



## Topic: Temporary Closure of Congregate Day Services

Due to increased COVID-19 positivity in New Jersey, the Department of Human Services' Division of Developmental Disabilities (Division) is taking action to protect participants who attend and staff who work in congregate day programs funded by the Division.

**Effective close of business November 25, 2020 through at least January 19, 2021, the Department of Human Services' Division of Developmental Disabilities (Division) will be closing all in-person congregate day service facilities due to increased community spread of COVID-19 in New Jersey.**

**UPDATED 11-23-2020** This temporary closure applies to the following congregate day services, both facility-based and those typically provided in an outdoors setting: **Career Planning, Community Inclusion, Day Habilitation, Prevocational Training-Group, and Supported Employment-Group.**

### **Will day services definitely re-open on January 19, 2021?**

At this time, January 19, 2021 is the projected re-opening date. This date will be impacted by many factors, the most important of which will be the prevalence of COVID-19 across New Jersey at that time. Should this date change it will be communicated to service recipients and providers.

### **When day services re-open in January 2021 what standards will be used?**

The requirements outlined in [Congregate Day Program Re-Opening Requirements](#) must be followed when these programs re-open. If a new attestation will be required prior to re-open it will be communicated to agencies in advance.

### **Will the Division continue to make State Supplemental Payments that represent an advance equal to 50% of the agency's highest month of billing between July and December 2019 for congregate day services?**

Yes. State Supplemental Payments will continue. The Division will continue to complete a monthly reconciliation reducing payments by the state share (50%) of congregate day service claims submitted and paid to the provider. Congregate day services being delivered remotely or one-to-one will continue to be part of the reconciliation.

### **Can a congregate day program lay off staff and still receive State Supplemental Payments?**

Layoffs should be avoided to the extent possible. If they must occur, they must be proportional with the funding received.

### **Can individuals still elect to receive modified (e.g. virtual) day services?**

Yes, and this is encouraged. As always, there must be a valid prior authorization in place and a COVID-19 case note is needed indicating that the service is being provided virtually. All documentation and attendance requirements remain in effect. See [Temporary Service Modifications](#) for more information. If a prior authorization is not present, a plan revision is required before modified services can begin. The individual/family will need to work with their Support Coordinator to complete.

**Can individuals who reside on their own, with their family, or in group homes continue to receive modified (e.g. virtual) day services?**

Yes, this is encouraged and may occur using the following parameters:

For individuals living on their own or with family: Modified day services can be delivered remotely or in-person one-to-one. In-person one-to-one services can occur in the residence or in an alternative, socially distanced setting at the discretion of the planning team. Agencies providing in-person one-to-one staff shall ensure that employees are screened before starting work and wear face coverings while working with individuals. Please see [Screening in Residential and Congregate Day Program Settings](#) and [Universal Masking and Cohorting of Staff](#) for more information. A valid prior authorization is required before modified day services can begin.

For individuals living in provider-managed residential settings: Modified day services can only be delivered remotely. A valid prior authorization is required before modified day services can begin.

**If remote services are not appropriate for some group home residents, how are they to be engaged during the day?**

Residential providers are reimbursed through Individual Supports-Daily Rate and are encouraged to plan home and community activities for individuals who live together. Activities should be tailored to the interests of individuals, based on their health and safety needs, and consistent with the advice of public health authorities.

**Can day service providers deploy staff into a group home to provide in-person one-to-one services?**

No. This practice would introduce more staff than usual to the group home on a given shift, increasing the risk of COVID-19 infection, and is not permitted. Reducing the staffing complement in the home to adjust for this is also not permissible as it would be reducing the staffing pattern already supported by Individual Supports-Daily Rate.

**Can day service providers claim for modified services provided to a group of participants at the same time who live in different locations, such as group homes (operated by the same or different provider) and/or own home settings?**

Yes, as long as there is a valid prior authorization in place and the modified day services are delivered by staff who are not funded through Individual Supports-Daily Rate.

**If a day service provider coordinates participation of individuals in a no-cost remote activity offered by another entity, and day program staff participate remotely in it, can the day provider claim reimbursement?**

No. Providers can only claim for modified service(s) they directly fund and deliver.

**Can day service providers use staff not reimbursed through Individual Supports-Daily Rate to physically pick up multiple individuals residing in group home and/or own home settings and transport them to an alternate location to provide services?**

No. Congregate day settings will be closed from November 25, 2020 through at least January 19, 2021. What is described is a mobile congregate day service and is not permitted.

**Can day service providers deliver services to individuals who had not been receiving their services prior to the closures?**

Yes. Services may be offered to new individuals with valid prior authorizations. If a prior authorization is not present, a plan revision is required. In all cases, services must fit within the individual's overall plan year budget.

**If an individual works competitively are they still permitted to work?**

Yes. As has been the case throughout the pandemic, the Division does not restrict an individual from competitive employment.

**Where may I ask additional questions?**

Questions can be sent to the Division's COVID 19 Helpdesk: [DDD.COVID-19@dhs.nj.gov](mailto:DDD.COVID-19@dhs.nj.gov)

**Questions and Answers for Support Coordinators****What actions are needed from Support Coordinators?**

1. Review and adhere to [Temporary Service Modifications](#).
2. If an individual is interested in receiving modified services and does not have prior authorization, complete a plan revision and obtain plan approval prior to the start of services.
3. Ensure all services, current and projected, fall within the individual's annual budget.
4. In all cases where an individual will receive modified day services, complete the required COVID-19 case note identifying the service, why the service has been modified (e.g., due to COVID-19 precautions) and how it will be delivered (e.g., remotely through telephone, FaceTime, etc.).

In cases where the COVID-19 case note is not able to be added for interested individuals prior to the start of modified day services, the case note must include the date that modified services began.

**Do Support Coordinators need to adjust service plans?**

Service plans only need to be adjusted/revised if current day services will be stopped or the weekly service units will be changed/reduced.