



COMMISSIONER
Jon Weizenbaum

Date: April 22, 2016

To: Home and Community-based Services (HCS) Program Providers

Subject: Information Letter No. 16-11 (**Revised July 5, 2016**)
Medical Level of Need Increase in the Home and Community-based Services Program

Effective May 1, 2016, an HCS program provider may request Texas Department of Aging and Disability Services (DADS) increase an individual's level of need (LON) to the next higher LON if the individual:

- has a LON 1, LON 5, or LON 8;
- requires 181 minutes or more of face-to-face HCS Program nursing services per week; and
- has an Intellectual Disability/Related Condition (ID/RC) assessment reflecting a frequency code of "6" in the "Nursing" section. (A frequency code of "6" in the "Nursing" section means the individual requires a total of 181 or more minutes per week of nursing from the HCS Program.)

Process to Request a Medical LON Increase

To request an increase of a LON 1, LON 5, or LON 8 to the next higher LON, an HCS program provider must:

- electronically submit to DADS the individual's ID/RC assessment reflecting a frequency code of "6" in the "Nursing" section; and
- mail or fax the following supporting documentation to DADS within seven days after the date the ID/RC assessment is submitted:
 - a completed [Form 8603, LON Review/Increase Cover Sheet](#);
 - a completed [Form 8490, Medical Increase Worksheet](#) - HCS Program Only, identifying:
 - the ongoing medical condition(s) which require 181 minutes or more of face-to-face HCS Program nursing services per week;
 - the treatments and other face-to-face HCS Program nursing tasks the individual needs;
 - the frequency of an HCS Program nursing task and the amount of time required to complete a nursing task; and
 - if applicable, extenuating factors necessitating 181 minutes or more of face-to-face HCS Program nursing services per week;
 - the individual's most current:
 - implementation plan for all HCS Program nursing services;
 - Inventory for Client and Agency Planning (ICAP) assessment booklet and computer scoring sheet;
 - person-directed plan; and comprehensive nursing assessment;

- nursing notes of all face-to-face HCS Program nursing services provided to the individual within the immediate 30 days before the date the ID/RC assessment is electronically submitted;
- service planning notes relating to the individual's ongoing medical issues completed within the immediate 365 days before the ID/RC assessment is electronically submitted;
- any professional assessments that discuss the changes in the individual's medical condition or changes in needed medical interventions completed within the immediate 365 days before the date the ID/RC assessment is electronically submitted; and
- other documents to substantiate the individual's need for 181 minutes or more of face-to-face HCS Program nursing services per week such as:
 - focused or quarterly nursing assessments;
 - physician's orders;
 - medication administration records; and
 - treatment sheets, if used.

In addition, a program provider may submit to DADS a cover letter describing the individual's medical issues and needed HCS Program nursing interventions.

Mail or Fax supporting documentation of 50 pages or less to:

Texas Department of Aging and Disability Services
Access & Intake
IDD Waivers Program Enrollment/Utilization Review
Mail Code: W551
P.O. Box 149030
Austin, TX 78714-9030
Fax: 512-438-4249

Supporting documentation in excess of 50 pages must be mailed.

DADS Approval of a Request for a Medical Level of Need Increase

DADS approves a medical LON increase if:

- the individual has an ID/RC assessment reflecting a frequency code of "6" in the "Nursing" section;
- the submitted supporting documentation demonstrates the individual has a LON 1, LON 5, or LON 8 and requires 181 minutes or more of face-to-face HCS Program nursing services per week; and
- DADS receives the supporting documentation within seven calendar days after the date the ID/RC assessment is submitted.

If DADS does not receive the supporting documentation within seven days after the date the ID/RC assessment is submitted, DADS will maintain the electronically submitted ID/RC to reflect the previously authorized LON.

Renewal of Medical Level of Need Increase and Maintenance of Records

To renew a medical LON increase previously approved by DADS, a program provider must electronically submit to DADS the individual's ID/RC assessment reflecting a frequency code of "6" in the "Nursing" section.

A program provider must maintain all documentation supporting a medical LON increase in the individual's record. DADS may request to review this documentation any time, including during an on-site review conducted by Program Enrollment/Utilization Review staff.

Questions about this information letter may be emailed to HCS@dads.state.tx.us. In the subject line please use "Information Letter No. 16-11."

Sincerely,

[signature on file]

S. Michelle Martin
Director
Center for Policy and Innovation

[signature on file]

Elisa J. Garza
Assistant Commissioner
Access and Intake