



STATE OF NEW YORK  
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

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ALBANY, NEW YORK 12229-0001  
(518) 473-1997 • TDD (518) 474-3694  
www.omr.state.ny.us

July 19, 2006

SUBJECT: Billing and Claiming Reviews of  
Hourly Respite Services

Dear Executive Director:

This letter is to inform you that the OMRDD Bureau of Fiscal Audit (BFA) will begin Medicaid Billing and Claiming Reviews of Hourly Respite Services on January 1, 2007. In the review, BFA auditors will examine Hourly Respite Services delivered on and after July 1, 2006. This letter includes important information that should be shared immediately with your fiscal staff who are responsible for billing and with your program managers who have responsibility for the documentation of Hourly Respite services. **Please be aware that failure in a Billing and Claiming Review will result in a financial penalty to your agency.**

Attached are two documents to assist your agency to prepare for the upcoming Billing and Claiming Reviews. The first document (Attachment A) is the protocol which BFA auditors will use to review Hourly Respite Services. The second document (Attachment B) is the Administrative Memorandum (2005-02), which provides guidance regarding the service documentation requirements for Hourly Respite Services. The protocol was presented at last month's fiscal audit training held regionally throughout the state. This training included a special session on Hourly Respite Services, to which all Hourly Respite Providers were invited. At the training we emphasized that as the respite provider you must ensure that your agency has received a copy of each consumer's Individualized Service Plan (ISP) from his/her Medicaid Service Coordination (MSC) service coordinator. **You will fail your fiscal audit if your agency is not identified as the Hourly Respite provider in the ISPs of the HCBS waiver enrollees you serve (see questions 1-3 in Attachment A).**

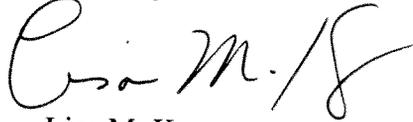
Please be aware that the BFA Billing and Claiming reviews for Hourly Respite services will examine services billed to eMedNY (for consumers who are enrolled in the HCBS Waiver) and those services reported via OMRDD's Tracking and Billing System (TABS) for payment with 100 percent state funds (for non-HCBS Waiver enrollees). For service documentation questions, please contact Earl Jefferson in OMRDD's Training

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and Medicaid Standards Unit at (518) 408-2096. Questions related to the BFA audit protocol can be addressed to Al Vandelloo in the Bureau of Fiscal Audit at (518) 473 2100. Thank you for your assistance with this important matter.

Sincerely,



Lisa M. Kagan  
Associate Commissioner  
Revenue Support

Attachments

cc: H. DeSanto D. Picker  
J. Moran L. Lehmkuhl  
G. Lind C. Metevia  
K. Broderick A. Vandelloo  
M. Gatens E. Jefferson  
Provider Associations  
Multi-Cultural Network

**OMRDD  
RESPITE SERVICE BILLING AND CLAIMING AUDIT  
REVIEW OF SERVICE DOCUMENTATION**

Name \_\_\_\_\_ Claim# \_\_\_\_\_

Date of Service \_\_\_\_\_ Provider ID# \_\_\_\_\_

<b>AGENCY/CASE RECORD INCLUDES</b>	<b>YES</b>	<b>NO</b>
1. Individualized Service Plan (ISP) for the consumer which is effective on the date of the claim*		
2. An ISP which identifies the claimant as the Respite service provider		
3. An ISP which includes elements 1 and 2 above which is signed by at least one MSC agency staff		
4. Identification of the category of waiver service provided, which in this case, is respite		
5. Documentation that includes the name of the consumer receiving the respite service		
6. Documented evidence of the delivery of respite service that includes the name of the agency providing the respite service		
7. Evidence presented in Question 6 (above) which is signed by the Respite Service staff providing the service		
8. Documentation of service delivery presented in Question 6 (above) that has a date contemporaneous with the date of service		
9. Documentation that substantiates the unit(s) of service billed through the use of start and stop times		
10. Documentation that the time related to any other Medicaid Service is not counted toward billable service time for Respite Service		

