DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid
Services 7500 Security Boulevard
Baltimore, Maryland 21244-1850

DATE: March 18, 2020

TO: Medicare-Medicaid Plans in Ohio

FROM: Lindsay P. Barnette
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SUBJECT: MyCare Ohio Medicare-Medicaid Plan Flexibilities Related to
                 Coronavirus Disease 2019 - COVID-19

COVID-19 presents new challenges for coordination of care and communication with those dually eligible older adults and people with disabilities enrolled in Medicare-Medicaid Plans (MMPs) under the MyCare Ohio demonstration. We appreciate your ongoing commitment to the people we serve.

Many of you have already taken steps to reduce the risks of COVID-19 transmission and maintain continuity of operations. To support those efforts, after consultation with our partners at the Ohio Department of Medicaid (ODM), we are permitting MMPs in Ohio to request to temporarily suspend or limit face-to-face care management activities required under the three-way contract (found in section 2.5.3) between CMS, ODM, and each MMP. We will exercise our enforcement discretion related to the aforementioned contract provisions if the MMP (1) can substitute face-to-face interactions with other approved modalities for conducting care management activities, such as telephonic and telehealth, and (2) conducts assertive outreach to at-risk enrollees to mitigate risks and provide education on COVID-19. This flexibility is effective through May 31, 2020. CMS and ODM will consider extending this policy as conditions warrant.

In addition, we are also offering flexibility on the timeframe for assessment completion described in section 2.3.5.2.1.5. As permitted via a contract amendment effective February 1, 2020, the assessment completion timeframe was extended to ninety (90) days from enrollment for beneficiaries with an enrollment effective date of February 1, 2020, March 1, 2020, or April 1, 2020. Given the present circumstances, we will also exercise enforcement discretion relating to assessments that are completed in up to ninety days for beneficiaries with an enrollment effective date of May 1, 2020 or June 1, 2020.

MMPs can request these flexibilities by emailing CMS (MMCOCapsModel@cms.hhs.gov) and ODM (via Karla.Warren@medicaid.ohio.gov) a commitment to provide a concise written plan that briefly describes how the MMP will:

1) complete care management activities in lieu of face-to-face contact; and
2) conduct outreach and COVID-19-related education to at-risk enrollees.

In recognition of rapidly evolving local circumstances, each MMP that submits such request may immediately take advantage of the flexibilities described here, and we will use our enforcement discretion accordingly, as long as the MMP submits the concise written plan within one week. Any education materials developed for beneficiaries and providers must be consistent with CDC and CMS guidance. This plan should include, but not be limited to:

- How and under what circumstances the MMP will complete comprehensive assessments, care plan development, trans-disciplinary care team meetings, and other care management activities via modalities other than in-person contact within the required timeframes; and
- Description of the at-risk population identified by the MMP for outreach and education about COVID-19 and the tools and resources the MMP may deploy to identify and mitigate risks normally identified through face-to-face care management.

Finally, notwithstanding the guidance discussed in this memo, MMPs should comply with any instructions issued by federal, state, or local public health officials related to COVID-19 response. We encourage MMPs to review previously issued guidance from CMS regarding obligations and permissible flexibilities related to disasters and emergencies. Also note that ODM will provide additional guidance related to the Section 1915(c) MyCare Ohio waiver requirements in the near future.

For more information on COVID-19 and CMS and CDC resources that MMPs can utilize for beneficiary outreach and education, please see:

https://www.cms.gov/About-CMS/Agency-Information/Emergency/EPRO/Current-Emergencies/Current-Emergencies-page

https://www.cms.gov/newsroom

https://www.cdc.gov/coronavirus/2019-ncov/about/index.html