






# MEMORANDUM

**To:** Autism Waiver Transitioning Youth Participants and their Families  
Autism Waiver Service Coordinators  
Autism Waiver Service Providers  
Coordinators of Community Services  
DDA Community Service Providers  
DD and Autism Waiver Stakeholders

**From:** Bernard Simons, Deputy Secretary   
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**Subject:** Extending Transition Timeframe for Autism Waiver Participants Exiting the School System and/or “Aging Out” During the COVID-19 Pandemic

**Date:** June 12, 2020

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**NOTE: Please inform appropriate staff members of the contents of this memorandum.**

## BACKGROUND

On March 5, 2020, Governor Lawrence J. Hogan, Jr., declared a state of emergency due to disease (“COVID-19”) caused by the novel coronavirus. The COVID-19 outbreak was declared a national emergency on March 13, 2020 and was previously declared a nationwide public health emergency on January 31, 2020 (retroactive to January 27, 2020).

The Maryland Department of Health’s Office of Long Term Services and Supports (within the Medicaid Office) and Developmental Disabilities Administration (DDA) and the Maryland State

Department of Education (MSDE) have been coordinating efforts to support Autism Waiver transitioning youth participants in the Autism Waiver and their families.

The purpose of this guidance is to share information regarding temporary changes for the Autism Waiver “aging out” disenrollment requirement and the DDA’s Transitioning Youth (TY) service options in response to health and safety concerns related to the COVID-19 pandemic. This guidance implements temporary modifications to address the state of emergency.

## **OVERVIEW**

Maryland’s Autism Waiver supports eligible children from 1 to 21 years of age. Participants in the Autism Waiver are disenrolled when they exit the school system or age out of the program during the school year the child turns 21. Typically, youth transition from the education and other support systems into adult services including employment supports, post-secondary education, community engagement, and other services that include direct face-to-face services. Youth and families explore options and opportunities, including applying for one of the DDA’s Medicaid Waiver programs and touring potential DDA community service providers, that may be able to support the individual’s goals and aspirations.

Transitioning Youth (TY) are individuals with a developmental disability who qualify for a special, reserved category on DDA’s Waiting List for initiation of DDA-funded services. If an individual meets the criteria for TY, then they are generally eligible to apply for enrollment in a DDA Medicaid Waiver program (see Code of Maryland Regulations (COMAR) 10.22.12.07, for more details). Potential TY include youth transitioning out from local school systems, public agencies, and private schools, the Autism Waiver, and the foster care system.

Prior to the COVID-19 state of emergency, these actions to enroll in and initiate DDA-funded services (*i.e.*, submitting the Waiver enrollment application and exploring providers) typically took place prior to the youth’s transition date and the selection of providers was made in January of the transition year, or sooner, based on service models offered.

Prior to the COVID-19 state of emergency, Autism and DDA Waiver providers offered a variety of direct face-to-face services and supports. The DDA’s Meaningful Day service providers typically offered TY an average of four (4) to six (6) hours per day of direct face-to-face supports (*e.g.*, employment, community engagement, and/or day habilitation services). Autism Waiver providers offered up to twenty-five (25) hours per week of Intensive Individual Support Services to participants in their homes and communities.

To protect individuals and comply with the [Maryland Governor's Executive Orders](#), providers (under both the Autism Waiver and DDA Waivers) have temporarily closed programs or reduced services. The DDA providers have also suspended program tours for potential new participants and may delay offers to support the TY at this time.

Whenever possible, providers have been encouraged to deliver services by phone or telehealth to prevent the spread of the virus. Services can be delivered remotely using a real-time audio-visual connection that allows the staff member to both see and hear the participant.

Following such guidance, many of the DDA's Meaningful Day providers have been *redesigning and transitioning* their service delivery models from providing direct supports to providing at least one (1) hour of remote supports. Some providers have been developing a variety of *remote support curriculums* on topics related to career interest, communication, conflict resolution, health and safety, physical activities, money management, social skills, self-advocacy, and more. A small subset of direct support services has continued to be provided face-to-face, such as employment supports for essential workers.

However, due to the COVID-19 pandemic, many TY have not been able to complete the DDA Waiver Enrollment Application process or identify DDA-licensed service providers to support their goals. Several TYs and families selected providers and made decisions based on provider service models and service hours prior to the crisis, which may now need to be reconsidered as the TY needs and/or the individual provider's service delivery models may have changed significantly.

To support the immediate need for services and supports during this COVID-19 state of emergency, and to provide flexibility with both the Autism Waiver services and the DDA Waiver enrollment application processes, the Departments are providing specific guidance regarding exceptions to the Autism Waiver aging out requirement, as outlined in this document.

### **Extending Transition Timeframe for Autism Waiver Participants Aging Out**

Due to the COVID-19 pandemic, Maryland Medicaid submitted an emergent amendment to the Autism Waiver application via a section called [Appendix K](#), which allows for flexibility in administering services during a state or national emergency. A provision of the [Autism Waiver Appendix K](#) includes the ability to continue funding for services covered by its waiver program application for individuals who are 22 years of age or older during the COVID-19 state of emergency. This means Autism Waiver participants, who would otherwise be disenrolled from the Autism Waiver on June 30<sup>th</sup>, can remain in the Autism Waiver, and continue to receive

services funded by the Autism Waiver, even though they have completed or concluded their entitled educational services.