Total \_\_\_\_\_

Completed by: \_\_\_\_\_

Date: \_\_\_\_\_

\*If the consumer is non-waiver, score 1 point each for Items 1-3

**RESPITE SERVICE BILLING AND CLAIMING AUDIT SCORING**

**SAMPLE SIZE = 50**

**POINTS PER CLAIM = 10**

**TOTAL POSSIBLE POINTS = 500**

**■ PROVIDERS WITH SCORE OF 450 OR ABOVE**

- Individual claims with a score of 8 or less are voided.

**■ PROVIDERS WITH A SCORE OF LESS THAN 450**

- Statistical sample of 200 claims audited: All claims with a score of 8 or less will be an exception. Exceptions are extrapolated to audit universe.

George E. Pataki  
Governor



Thomas A. Maul  
Commissioner

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**ADMINISTRATIVE MEMORANDUM - #2005-02**

**TO: Executive Directors of Agencies Authorized to Provide Respite Services**

**Executive Directors of Agencies Authorized to Provide Medicaid Service Coordination**

**DDSO Directors**

**FROM: Jan Abelseth, Deputy Commissioner, Quality Assurance**

**Gary Lind, Director, Planning and Individualized Initiatives**

**James F. Moran, Deputy Commissioner, Administration and Revenue Support**

**SUBJECT: HCBS RESPITE/NON WAIVER ENROLLED (NWE) RESPITE SERVICE DOCUMENTATION REQUIREMENTS**

**DATE: June 15, 2005**

**Suggested Distribution**

Respite Program/Service Staff  
Quality Compliance Staff  
Billing Department Staff  
MSC Service Coordinators and Service Coordinator Supervisors

**Purpose**

This is to specify Respite service documentation requirements that support a provider's claim for reimbursement. These service documentation requirements apply to Home and Community Based Services (HCBS) Waiver Respite and "non-Waiver enrolled" (NWE) Respite Services provided in all settings. NWE Respite, also known as "mirrored" HCBS Respite, is provided to consumers not enrolled in the HCBS waiver.



Providing supports and services for people with developmental disabilities and their families.



**ADMINISTRATIVE MEMORANDUM #2005-02**  
**Respite Service Documentation Requirements**  
**June 15, 2005**  
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**Service Documentation**

Service documentation must be contemporaneous with Respite service provision. **Required service documentation elements are:**

1. Consumer's name, TABS ID and if applicable, the Medicaid ID (CIN)
2. Identification of the category of waiver service provided, which, in this case, is "Respite"
3. Name of the agency providing the Respite service (that is, your agency)
4. The date the service was provided
5. The start time and stop time for each continuous period of Respite service
6. Verification of service provision by the Respite staff person who delivered the service (this is accomplished with a staff signature and title)
7. The date the service was documented (that is, the date must be "contemporaneous" with service provision).

The **"Respite Documentation Record – Individual Summary"** attached to this Administrative Memorandum incorporates all the **"required service documentation elements"** specified above. Respite providers must use the attached record or one that incorporates all the above specified service documentation elements to document the Respite services provided to each consumer. A contemporaneous entry must be made on the Respite Documentation Record for each day a Respite service is delivered and billed for a consumer.

**Special Billing Rules**

Consumer travel time to receive Respite at the start of the Respite service **does not** count as billable time nor does travel home from a Respite program

Where Respite services are provided at various community sites, the time a consumer spends traveling with Respite staff to these sites may be counted as billable Respite time.

Time the consumer spends at his/her day program(s), **does not** count as billable Respite time.

