



## Clarifying Information Surrounding Nursing Services in Combination with the Children's Waiver

This guidance clarifies requirements for determining and documenting eligibility of children in the Children's Waiver, Private Duty Nursing (PDN), or Consumer Directed Personal Assistance Program (CDPAP) services.

PDN and CDPAP are State Plan Services that are available to children/youth and families receiving Medicaid. Services of PDN and CDPAP are not waiver services nor do they require the child/youth to be enrolled in the Health Home care management program; however, there are specific eligibility determination processes for both services that must be completed annually.

### **Historical Information:**

The Department of Health's previous Care at Home (CAH) I&II waivers required a Pediatric Patient Review Instrument (PPRI) eligibility determination for children who were leaving out-of-home placements such as nursing homes or hospitalization. A Pediatric Assessment within the Uniform Assessment System (UAS) was required on an annual basis for continued CAH waiver eligibility for children at home or in the community. Both the PPRI and the Pediatric UAS were required to be completed by a nurse. Since the majority of the CAH I&II program was managed by the Local Departments of Social Services (LDSS), the LDSS provided nurses for the CAH assessments. Since many children within the CAH waiver program also utilized PDN and/or CDPAP, the CAH nursing assessments were utilized to meet the PDN and CDPAP assessment. Now that the CAH waiver has been discontinued and the Children's Waiver has different processes, care managers and providers need know the PDN and CDPAP requirement of who and how these required service assessments get completed.

### **The Home and Community Based Services (HCBS) Children's Waiver**

As of April 1, 2019, the Children's Waiver consolidated six waivers into one waiver under 1915(c) federal authority. Children and youth are eligible for the Children's Waiver if they meet Home and Community Based Services/Level of Care (HCBS/LOC) eligibility criteria. A child or youth enrolled in the Children's Waiver is eligible to receive any HCBS appropriate for their needs.

HCBS/LOC eligibility is determined through the Child and Adolescent Needs and Strengths (CANS-NY) assessment for the Children's Waiver eligibility. Health Home Care Managers or Children and Youth Evaluation Service (C-YES) complete the HCBS/LOC eligibility determination. A nurse is not required to complete the HCBS/LOC eligibility determination for the Children's Waiver. Neither the HCBS/LOC nor the full CANS-NY collects all the necessary information needed for determining PDN or CDPAP services.



### **CDPAP and PDN Requirements**

**Consumer Directed Personal Assistance Program (CDPAP)** is a statewide Medicaid program which allows a qualified individual to receive Consumer Directed Personal Assistance Services (CDPAS). CDPAS is provided in the home for individuals who are:

- eligible to receive personal care, certified home health care, or private duty nursing;
- have a stable medical condition,
- require some or total assistance in a home care, personal care, or skilled nursing service, and
- are self-directing or have a designated representative to help with managing the program for them.

The nursing assessment for CDPAP verifies the need for the service, the types of tasks needed to support the individual, and helps inform the number of hours required. This nursing assessment is required to be conducted by the LDSS. The LDSS can complete the Pediatric UAS to meet CDPAP requirements. For more information and requirements for CDPAP:

[https://www.health.ny.gov/health\\_care/medicaid/program/longterm/cdpap.htm](https://www.health.ny.gov/health_care/medicaid/program/longterm/cdpap.htm)

**Private Duty Nursing (PDN)** is a service that is available for Medicaid members who require care beyond intermittent nursing services from a Certified Home Health Agency. PDN services prior approval is based on submitted documentation supporting the medical need. Approval of PDN services require documentation from the ordering provider containing all the skilled nursing tasks necessary for the care of the member.

Assessments for Fee-for-Service PDN – nursing assessments may be submitted during the prior approval process to meet documentation requirements. A current assessment that documents the member’s skilled nursing needs from another program, such as CDPAP, may be used as documentation for PDN approvals. If a current assessment is not available and an agency cannot be found to perform an assessment, a current comprehensive history and physical performed by a physician, documenting all skilled nursing tasks may be used to satisfy PDN documentation requirements.

If a child or youth is hospitalized and part of preparation for discharge and safe transfer back home includes PDN or CDPAP services, it may be possible to request a nursing assessment from the hospital prior to discharge.

If a child/youth may require both CDPAP and PDN services and an assessment (i.e. Pediatric UAS) has been completed, the same assessment may be used for both determinations, if the assessment is still current (completed within the last year) and accurately reflects the child or youth’s condition(s) and needs.

For further information please contact the Medicaid Private Duty Nursing Unit at 1-800- 342-3005. For members enrolled in Medicaid Managed Care – please contact the individual plan for requirements for an assessment.



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