



Special Legislative Update ■ April 13, 2020

Governors in Western State Announce Pact for Reopening Economies

Today, Governor Newsom – joined by Kate Brown and Jay Inslee, his counterparts in the states of Oregon and Washington, respectively – [announced](#) a shared vision and approach for determining the appropriate time to reopen the western states post-pandemic. The joint statement offers an outline for their coordinated plan and decision-making model and articulates three specific principles as well as four specific goals, as detailed below:

- Protecting vulnerable populations at risk for severe disease if infected. This includes a concerted effort to prevent and fight outbreaks in nursing homes and other long-term care facilities.
- Ensuring an ability to care for those who may become sick with COVID-19 and other conditions. This will require adequate hospital surge capacity and supplies of personal protective equipment.
- Mitigating the non-direct COVID-19 health impacts, particularly on disadvantaged communities.
- Protecting the general public by ensuring any successful lifting of interventions includes the development of a system for testing, tracking and isolating. The states will work together to share best practices.

During his noontime address today, Governor Newsom promised to share additional details about the three-state plan, which we will communicate in our next update.

State Funding to Address Foster Children and Youth

Governor Newsom announced \$42 million in new investments (\$40.6 million general fund and \$1.4 million federal funds) to protect California children and youth who are at heightened risk for abuse and mistreatment due to COVID-19. These new investments, which are for three months, include:

- *Supporting Families Struggling to Stay Together (\$27.8 million)* – This funding will provide a \$200 per month supplement to families in the Emergency Response and Family Maintenance programs and who need additional support to be able to stay together.
- *Additional Social Worker Outreach (\$6.9 million)* – Support for social worker overtime and additional outreach by county social workers to foster family caregivers at higher risk of

COVID-19 (e.g. caregivers who are over 60 years old). Social workers will engage these caregivers to identify specific needs or concerns.

- *Family Resource Centers (\$3 million)* – This funding to Family Resource Centers will provide direct support and services to foster families, including material items, assistance with isolation needs, parenting resources, and staff time to help link families to other state and federal supports (e.g. food, housing, etc.).
- *Expansion of Helplines (\$250,000)* – Funds will assist 2-1-1 and Parents Anonymous to offer immediate assistance to families in crisis who are seeking assistance. Parents Anonymous will provide expanded hours of services, link parents to online support groups and will make referrals to county and local services and Family Resource Centers as needed.
- *Age Extension for Foster Youth (\$1.8 million)* – Approximately 200 young adults age out of the foster care system every month. Recognizing that many of them are at risk of homelessness and food insecurity, the Administration is taking action to ensure during this crisis, foster care payments and eligibility will be extended to help them maintain their living arrangements and to provide food security.
- *Additional Support for Resource Families Impacted by COVID-19 (\$1.7 million)* – Families impacted by COVID-19 can receive higher monthly reimbursement rates to cover the extra costs associated with supporting children with more complex needs. Flexibility for counties to use these reimbursement rates will make sure that foster children can stay in their homes and not be moved into shelters or other facilities.
- *Extended Timeframe for Caregiver Approvals (\$166,000)* – Funding will allow caregivers to continue to be paid beyond 365 days while awaiting Resource Family Approval. The extension in funding is required due to delays in caregiver approvals and caseworker diversion to emergency work.
- *Access to Technology (\$313,128)* – iFoster will give more foster youth access to cell phones and laptops so they can stay connected with their families and communities, and continue to participate in educational opportunities during this crisis. This will allow the purchase of 2,000 laptops and 500 cell phones and will provide for short-term staffing assistance to iFoster to help process the applications and get phones configured and shipped to foster youth quickly. Governor Newsom is also directing the state Government Operations Agency to utilize the State Surplus Property Program to identify laptops that can be distributed to foster youth attending higher education.

Department of Health Care Services Updates

Section 1135 Waiver – To respond to the COVID-19 emergency, the Department of Health Care Services (DHCS) filed a third [request](#) for flexibilities under Section 1135 of the Social Security Act. Elements of the request include all of the following:

- Medicare blanket waivers for Medicaid-only providers.
- Service authorization and utilization controls, including:
 - Waiver of medical necessity criteria for non-medical transportation and non-medical transportation and non-emergency medical transportation, and instead permit beneficiaries to use whatever available transportation service is safest for them during the pandemic.

- Waiver to reimburse any paramedic (EMT-P) licensees to transport patients to medical facilities other than acute care hospitals when approved by the California Emergency Medical Services Authority.
- Allow for verbal acceptance by a beneficiary of necessary changes to care plans for services provided under Home and Community Based Services waivers that require written confirmation from beneficiaries.
- Managed care, including:
 - Waiver to modify the timeframe for completion of initial health assessments.
 - Waiver of quality assessment and performance improvement activities for the duration of the public health emergency.
- Telehealth/telephonic/virtual visits, including:
 - Waive Drug Medi-Cal Organized Delivery System (DMC-ODS) authorization requirements to allow flexibility to perform the initial medical necessity determination.
 - Allow a certified alcohol or other drug certified counselor to perform intake and assessment by telephone, within the DMC-ODS waiver.
- Clarification of previous Section 1135 request, including clarification that the request to receive payments in alternate physical settings includes behavioral services. Specifies crisis stabilization services, crisis residential treatment services, adult residential treatment services, day treatment services, day rehabilitative services, and psychiatric health facility services.

Optional Uninsured Coverage – DHCS also submitted proposals within a [State Plan Amendment](#) (SPA) and a [Section 1115 waiver](#) to establish a new optional uninsured coverage group to provide no-cost COVID-19 testing, evaluation, and treatment services.

COVID-19 Presumptive Eligibility Program – DHCS is leveraging its existing Presumptive Eligibility Program to implement enrollment through a new COVID-19 Presumptive Eligibility Program. DHCS released [guidance](#) on the enrollment processes for the new program.