State of New Hampshire
BEAS Release of Policy

Pr Number: 22-39

From: Wendi Aultman

Office Of: Bureau of Elderly and Adult Services

Signature

Date: June 3, 2022

Subject: BEAS HCBS Recruitment, Retention, and Training Payment Case Management Agency Guidance.

To: Melissa Hardy, Director DLTSS, All BEAS Staff, Independent CFI Case Management Agencies, CFI enrolled providers.

Effective date: June 3, 2022 revised July 1, 2022

Purpose and Intent of Policy
To describe how the 10% increase to the state Federal Medical Assistance Percentage (FMAP) for Home and Community Based Services (HCBS) from the American Rescue Plan Act of 2021, will be calculated, distributed and for what purpose.

Definitions

A) American Rescue Plan Act of 2021 (ARPA), Section 9817(a)(1) provides a 10% increase to the state FMAP for HCBS delivered during the project period.

B) Case Manager means a person who provides services in accordance with He-E 805, who has the primary responsibility for assessing the participant’s needs, developing a comprehensive care plan, and coordinating and monitoring the services described in the comprehensive care plan.

C) Case Management Agency means an agency that is enrolled as a New Hampshire Medicaid provider to provide targeted case management services to CFI participants in accordance with He-E 805.

D) Immediate Supervisor an individual who directs and assigns the work of case managers. Immediate supervisor does not include agency general management, including the Chief
Executive Officers, Chief Financial Officers, Chief Operating Officers, Chief Clinical Officers, Chief Medical Officers, or any equivalent Case Management Agency leadership positions.

E) **FMAP:** Federal Medical Assistance Percentage

F) **Project period:** April 1, 2021 to March 31, 2022. The project period refers to the period used for calculations of FMAP. The project period is not an indication of when case management agencies must spend funds by.

**Case Management Agency Requirements**

To receive a NH Medicaid recruitment, retention, and training payment under this initiative, the Case Management Agencies must meet the following requirements:

1. The Case Management Agency will make payments in accordance with the requirements contained in:
   a. BEAS PR 22-39 NH HCBS Recruitment, Retention & Training Payment Case Management Agency Guidance;
   b. BEAS 3780 CM *Attestation of Requirements & Authorization to Pay Recruitment, Retention, and Training Payment*; and
   c. Any other requirements set forth by the federal Centers for Medicare & Medicaid Services (CMS) or the Department.

2. At least 80% of the payment must be spent on recruitment, retention, and training payments to:
   a. Case Managers;
   b. Existing Immediate Supervisors; or
   c. New Case Managers and New Immediate Supervisors.

3. The remaining 20% of the payment must be spent or set aside for the Case Management Agency’s associated costs of administering recruitment, retention, and training payments or on additional recruitment, retention, and training payments.

4. The individuals receiving recruitment, retention, and training payments must be employees of a Case Management Agency who are case managers or immediate supervisors.

5. Payments under this initiative, including the 20% that may be allocated for administrative costs, may not be used to pay recruitment, retention, and training payments to or otherwise supplement the income of a Chief Executive Officer, Chief Financial Officer, Chief Operating Officer, Chief Clinical Officer, Chief Medical Officer, or equivalent Case Management Agency leadership position;

6. Each Case Management Agency must adopt a brief written plan that outlines how the dollars will be used and disseminate the plan to the Department and the Case Management Agency’s employees.
7. The Provider Agency must complete BEAS 3790 CM Recruitment, Retention, and Training Expense Report and provide it to the Department by emailing it to HCBSARPAPayment@dhhs.nh.gov by 1/1/22. BEAS 3790 CM must provide employee- and contract worker-level details on the recruitment, retention, and training payments, including records of administrative costs. Funds do not need to be expended by 1/1/22; the BEAS 3790 CM can contain plans to spend RRTP funds that have not yet been spent. All RRTP funds be spent by 3/31/2024.

8. Expenditures made by Case Management Agencies under this initiative are subject to audit at the Department’s discretion or from CMS, and payments made contrary to guidance are subject to recoupment by the Department and other sanctions.

9. Each Case Management Agency must retain, maintain, and make available to a state or federal audit authority, or any other authorized third-party reviewer upon request, copies of all documentation related to expenditures made under this initiative, including but not limited to personnel records, NH Medicaid claims data, and provider agency financial data.

10. Misrepresentation or falsification of any information contained on BEAS 3780 CM Attestation of Requirements & Authorization to Pay Recruitment, Retention and Training Payment or BEAS 3790 CM Recruitment, Retention, and Training Expense Report may be punishable by fine and/or imprisonment under state or federal law.

11. Each Case Management Agency must certify that any information provided to the Department regarding this initiative, including the BEAS 3790 CM report due on 1/1/22, is a true, correct, and complete statement prepared from the books and records of the Provider Agency as of the date signed.

12. The individual who submits BEAS 3780 CM Attestation of Requirements & Authorization to Pay Recruitment, Retention, and Training Payment and BEAS 3790 CM Recruitment, Retention, and Training Expense Report must be authorized to make these representations on behalf of the Case Management Agency.