**Billable respite service time requires in-person or "face-to-face" service provision by Respite staff.**



**Instructions for Completing  
Respite Documentation Record - Individual Summary**

Items 1-14 to be completed by Respite Service Staff

**Agency and Consumer Identifying Information**

1. **Respite Service** = Indicate whether services recorded are "Hourly Respite" or "Free Standing Respite". "Free Standing Respite" is a program which provides respite services outside the individual's home. The program is "free standing" since it is operated in its own space which is separate and distinct from any certified facility. "Hourly Respite" is respite provided in all other settings, including a consumer's home.
2. **Agency Name** = Enter the name of your Agency, that is, the agency providing the Respite service.
3. **Consumer Name** = Enter the name of the consumer receiving the Respite service.
4. **Medicaid ID Number** = For a consumer enrolled in the HCBS Waiver, enter the Medicaid Client Identification Number (the "CIN").
5. **TABS ID** = For all consumers, enter the consumer's TABS ID number.
6. **Program Location** = Enter the address where the Respite service is provided.
7. **TABS Program Code** = Enter the code assigned to your Respite service in OMRDD's TABS system.
8. **Is Consumer HCBS Waiver Enrolled?** = Check **Yes** if the consumer is enrolled in the HCBS Waiver. Check **No** if the consumer is not enrolled in the HCBS Waiver. For a consumer enrolled in the HCBS Waiver, your agency will bill eMedNY (i.e. the Medicaid billing system) for Respite services. For a consumer not enrolled in the HCBS Waiver, your agency will report services using the internet web-based application.

**Exception: Respite provided to any consumer enrolled in Family Care cannot be billed to Medicaid. Please contact your DDSO Family Care Coordinator for instructions on how to arrange for payment.**

**Documenting Respite Service Delivery**

9. **Service Delivery Date** = Enter the date on which Respite services are provided. When the Respite stay continues over several days, services delivered on different days must be entered on separate lines. For example, if a consumer arrives at the respite program at 4:00 p.m. on March 2, 2006 and leaves on March 3, 2006, the March 2 and March 3 Service Delivery Dates are entered on separate lines.
10. **Start time** = Enter the time Respite services start.
11. **End Time** = Enter the time Respite services end.

**Special Rules for Calculating Billing Units**

- **Consumer travel time to and from a Respite program is excluded.** Staff should be instructed to use the consumer's time of arrival at the program as the "Start Time" of the service. The "End Time" of the service is the time the consumer leaves the program.
- **Consumer travel time can be billed when a Respite staff member accompanies the consumer into the community as part of the Respite program.** For example: The consumer arrives at the Respite program at 10:00 a.m. on 12/5/2006. At 11:00 a.m., respite staff takes the consumer to a holiday show, returning at 1:00 p.m. The consumer leaves the respite program at 4:00 p.m. Since the travel time to and from the holiday show occurred as part of the Respite program and involved respite staff service provision, it is billable time. The Respite agency documents that service was delivered from 10:00 a.m. to 4:00 p.m. on 12/5/2006 and 24 15-minute billing units are billed.
- **Time the consumer spends at his/her day program or any other activity that is not part of the Respite service is excluded.** Staff should be instructed to record start and end times accordingly.

**For additional information regarding the completion of the Respite Documentation Record - Individual Summary, please contact Mr. Earl Jefferson, Training and Medicaid Standards Bureau, OMRDD at (518) 408-2096.**

**For assistance with MMIS billing, please contact Mr. Wake Gardner, Central Operations, OMRDD at (518) 402-4333. For assistance with billing "non-waiver" Respite through the internet web-based application, please contact Ms. Linda Reinhardt, Central Operations, OMRDD at (518) 402-4333.**

