

Action Request Transmittal Developmental Disabilities Services



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Number: DD-AR-23-023

Issue date: 05/04/2023

Topic: Developmental Disabilities

Due date: 05/11/2023

Subject: PHE Transition Reminder: Parents as Paid Caregivers

Applies to (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input type="checkbox"/> Area Agencies on Aging: {Select type} | <input type="checkbox"/> Health Services |
| <input type="checkbox"/> Aging and People with Disabilities | <input checked="" type="checkbox"/> Office of Developmental Disabilities Services (ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs | <input checked="" type="checkbox"/> ODDS Children's Intensive In Home Services |
| <input checked="" type="checkbox"/> County DD program managers | <input type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input checked="" type="checkbox"/> Support Service Brokerage Directors | <input checked="" type="checkbox"/> Other (<i>please specify</i>): CDDP Services Coordinators and provider agencies |
| <input type="checkbox"/> ODDS Children's Residential Services | |
| <input type="checkbox"/> Child Welfare Programs | |

Action required:

As announced on February 9 in a [Director's Message](#), the federal COVID-19 Public Health Emergency ("PHE") is ending on May 11, 2023. After May 11, parents will no longer be permitted to work for their own minor children, whether as Personal Support Workers (PSWs) or Direct Support Professionals (DSPs). This transmittal is intended to remind case management entities and provider agencies that they are expected to continue working with families impacted by this change to support continued service access.

Individual Support Plan ("ISP") teams have been preparing for this transition throughout the PHE. Prior to May 11, case management entities must contact paid parent providers and any employers of record for parent PSWs again to ensure transition plans are in place and offer additional support as needed. Additionally, provider agencies must ensure their employees that are parents working with their minor children are aware of the May 11 end date and are offered support in finding

new DSPs. These conversations must be documented in a case note. ODDS is asking case management entities to continue assisting families to find new and alternate providers for children receiving in-home services.

In summary:

- **Case management entities:** Contact parent providers for minor children served by your office **and** any employers of record for PSWs, as applicable, again before May 11, 2023 to remind them that May 11, 2023 is the last day parents of minor children can work for their own children. Document these contacts in a progress note and ensure any change of provider is reflected in a child's ISP or change form.
- **In-home provider agencies:** Contact your employees who provide services to their own minor children before May 11, 2023 to remind them that May 11, 2023 is the last day they can provide paid support to their own minor children. Document these contacts in a case note.

Reason for action:

Beginning January 21, 2021, the Office of Developmental Disabilities Services (ODDS) received permission from the Center on Medicaid and Medicare Services (CMS) to temporarily allow the parent(s) of minor children to be paid to deliver attendant care (OR526) for that child under certain circumstances, when their abilities to get services had been affected by the COVID-19 pandemic. On January 12, 2021, case management entities were required to contact every eligible parent/guardian of the child to inform them of the option to use a parent as a provider by sending a letter stating, "that parents of children with the highest support needs may soon have the option to become temporary PSWs (and later, a Direct Support Professional (DSP), employed by an agency) for their minor children." CMS provided approval for this option only while the public health emergency (PHE) was in effect.

Throughout the PHE, ODDS has notified parent/guardians that this is a temporary option and have urged parent caregivers and ISP teams to plan for the transition, identify alternative providers, and work with those providers to schedule needed supports. ODDS has continually reinforced the message upon notification of every federal PHE extension, that when the pandemic and current federal public health emergency declaration ends, ODDS expected CMS to end this temporary exception.

On February 9, 2023, ODDS announced in a [Director's Message](#) for individuals, families, case managers and providers, that the PHE would be ending on May 11, 2023. ODDS announced that as the PHE ends, some temporary actions would end including parents and guardians of minors with I/DD serving as their child's paid

caregiver. On April 6, 2023, ODDS released a [policy transmittal](#) for case management entities and providers to take action to inform parent/guardian DSPs and PSWs that they may no longer be assigned to support their minor child after the end of the PHE. Additionally, Service Prior Authorizations for parent PSWs should be ended effective the last day of the PHE and that CMEs should assist families with arranging supports as needed.

ODDS understands that case management entities have reinforced this message and that some of these transitions may be stressful for individuals, families, providers and CMEs. ODDS has provided a few resources to help people impacted by this transition including [FAQs](#) for people and families, and a [series of public webinars](#) on the end of the PHE. ODDS is requiring that CDDPs repeat this message with parent providers before May 11, the last day of the PHE and the last day a paid parent provider will be allowed to be paid to work for their minor child.

ODDS stands ready to implement any legislation related to a permanent paid parent program.

Communication/training:

The Office of Developmental Disabilities Services (ODDS) is hosting three public webinars to help I/DD community members and partners prepare for the federal public health emergency for COVID-19 to end on May 11, 2023. ODDS' staff will discuss the policies and procedures that are changing, including the ending of parents and guardians of minors with I/DD serving as their child's paid caregiver.

The meetings are online on Zoom. Details for the next webinar are below:

- May 4 from 4:30 to 5:30 p.m.
 - [Zoom meeting link](#)
 - Zoom meeting passcode: 252111

Additionally, this transmittal will be discussed during the next Monthly Transmittal Review. Please send questions in advance to ODDS.Questions@odhsoha.oregon.gov.

The Monthly Transmittal Reviews are held the second Wednesday of every month at 2 p.m. using the Zoom platform. Please register in advance for these meetings:

<https://www.zoomgov.com/meeting/register/vJlsc-qvqD8iGURx5OQk8TAdIS6Arg9ZAf4>

After registering, you will receive a confirmation email containing an appointment and information about joining the meeting. American Sign Language (ASL) and live captioning will be provided. To request other accommodations or languages, please send an email to ODDS.Questions@odhsoha.oregon.gov at least three business days prior to the meeting.

Field/stakeholder review: Yes No

If yes, reviewed by:

If you have any questions about this action request, contact:

Contact(s): ODDS Policy Team	
Phone:	Fax:
Email: ODDS.Questions@odhsoha.oregon.gov	