processes for State Mental Health Hospital admissions per Medical KEESM 8112.4 (1). This means that individuals between the ages of 21 through 64 are not eligible for medical assistance until they are released. If individuals are active with coverage and are not eligible for State Mental Health Hospital coverage, their eligibility must be terminated allowing for timely and adequate notice.

State Mental Health Hospital coverage may be authorized for individuals under the age of 21 and ages 65 years of age and older. Coverage may be granted to individuals through the age of 22 if they receive psychiatric services on their 21st birthday. Case maintenance tasks received for these individuals should continue to be processed per existing policy and procedure while ensuring that the individual's coverage remains in place through their 22nd birthday or until they're discharged, whichever occurs first. See the KEES User Manual for processing instructions.

PRTF facilities, such as KVC, may also be SIA approved facilities. Since PRTF facilities treat individuals under the age of 21 (age 22 if receiving treatment in a PRTF or State Mental Health Hospital on their 21st birthday), staff should not see admittances outside of the SIA age limits in these facilities. These individuals will receive SIA coverage when they admit as SIA as noted on the MS-2126, not PRTF coverage, if determined otherwise eligible.

C. Non IMD FACILITIES

Similar to Nursing Facilities for Mental Health per Medical KEESM 8112.4 (2), there is no age restriction for individuals admitted into a SIA–Non IMD facility (i.e.: Newton Medical Center, Via Christi, etc.). This means that individuals between the ages of 21-64 may be determined eligible when admitted into a SIA–Non IMD facility if otherwise eligible. Individuals admitted into a SIA–Non IMD facility who are determined otherwise eligible will be coded for SIA using the state mental health hospital level of care code, with the exception of HCBS recipients who admit for a temporary stay, as noted in section III(A)(2) below.

III. LONG TERM CARE LIVING ARRANGEMENT IMPACTS

A. HCBS TEMPORARY STAY ADMISSIONS

Active HCBS recipients that are admitted into SIA facilities shall continue to follow the length of stay policies and processes noted in Medical KEESM 8173.4 and subsections. Admissions that are anticipated to be temporary stays as described in Medical KEESM 8113 are to continue with HCBS coding for the duration of the temporary stay. There are no changes made to their HCBS coding during this time. Although these admissions are anticipated to be 14 days or less, there may be instances where the temporary stay to permanent stay policies apply.

1. SIA-IMD TEMPORARY STAYS

HCBS recipients that are under the age of 21 or 65 years of age and older that admit into an SIA–IMD facility shall continue to have their HCBS coding in place. HCBS budgeting methodologies remain in place throughout the duration of the temporary stay.

HCBS recipients between the ages of 21-64 that admit into a SIA-IMD facility are ineligible for Medicaid and their coverage must be discontinued allowing timely and adequate notice with the last date of HCBS coverage being day of admission into the SIA–IMD facility. Admissions of this age group into a SIA-IMD facility during the COVID-19 Public Health Emergency are still subject to PHE policies and procedures that remain in place throughout the scope of the PHE. As a reminder, this means the HCBS may end but the TXIX coverage must remain in place unless certain criteria are met as described in the COVID-19 PHE policies.

Note: A 20-year-old HCBS recipient that admits into a SIA-IMD facility that receives psychiatric services on their 21st birthday may be determined eligible for coverage per section II.B above.

2. SIA-Non IMD TEMPORARY STAYS

As the SIA–Non IMD facility is a State Institutional Alternative, the State Hospital HCBS Temporary Stay policy described in Medical KEESM 8173.4 (2)(a) apply, therefore HCBS recipients that admit into this facility for a temporary stay shall continue to have their HCBS coding remain in place and no changes to the level of care are necessary for the length of the temporary stay. HCBS budgeting methodologies remain in place throughout the duration of the temporary stay.

B. SIA LONG TERM STAY ADMISSIONS

Although admissions into both SIA–IMD and SIA–Non IMD facilities are anticipated to be an average of 14 days, there may be instances where the individual is either admitted directly as a long term stay or, for individuals eligible for a temporary stay, the temporary stay exceeds the temporary stay timeframe noted in Medical KEESM 8113. In these situations, coverage will either be discontinued (if admitted into a SIA–IMD between the ages of 21-64) or State Mental Health Hospital coding will be authorized for individuals under 21 years of age or 65 years of age and older who admit into a SIA–IMD facility if otherwise eligible. State Mental Health Hospital coding will also be authorized for individuals who admit into a SIA–Non IMD facility if otherwise eligible.

Note: Individuals between the ages of 21-64 who are admitted to a SIA-IMD facility as a temporary stay would have already been discontinued as noted above in section III.A.1. Temporary to permanent stay living arrangement changes are not applicable to this situation.

HCBS recipients who admit into a SIA facility for a long term stay who meet the age and facility criteria to receive coding will have the HCBS coding remain in place for the day they are admitted. The level of care change is effective the day following the day of entrance into the facility. This means that the last day of HCBS coding will be the day the individual admits into the facility.

IV. REINSTATEMENTS AFTER BEING DISCONTINUED FROM MEDICAID ELIGIBILITY

A. REINSTATEMENT POLICY

Per Medical KEESM 1423, individuals have through the last day of the month after the month of discontinuance to provide evidence that the reason for discontinuance has been cured. For individuals that are discontinued from Medicaid due to an admittance into a SIA

facility (typically the SIA-IMD facility when between the ages of 21-64), notification of the discharge from the SIA facility would be sufficient to cure the reason for discontinuance, and the individual reinstated on their prior Medicaid coverage without delay.

A new application is required for persons who are between the ages of 21-64 and released from an SIA-IMD facility in the second month following the month eligibility is discontinued or later.

B. HCBS WAIVER RE-ENROLLMENT

When a MS-2126 is received notifying the agency that the individual is discharging from the SIA facility, staff will follow existing policy and processes to determine if HCBS coverage may continue. This may include reinstating HCBS coverage following discontinuance if within the reinstatement timeframe (see section (IV)(A)) above, Institutional Transition, or if a new application is required.

Communication with the HCBS Program Manager is not required per KDADS, when reinstating HCBS coverage after a discharge from a SIA facility as this is not a new approval. Communication with the HCBS Program Manager may be required when the reinstatement policy described above does not apply.

V. QUESTIONS

For questions or concerns related to this document, please contact the KDHE Medical Policy Staff at kdhe.medicaideligibilitypolicy@ks.gov.

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Questions regarding any KEES issues are directed to the KEES Help Desk at KEES.HelpDesk@ks.gov.