AGENCY_LEGAL_NAME
Ability Beyond Disability, Inc.
Adults and Children with Learning and Developmental Disabilities, Inc.
Agape Parents Fellowship, Inc.
AIM Services, Inc.
Albany County Chapter, NYS ARC, Inc.
Allegheny County Chapter, NYS ARC, Inc.
Alternative Living Group
Angels Unaware, Inc.
Another Step, Inc.
ASPIRE of Western New York, Inc.
Association for Neurologically Impaired Brain Injured Children, Inc.
Autistic Services, Inc.
BAIZ EZRA
Baker Victory Services
Battenkill Community Services, Inc.
Bedford Haitian Community Center, Inc.
Bellport Area Community Action Community
Bornhava, The Specialized Early Childhood Center of Western NY, Inc.
Broome-Tioga County Chapter, NYS ARC, Inc.
Builders for the Family and Youth of the Diocese of Brooklyn, Inc.
Camp Venture, Inc.
Cardinal Hayes Home for Children, Inc.
CATHOLIC CHARITIES SYRACUSE
Catholic Charities of the Diocese of Albany, Inc.
Catholic Guardian Society of New York
CATTARAUGUS CO NYSARC
Cayuga Home for Children
Center for Disability Services, Inc.
Centro Civico Of Amsterdam, Inc.
Centro Social La Esperanza, Inc.
Chautauqua County Chapter, NYS ARC, Inc.
Chemlu Developmental Disabilities Center, Inc.
Chenango County Chapter, NYS ARC, Inc.
Citizen Advocates dba North Star Industries
Claddagh Commission, Inc.
Clinton County Chapter, NYS ARC, Inc.
Columbia County Chapter, NYS ARC, Inc.
Community Resources and Services for Children
Community Services for the Developmentally Disabled
Community, Work, and Independence, Inc.
Crystal Run Village, Inc.
Delaware Opportunities, Inc.
Disabled Persons Action Organization, Inc.
East End Disability Associates, Inc.
East Harlem Council for Community Improvement
Easter Seals New York
Economic Opportunity Council of Suffolk
Eden II School for Autistic Children, Inc.
Eihab Human Services, Inc.
Elmcrest Children's Center
Epilepsy Foundation of Long Island, Inc.

Erie County Chapter, NYSARC, Inc. d/b/a Heritage Centers  
 Essex County Chapter, NYS ARC, Inc. d/b/a Mountain Lake Services  
 Europa Associates for Community Services, Inc.  
 Evelyn Douglin Center for Serving People in Need, Inc.  
 Family and Child Services of Schenectady, Inc.  
 Family Empowerment Council, Inc.  
 Family Residences and Essential Enterprises, Inc.  
 Federation Employment and Guidance Services, Inc.  
 Federation of Multicultural Organizations, Inc.  
 Finger Lakes United Cerebral Palsy, Inc.  
 Franklin County Chapter, NYS ARC, Inc.  
 Franziska Racker Centers, Inc.  
 Fulton County Chapter, NYS ARC, Inc.  
 Greystone Programs, Inc.  
 Guest House Community Services, Inc.  
 Haitian-Americans United for Progress, Inc.  
 Handicapped Childrens Association of Southern New York, Inc.  
 HASC Center, Inc.  
 HeartShare Human Services of New York, Roman Catholic Diocese of Brooklyn  
 Heritage Christian Services, Inc.  
 Heritage Farm  
 Herkimer County Chapter, NYS ARC, Inc.  
 Human Care Services for Families and Children  
 In Flight, Inc.  
 Independent Group Home Living Program, Inc.  
 Institutes of Applied Human Dynamics  
 Jawonio, Inc.  
 Jefferson County Chapter, NYS ARC, Inc.  
 Jewish Board of Family and Children's Services, Inc.  
 Learning Disabilities Association of Western New York, Inc.  
 Life's W.O.R.C., Inc.  
 Lifespire, Inc.  
 Lifestyles for the Disabled  
 LITTLE VILLAGE  
 Living Resources Corporation, Inc.  
 Livingston-Wyoming County Chapter, NYS ARC, Inc.  
 Madison-Cortland Counties Chapter, NYS ARC, Inc.  
 Maranatha Human Services, Inc.  
 Maryhaven Center of Hope, Inc.  
 Mental Health Association of Orange County  
 Mercy Home for Children  
 Midwood Development Corporation  
 MONTGOMERY CO. NYSARC, INC.  
 Nassau County Chapter, NYS ARC, Inc.  
 New Horizons Resources' Inc.  
 New York City Chapter, NYS ARC, Inc.  
 New York Foundling Hospital  
 Niagara County Chapter, NYS ARC, Inc.  
 On Your Mark, Inc.  
 Orange County Chapter, NYS ARC, Inc.  
 Orleans County Chapter, NYS ARC, Inc.  
 Oswego Co. NYSARC, Inc.

