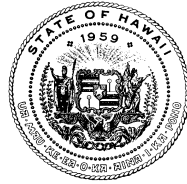


DAVID Y. IGE  
GOVERNOR OF HAWAII



ELIZABETH A. CHAR, M.D.  
DIRECTOR OF HEALTH

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
DEVELOPMENTAL DISABILITIES DIVISION

P. O. BOX 3378  
HONOLULU, HI 96801-3378  
Telephone: (808) 586-5840  
Fax Number: (808) 586-5844

In reply, please refer to:  
File:

Medicaid I/DD Waiver  
Memo No.: FY2021-03  
Date: September 18, 2020

TO: Medicaid I/DD Waiver Providers  
FROM: Mary Brogan, Administrator  
Developmental Disabilities Division

SUBJECT: Waiver Provider Monitoring for Fiscal Year 2021

In this time of uncertainty and the evolving situation with the COVID-19 pandemic, several providers have asked us questions about the Developmental Disabilities Division's (DDD) plan to resume waiver provider monitoring of provider records. As you may know, Hawaii's Appendix K application, that was approved by the Centers for Medicare and Medicaid Services (CMS) on March 27, 2020, gave DDD the flexibility to suspend waiver provider monitoring in the fourth quarter of Fiscal Year 2020.

While this flexibility has been helpful, DDD is resuming waiver provider monitoring for Fiscal Year 2021. This is based on our obligation pursuant to the Hawaii Section 1915(c) Home and Community-Based Services for People with Intellectual and Developmental Disabilities (I/DD) Waiver (Medicaid Waiver), Appendices A and I, and the Waiver Provider Standards Manual.

The health, safety and welfare of participants, providers, staff and our communities continue to be the DDD's top priority. For that reason, the DDD decided that the waiver provider monitoring shall be conducted through methods described below. We hope this addresses any concerns you may have about the audit process, including the provision of copies of provider records and files.

### **NOTIFICATION TO PROVIDERS AND TIMEFRAMES**

The DDD will send a letter through email informing your agency of the upcoming audit of program and fiscal records thirty (30) business days before the mail-in audit deadline. The DDD will then contact your agency fourteen (14) business days before the mail-in audit deadline and provide the list of participant names to be audited.

A separate letter will be sent through email requesting your agency's list of current employees and independent contractors thirty (30) business days before the mail-in

audit deadline. After receipt of the requested list, your agency will be notified of the list of selected employees prior to the mail-in audit deadline.

### **OPTIONS FOR SUBMITTING COPIES OF REQUIRED DOCUMENTS, RECORDS, OR FILES**

Under the authority of the Provider Agreement, the Waiver Provider Standards Manual B-3, Section 2.5.C, and the Code of Federal Regulations 42 CFR 431.107(b)(2), providers are required to furnish records relating to any payments claimed by the provider. As the State Operating Agency of the Medicaid I/DD Waiver, the DDD is authorized to obtain and maintain documents as related to the program and fiscal audits. The following methods are available and intended to provide flexibility during this time:

- 1) **FAX** to the Community Resources Branch (CRB). CRB has a secure fax line and documents that are faxed may contain Protected Health Information (PHI).  
**CRB Fax Number: (808) 733-9841**
- 2) **MAIL** to CRB. Please note that all documents submitted by mail must be de-identified. DDD recommends certified mail for tracking purposes. For requirements to de-identify documents, refer to [Memo No. 2016-01](#).
- 3) **DROP-OFF OR PICK UP on O’ahu**. Please contact CRB to make arrangements for agency staff to drop-off documents to the CRB office or for CRB staff to pick-up documents from agency staff.

**Community Resources Branch  
3627 Kilauea Avenue, Room 411  
Honolulu, Hawaii 96816  
Phone: (808) 733-2135**

- 4) **ENCRYPTED ELECTRONIC FILE**. Please contact the CRB to discuss and to make arrangements.

### **PRIVACY AND SECURITY**

The DDD is required, by federal and state law, to maintain the privacy of all information and will be responsible for reporting any incidents to the Office of Civil Rights (OCR). Documents, records, and files disclosed to the DDD for the waiver provider monitoring are DDD records and will be securely managed and stored, pursuant to the DOH HIPAA Policies & Procedures and the DOH Guidelines for Protecting Confidential Information (July 2016).

After the waiver provider monitoring is completed, program records and/or validation documents may be returned to the provider, upon written request. Program records and/or validation documents not returned to the provider will be shredded within twelve

Medicaid I/DD Waiver Program – Provider Memo  
Memo No. FY2021-03  
September 18, 2020  
Page 3 of 3

(12) months of completion of the waiver provider monitoring. Program records and/or validation documents provided through a provider's secured electronic access will be reviewed electronically and the DDD will not download or retain any hard or electronic copies.

Fiscal audit records will be retained by the DDD, as the original records submitted are needed as evidence to support audit results. The DDD ensures that copies of fiscal audit records will be stored securely at the DDD Fiscal office as required by DOH HIPAA Policies and Procedures and the DOH Guidelines for Protecting Confidential Information (July 2016).

Should you have any questions, please call the CRB at (808) 733-2135. Thank you very much for your understanding and assistance in this process.

c: Jon Fujii, DHS, MQD  
DDD Management Team