To support Autism Waiver participants and families, who may be eligible for DDA-funded services as a TY, in making an *informed decision* as to whether to disenroll from the Autism Waiver on June 30th or to continue in the Autism Waiver and transition at a later date, the following processes are recommended:

1. All eligible TY and families should:
  - a. Be advised of their rights and options to remain in the Autism Waiver and to transition to the DDA Waiver once meeting the eligibility requirements;
  - b. Explore and receive information about:
    - i. Autism Waiver services currently available, including any new or increase in services that are available if they remain in the Autism Waiver from their Autism Waiver Service Coordinator (SC);
    - ii. The DDA Meaningful Day service delivery models and level of services available due to the COVID-19 pandemic from their DDA Coordinator of Community Services (CCS) and selected DDA providers;  
*Note:* Previously selected providers may now be supporting individuals via remote, virtual, and other direct support methods, due to the COVID-19 pandemic affecting site-based services. Hours, duration, and method of support may vary depending on the selected provider's capacity. Service options proposed prior to the pandemic may not be available at this time and should be communicated and considered.
    - iii. The ability to apply to the DDA's Medicaid Waiver programs or select a later enrollment date when services and supports will meet their needs;
  - c. Have the opportunity for a joint telephone call, with both their Autism Waiver SC and DDA CCS, to review and discuss service levels and options available under the Autism Medicaid Waiver and service levels and options under the DDA Medicaid Waiver programs; and
  - d. Inform their Autism Waiver SC and DDA CCS of their decision to remain in the Autism Medicaid Waiver or transition into a DDA Medicaid Waiver program and the target date.
2. The DDA CCS and Autism Waiver SC should track and ensure all individuals aging out of the Autism Waiver and potentially eligible for DDA-funded services as a TY, and their families or legal representatives, are informed of their rights and options as provided in the current guidance, including guidance specific to services available during this COVID-19 crisis.

3. If the TY's decision is to remain in the Autism Waiver at this time and their DDA Waiver application has already been approved for a July 1st date, the decision must be communicated as soon as possible, but **no later than June 26, 2020**, so that the DDA can advise the Department's Eligibility Determination Division (EDD) to not disenroll the person from the Autism Waiver at this time.
  - a. The DDA CCS and Autism Waiver SC should track decisions and immediately report to the DDA upon notification, as provided below.
  - b. The DDA CCS and Autism Waiver SC shall document in the case notes this decision including LTSS *Maryland* notes as applicable.
  - c. The DDA CCS and Autism Waiver SC shall immediately inform the DDA and the MSDE by submitting a secure email directly to [micheale.keenan@maryland.gov](mailto:micheale.keenan@maryland.gov) and [omoyemen.ali@maryland.gov](mailto:omoyemen.ali@maryland.gov) as follows:

*Subject Line:* AW Transition - (insert participant's LTSS ID #)

*Message:* "I spoke with (insert the participant's name or authorized representative) on (insert date) and (insert participant's name and LTSS ID#) has decided to delay their transition from the Autism Medicaid Waiver into a DDA Medicaid Waiver program at this time.
4. Autism Waiver participants that have not completed the DDA Waiver Enrollment Application process may choose to remain in the Autism Waiver. Remaining in the Autism Waiver during this state of emergency **will not** jeopardize the opportunity to apply for the DDA-funded services as a TY.
5. The DDA and MSDE will track all TYs and provide information and assistance as needed.
6. All eligible youth and families interested in applying to and receiving services from the DDA Medicaid Waivers should:
  - a. Contact their CCS for assistance with the application process; and
  - b. Respond and provide all requested supporting documentation from the EDD.

#### Additional Resources

- [Navigating Secondary Transition Services for Students with Disabilities during COVID-19](#)
- [Resources to Support Students with Disabilities during the COVID-19 Pandemic](#)
- [APPENDIX K: Emergency Preparedness and Response and COVID-19 Addendum](#)
- [DDA's Transitioning Youth webpage](#)
- [DDA Transitioning Youth Fact Sheet- English](#)
- [DDA Transitioning Youth Fact Sheet- Spanish](#)
- [Maryland Transition Website](#)
- [Maryland Transition Resource Guide](#)
- [Integrated Star,](#)
- [Exploring Life Possibilities](#)
- [Guiding Principles,](#)

- [Integrated Support Options](#),
- [LifeCourse Trajectory](#)
- [LifeCourse 101 Foundation](#) (updated)

*Please note that any statements, answers, or guidance presented in this document, or any other documents published by the Departments related to COVID-19, are subject to change as the Departments learns new information in this evolving crisis. Any subsequent versions shall supersede previously published documents. The Departments will note the current effective date and posting date on each document that it publishes.*