



**DATE:** 12/07/17

**TO:** Directors of Services

**FROM:** Tina McCarthy, Business System Analyst, ITS-OCFS Legacy Support

**SUGGESTED DISTRIBUTION:** Casework Supervisors, Caseworkers and Data Entry Operators

**SUBJECT:** New Activities Absence Modifier for Respite Care

**EFFECTIVE DATE:** 12/06/17

**CONTACT PERSON:** OCFS-IT Legacy System Support 1-800-342-3727

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The purpose of this General Information System (GIS) message is to notify local departments of social services (LDSSs) of system changes that have been made to support the appropriate claiming of Respite Placement for Foster Families payments.

As previously advised in GIS #16-004 and GIS #17-003, pursuant to 18 NYCRR Part 435, respite care and services are provided for the brief and temporary care and supervision of foster children for the purpose of relieving the foster parent of the care of the foster children when the foster family needs immediate relief in order to be able to maintain or restore family functioning or to provide relief for foster parents from the stress of providing care for child who is severely handicapped or has emotional challenges or for a foster child with a chronic or recurring illness.

Per 18 NYCRR 435.10, the LDSS may continue to provide payments to foster parents for those periods of time during which respite care and services are also being provided. Payments provided to foster parents are federally non-participating (FNP) when federal participation is provided for related respite care and services. Payments to the respite foster home must not exceed the rate currently being paid on behalf of the child. The respite foster home must be a fully certified or fully approved foster boarding home.

The following system changes have been made to support the appropriate claiming.

Activities

Effective 12/06/17, a new MOD B – Reason for Absence modifier ‘ST’ (Respite Care) will be available with the entry of a M950 (Child Begins Absence). Regular Service or Maintenance (POS 61) or Emergency Service and Maintenance (POS 62) payments will be made to the foster home up to the total number of billable days entered in the MOD C – Number of Billable Days field. No entry of number of billable days in MOD C will result in the suspension of payment to the foster home as of the date of the absence.



WMS/BICS System Changes

LDSS will continue to authorize respite care and services by entering POS 8A or 8B in WMS. The 8A/8B authorization also requires that a POS of 61 (Regular Service or Maintenance) or 62 (Emergency Service and Maintenance) be authorized for the same line number on the same case and the POS 8A/8B dates must be equal to or within the POS 61/62 dates. If the LDSS chooses to continue to make foster care payments (POS 61/62), the number of billable days for which they wish to make payment must be entered in Activities with the M950/ST. Reimbursement for the period of absence will be federally non-participating (FNP).

BICS will review M950's entered with an ST-Respite Care modifier and provide reimbursement for POS type 61 and 62 payment as follows:

Children with IV-E Eligibility (Eligibility Code 02)

Type of Absence	IV-E Reimbursement	Non-IV-E Reimbursement
ST-Respite Care	No IV-E Reimbursement is available for this type of absence	Non-IV-E reimbursement may be received for up to 21 days of the absence period*

Non-IV-E reimbursement for IV-E eligibility children is claimed as EAF (for dual eligible children coded as IV-E and with a DIR suffix code of 08E) or FNP (for children coded as IV-E only)

Children with non-IV-E eligibility (Eligibility Code 01, 03, 04, 05, 06, 07, 08, 09, 13 or 14)

Type of Absence	IV-E Reimbursement	Non-IV-E Reimbursement	Number of NY State Allowable Days of Absence*	Payment for Absence Period becomes Non-Reimbursable when:
ST-Respite Care	Not Applicable	Non-IV-E reimbursement may be received for up to 21 days of the absence period	21	The number of absence days paid is more than 21 days

Non-IV-E reimbursement for children who are not IV-E eligible is claimed per the child's WMS eligibility category.

\*Please review additional limitations for Respite Care and Services identified in New York State regulation 18 NYCRR 435.5. Respite care is non-reimbursable if provided outside of these limitations;



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that is, for less than 24 hours, for a period greater than a 21-consecutive day episode, within a period of seven consecutive days after an episode, or for more than a total of seven weeks per year. BICS does not review or count the number of absence days in a calendar year. LDSSs must keep records regarding the number of foster care absence days and adjust payment accordingly.

For systems questions, contact OCFS-IT Legacy System Support at 1-800-342-3727. For all other questions regarding respite services, contact your OCFS regional office representative.

WMS Coding Guides and GIS messages can be found on the OCFS website:  
<http://ocfs.state.nyenet/it/GeneralResources/GeneralResourcesDefault.asp>