Oswego County Opportunities, Inc.
OTSAR
Otsego County Chapter, NYS ARC, Inc.
Parents Information Group for Except. Children dba Exceptional Family Resources Pathways, Inc.
People, Inc.
Pesach Tikvah Hope Development
Professional Service Centers for the Handicapped, Inc.
Provider-Hamaspik of Kings County, Inc.
Provider-Hamaspik of Orange County, Inc.
Provider-Hamaspik of Rockland County, Inc.
Putnam County Chapter, NYS ARC, Inc.
QSAC, Inc.
Queens Parent Resource Center, Inc.
Rayim of Hudson Valley, Inc.
Rehabilitation Programs, Inc.
Rensselaer County Chapter, NYS ARC, Inc.
Richmond Children's Center
Rockland County Chapter, NYS ARC, Inc.
Saratoga County Chapter, NYS ARC, Inc.
Schenectady County Chapter, NYS ARC, Inc.
SCO Family of Services
Share Of New Square
Sid Jacobson Jewish Community Center
Sinergia, Inc.
SKIP of New York, Inc.
Social Action Center, Inc.
Southeast Bronx Neighborhood Center, Inc.
Southeast Community Work Center, Inc.
Spaulding P.R.A.Y. Residence Corp. d/b/a Spaulding Support Services
Special Needs Program, Inc.
St. Agatha's Home of the New York Foundling Hospital, Inc.
St. Dominic's Home
St. Lawrence County Chapter, NYS ARC, Inc.
St. Regis Mohawk Education & Community Fund, Inc.
Staten Island Aid for Retarded Children, Inc. dba Community Resources for the DD
Steuben County Chapter, NYS ARC, Inc.
Stony Ford Foundation
Suffolk County Chapter, NYS ARC, Inc.
Sullivan County NYS ARC dba Sullivan ARC
Summit Educational Resources, Inc.
Syracuse Model Neighborhood Facility
Taconic Innovations, Inc.
The ARC (Oneida-Lewis Chapters, NYS ARC, Inc.)
The Center for Family Support
The Developmental Disabilities Institute
The Herbert G. Birch Community Services, Inc.
UCP and Handicapped Children's Association of Chemung County, Inc.
UCP and Handicapped Persons Association of the Utica Area, Inc.
UCPA of Cayuga County, Inc. dba E. John Gavras Center
UCPA of Orange County dba Inspire, the CP Center
UCPA of Tri-Counties, Inc.

Ulster-Greene Counties Chapter, NYS ARC, Inc.
United Cerebral Palsy Association of the North Country, Inc.
United Cerebral Palsy Association of the Rochester Area, Inc.
United Cerebral Palsy of New York City, Inc.
United Cerebral Palsy of Niagara County, Inc.
Unity House of Cayuga County, Inc.
Upstate Home for Children, Inc.
Variety Child Learning Center
Volunteers of America Developmental Services, Inc.
Warren/Washington Counties Chapter, NYS ARC, Inc.
Wayne County Chapter, NYS ARC, Inc.
Westchester County Chapter, NYS ARC, Inc.
Yates County Chapter, NYS ARC, Inc.
Yedei Chesed, Inc.
Young Adult Institute and Workshop, Inc.