**PROcedures**

New Hampshire (NH) operationalizes the allocation of authorized funds under section 9817 of the American Rescue Plan Act of 2021 (ARPA) for additional payments to providers via the New Hampshire Home and Community Based Services (HCBS) Recruitment, Retention & Training Payment Program (RRTP).
The estimated amount available for the state to reinvest was calculated by identifying the procedure codes/modifiers/types of service (or combination thereof) that were eligible for the enhanced 10% under Section 9817 of the ARPA. A query was run in our Medicaid Management Information System (MMIS) to determine the Fee for Service and HCBS waiver claims paid during quarter end (QE) 6/30/2021, QE 9/30/2021, QE 12/31/2021, and QE 3/31/22 (using actual units claimed for 4/1/22-3/3/22 with a projection for units claimed for 3/4/22-3/31/22) using the identified procedure codes/modifiers/types of service. The amount available to NH for reinvestment is the 10% of those total expenses. Using this information, a portion of the reinvestment plan was dedicated to workforce recruitment, retention and training within the Division of Long Term Supports and Services’ (DLTSS) four 1915(c) waivers. The funds were distributed between the four waivers based on the number of units of case management services for each waiver.

1. NH HCBS RRTP funds will be allocated and paid to CFI Case Management Agencies. Distribution of funds to Case Management Agencies determined as follows:
   - The Bureau of Elderly and Adult Services (BEAS) reviewed the MMIS to determine actual expenditures for the period of April 1, 2021 to March 3, 2022 and estimated expenditures for the period of March 4, 2022 to March 31, 2022 for eligible codes.
   - Distribution of funds to providers was determined by identifying providers of the following service codes:
     i. T1016 Targeted Case Management; and
     ii. T1017 Transitional Case Management.

2. Case Management Agency payments are based on a uniform add-on payment per service unit for each of the respective codes enumerated above, to arrive at a lump sum payment per provider, as funds are available. Lump sum payments were determined using the following analysis:
   - Actual expenditures for the project period were broken out for the chosen services listed above, by service unit.
   - A percentage of total BEAS projected expenditures for each service unit was calculated to total overall BEAS projected expenditures.
   - The calculated percentages were used to break out the allocated ARPA dollar amount available to BEAS in order to calculate an add-on to each service unit.
   - The add-on amount was determined for each unit to keep the dollars within the projected amounts by service unit.

3. At least 80% of the RRTP funds will be spent on:
   - Existing case managers and existing immediate supervisors.
• New case managers and new immediate supervisors.

4. **BEAS 3780 CM Attestation of Requirements & Authorization to Pay Recruitment, Retention, and Training Payment** ensures that agencies understand that BEAS will make payments if the provider completes BEAS 3780 CM to attest that the provider will use the payments for the express purpose of recruitment, retention and/or training of case managers.

5. Each provider agency shall adopt a written RRTP plan that outlines:
   - That 80% of funds received will be used for recruitment, retention and/or training of existing case managers, existing immediate supervisors, new case managers, and/or new immediate supervisors.
   - How funds will be used to support recruitment, retention and/or training of existing case managers and/or new case managers.
   - The rationale of how payments will be distributed to eligible case managers.
   - The amount of payments to be distributed to eligible case managers.

The plan shall be submitted to the NH DLTSS, and communicated with the employees of the case management agency.

6. RRTP payments shall supplement and not supplant current agency practices and policies regarding planned bonuses and wage increases. RRTP payments cannot be used to pay for any RRTP benefit planned before May 12, 2022.

**Attestations and Spending Plans Submission**

Attestations and spending plans for the RRTP payment are two separate documents. Attestations certify that at least 80% of RRTP payment will be used for the express purpose of recruitment, retention, or training of case managers or immediate supervisors. Spending plans are to outline how the RRTP payment will be spent specifying recruitment, retention, and/or training initiatives for each case management agency.

Attestations and spending plans are to be emailed to the Department using this email: [HCBSARPAayment@dhhs.nh.gov](mailto:HCBSARPAayment@dhhs.nh.gov). Attestations and spending plans should be submitted to DHHS no later than Friday July 22, 2022. The Department will be contacting each provider by Jul 1, 2022 with a corrected estimated payment amount.

Please note attestations and spending plans received after this date will be batched to be sent to MMIS periodically as deemed appropriate by the Department.

**Provider Agency Expenditure Report**
By November 1, 2022, the Case Management Agency must submit an expenditures report to the Department on BEAS 3790 CM Recruitment, Retention, and Training Expense Report. The BEAS 3790 CM will be an excel workbook for submitting the expense report on one worksheet tab with instructions for completing the report on another worksheet tab.

In addition to this report, the Case Management Agency must provide any documentation requested by the Department or CMS as part of an audit.

**METHODOLOGY**

**DLTSS methodology for distributing one-time lump sum payments**

Available funds identified above were then converted into uniform add-on dollars per unit to be paid out to providers based on the number of units of services provided under each service unit type (listed below) for the project period (April 1, 2021-March 31, 2022).

1. T1016 Targeted Case Management $8.21 per unit; and

2. T1017 Transitional Case Management $8.21 per unit.

The range of payments to case management agency will vary depending on the units served by the case management agency.

**Example Payment**

For example if during the project period, XYZ Case Management provided: 15,000 units of T1016 Case Management and 100 units of T1017 Transitional Case Management, its one-time lump sum payout would be $123,971 (15,100 total units of case management multiplied by $8.21 per unit add on).

Payment will be included in your weekly MMIS Financial cycle remittance advice (RA) as a financial transaction.

**Attachments**

Attached to this release is BEAS 3780 CM Attestation of Requirements & Authorization to Pay Recruitment Retention, and Training Payment, BEAS 3790 CM Recruitment, Retention, and Training Expense Report, and a Frequently Asked Questions document.

Questions regarding this initiative should be directed to HCBSARPApayment@dhhs.nh.gov.