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All Project Directors' Letter No. 23-04

Medi-Cal Waiver Program

June 5, 2023

SUBJECT: PUBLIC HEALTH EMERGENCY WIND-DOWN

Purpose

This All Project Directors' Letter (APDL) provides information to Medi-Cal Waiver Program (MCWP) agencies regarding the details of the Public Health Emergency (PHE) wind-down as it relates to MCWP operations.

Background

On January 30, 2023, the Biden Administration announced the end of the PHE. In a Letter to the U.S. Governors issued on February 9, 2023, federal Health & Human Services Secretary Xavier Becerra confirmed the PHE will end on May 11, 2023. Since the initiation of the federal declaration of the COVID-19 PHE, the California Department of Health Care Services (DHCS) implemented flexibilities to help minimize the impacts to the Medi-Cal program and its beneficiaries, and California's health care providers and systems. These changes were implemented under a variety of federal and state authorities, and affect most aspects of Medi-Cal's delivery systems. While many of these programmatic flexibilities will terminate on or around the end of the PHE, some will continue due to the positive outcomes they had on the Medi-Cal program.

Most of the flexibilities implemented in Medi-Cal during the PHE were authorized by the Centers for Medicare & Medicaid Services (CMS), such as the Appendix K process for 1915(c) Home and Community-Based Services (HCBS) waivers, including [MCWP](#). The pandemic emphasized the importance of HCBS, in part due to the heightened risk of COVID-19 transmission in institutional and congregate settings. In Medi-Cal's HCBS waiver programs, flexibilities were essential in order to reduce unnecessary face-to-face interactions, expand options for locations in which services could be provided, and support the providers who are crucial to HCBS delivery systems. Many of the flexibilities



approved through the 1915(c) Appendix K process will expire six months after the end of the PHE, on November 11, 2023.

Continuing/Non-Continuing Policies Related to the PHE Wind-Down

As part of the telehealth policy proposal, DHCS intends to implement permanent changes to current MCWP waiver service delivery methods, including: face-to-face reassessments, monthly service plan monitoring, and care management activities to be completed through telephonic or live virtual video conferencing; and allow digital signatures.¹ However, DHCS does not intend to make permanent the flexibility approved on [November 23, 2020](#), which extends the time in which waiver agencies can complete re-evaluations and reassessments beyond the current 180-day requirement. The [May 27, 2020](#) flexibility that waives the HCBS settings requirements for visitation at any time, and allowance for case management entities to provide direct services will not be extended as well.

Medi-Cal Eligibility Redeterminations

The Consolidated Appropriations Act of 2023 delinked the continuous coverage requirement from the COVID-19 PHE as of April 1, 2023.² In response, DHCS began to initiate the unwinding of the continuous coverage requirement instituted during the PHE. When continuous coverage requirements expire, DHCS will conduct a full redetermination for all participants who would have otherwise been subject to redetermination, starting with participants with June renewals.³ In order to ensure that participants are not negatively affected (to the extent possible) and that there is a seamless transition back to the prior eligibility protocols, there is a grace period from April 1, 2023 through June 1, 2024, with discontinuances starting no earlier than July 1, 2024.⁴ This means California has 14 months to initiate and complete redeterminations for most of California's beneficiaries (participants).

Redeterminations conducted between March 1, 2023 to December 2023, should not require Medi-Cal participants provide information about assets for eligibility purposes.⁵

DHCS and CDPH are committed to maximizing continuity of coverage for Medi-Cal beneficiaries through simplifying the process during the Continuous Coverage Unwinding Period by working with local county offices to resume normal eligibility operations.

¹ [DHCS Post-COVID-19 Public Health Emergency – Final Telehealth Policy Proposal](#)

² This amended the section 6008(b)(3) of the Family First Coronavirus Response Act.

³ Medi-Cal Eligibility Deivision Information Letter (MEDIL) 23-02 at 2.

⁴ MEDIL 23-02 at 2.

⁵ MEDIL 23-19.

Action Required

Local county offices will initiate redetermination activities, spanning across several months. In preparation, MCWP agencies should work with their participants to prepare for the change in Medi-Cal eligibility redeterminations. Additionally, MCWP agencies should encourage their participants to ensure their local county office has their updated contact information, such as: name, address, phone number, and email so the local county office can contact beneficiaries with important information about keeping their Medi-Cal. MCWP agencies should also remind their participants to continue checking for upcoming renewal packets. MCWP agencies are encouraged to utilize the following DHCS resources, as appropriate:

- [Keep Yourself and Your Family Covered](#): *For MCWP participants.*
- [Medi-Cal Continuous Coverage Toolkit – Phase 1](#): *For MCWP providers.*
- [Medi-Cal Continuous Coverage Toolkit – Phase 2](#): *For MCWP providers.*
- [Keeping Medi-Cal Beneficiaries Covered](#): *For MCWP providers and provides them the option to sign up and become a DHCS Coverage Ambassador.*
- [DHCS Medi-Cal COVID-19 Public Health Emergency and Continuous Coverage – Operational Unwinding Plan](#): *For MCWP providers.*

Contact

If you have questions regarding this notice, please contact the MCWP Program at (916) 449-5881 or [email MCWP](mailto:cdphmcwp@cdph.ca.gov) at cdphmcwp@cdph.ca.gov.

Sincerely,

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