



DIVISION OF DEVELOPMENTAL DISABILITIES

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MEMORANDUM

DATE: July 31, 2020

TO: Community Support Providers, Case Management Providers

FROM: Julie Hand, Interim Director, Division of Developmental Disabilities

SUBJECT: Update to Retainer Payment Guidance

In response to the COVID-19 public health emergency, the Division of Developmental Disabilities (DDD) submitted a request to the Centers for Medicare and Medicaid Services (CMS) via an Appendix K specific to the CHOICES Home and Community Based waiver. One component of the request included the use of retainer payments as a mechanism to ensure waiver participants' services remain available when services cannot be provided in person or other means such as telephonic or virtual supports.

On June 30, 2020, CMS issued updates to the COVID-19 Frequently Asked Questions (FAQs) for State Medicaid and Children's Health Insurance Program (CHIP) Agencies. Page 61 of the updated FAQ outlines updated guidance on the length of time retainer payments may be requested for each individual. The guidance states "...states may authorize up to three 30-day episodes of retainer payments for an individual during the period of the disaster using the Appendix K."

Given the updated guidance, DDD has updated the *COVID-19 Retainer Process & Policy* to reflect the 90-day limitation for retainer payments. After 90 days, the service to the participant must resume or the service close until such a time the participant's services recommence. In the event the service is closed after 90 days, DDD must authorize re-initiation of the service through the submission of a Significant Change Request (SCR).

If you have any questions regarding the retainer payment process, please contact Liliana Borcea at 605.773.3438 or Liliana.Borcea@state.sd.us.

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