

Virtual Day Services

This is intended to be a temporary service provided during the COVID-19 pandemic.

1. Service Description/Definition:

Virtual Day Services (VDS) assists with the acquisition, retention, or improvement in self-help, socialization and adaptive skills. It also assists to mitigate the risks individuals may experience from social isolation which include loneliness, skill atrophy, memory decline, personal hygiene deterioration and physical/mental health deterioration. VDS programming must be person-centered and take into consideration the individual's personal interests and needs.

VDS can only be provided by a Community Day Services provider certified by the Bureau of Accreditation, Licensure and Certification (BALC). Virtual supports may take place in an individual's private residence, a residential setting owned, operated or controlled by a provider agency, or any other setting where the individual is able to connect virtually with an electronic device and participate in the programming.

An individual may receive up to 45 hours per month and 520 hours per year which is based on 10 hours per week on a regularly scheduled basis, on a special ad hoc basis, or as specified in the individual's person-centered plan. A "virtual support" takes place over video between a VDS staff member and an individual(s). VDS can be provided to no more than 10 individuals per activity unless the programming is enhanced by additional people. Examples of situations where more than 10 participants might be appropriate include exercise classes where interpersonal communication is not involved or gameplay sessions where "teams" of individuals are playing against one another. As a general rule, if the session envisions or requires direct communication between participants and the leader, no more than 10 individuals are allowed.

VDS provides supports for active participation in activities that build on the person's interests, preferences, gifts, and strengths while reflecting the person's goals. VDS provides supports for individuals who have retired from traditional CDS programming with age-appropriate activities and social connection.

VDS shall support and enhance, rather than supplant, an individual's involvement in public education, post-secondary education/training, individualized integrated employment or self-employment, and community engagement activities that decrease an individual's risk to social isolation.

The following are examples of VDS Programming:

- Activities related to the development of hobbies or leisure/cultural interests or to promote personal health and wellness (e.g. yoga class, meditation group, etc.)

- Activities related to training and education for self-determination and self-advocacy
- Activities that encourage interaction among individuals who do not reside together
- Activities that encourage discussion of current events
- Activities that encourage exploration of the individual's community

This list is not exhaustive and can include other activities that are meaningful to the individual, can be adapted virtually and based on the individual's preferences and interests.

VDS does not include the following:

- Special education and related services, as defined in Section 601 (16) and (17) of the Individuals with Disabilities Education Act, which otherwise are available to the individual through a local education agency.
- Vocational rehabilitation services which otherwise are available to the Individual through a program funded under Section 110 of the Rehabilitation Act of 1973.
- Pre-recorded videos that are played without a live person present in the virtual setting to facilitate and monitor participation.

Virtual Day Services requires prior approval. See [Section VIII, Service Authorization and Prior Approval](#) for prior approval requirements.

2. Virtual Setting:

- VDS providers, regardless of their location, use video to provide VDS services. The individual must be located where they are able to effectively participate in the scheduled activities with as few distractions as possible.
- If needed, VDS providers should develop audio options or include closed captioning with video to accommodate individuals whose disabilities impair their ability to participate by video alone, such as individuals with vision or hearing-impairments.
- VDS must be an interactive and/or active learning environment.
- Use of video-teleconference software can include Microsoft's Skype, Adobe's Connect, Google's Hangout or Classroom, WebEx, Go-to-Meeting, Zoom, etc.
- The individual and VDS provider must have the hardware (computer, tablet or cell phone with video capability with speakers and microphone or headset, etc.) and video-teleconference software required for the communication to be two-way and real-time.
- A VDS facilitator must always be present during active programming.
- A guest speaker is authorized as long as a VDS facilitator is present and leading/moderating the program.

3. Expected Outcomes: Outcomes should be based on progress towards resolution of identified needs as outlined in the individual's Plan. These outcomes may include the following:
 - Reduction in feelings of social isolation;
 - Progress in acquisition or retention of basic living skills;
 - Increase in or retention of attaining skills;
 - Progress toward acquisition of vocational skills;
 - Movement toward productive work in an integrated work setting in which non-disabled workers are also employed; and
4. See [Section VI. Provider Requirements](#) in the Waiver Manual to determine applicable rules and standards for agencies providing this service.
 - Funded providers are expected to be in full compliance with all laws, rules, policies procedures and mandates specified in the Community Services Agreement, Attachment "A", other Administrative Rules and all other referenced documents. It is the responsibility of the Provider to notify the Division of any difficulty in meeting these contractual obligations.
5. Summary of Specific Provider Qualifications and Credentials
 - Program Code: 31V
 - Providers of VDS must:
 - Be a certified Community Day Service (CDS) provider as identified in Rule 119.
 - Provide service to individuals in VDS and bill no more than 45 hours hours per individual per month.
 - VDS Facilitator qualifications:
 - Sessions must be led by someone knowledgeable about the subject.
 - VDS facilitators shall meet all background check requirements to include Healthcare Worker Registry, CANTS, Sex Offender, etc.
 - VDS facilitators shall be trained on Rule 50 "Office of Inspector General Investigations of Alleged Abuse or Neglect in State Operated Facilities and Community Agencies", specifically reporting of abuse, neglect, and financial exploitation.
 - Providers may have additional staff who do not meet all these qualifications present during VDS sessions, as long as there is always a VDS facilitator present.
6. Waiver Service Rate
 - The rate was developed based on a Community Day Service (CDS) model with adjustments to 1) increase wage and fringe benefit assumptions; 2) remove costs related to transportation, which is not required for VDS; and 3) increase staffing ratio and productivity assumptions to reflect the virtual delivery model for day services.
 - The rate is based on a staff to participant ratio of 1:8.
 - The rate for 31V is \$5.46 per hour.

7. Individuals receiving 31V are not authorized to additionally receive Temporary Intensive Staffing – Day Program (53D).
8. See [Section X. Waiver Service Billing Guidance](#) in the Waiver Manual to determine the process for billing for VDS.
9. Documentation Requirements
 - The service provider is responsible for submitting complete and accurate billings and for maintaining appropriately detailed documentation and audit trail information. Service providers must maintain documentation on file for at least six years from the date of service to establish an audit trail. Audit trail documentation and notes are subject to review by state staff or their designees. Documentation includes:
 - VDS attendance records must be completed daily and must include the number of hours each individual was actively involved in program activities during the day based on start and end times. VDS cannot be billed at the same time other waiver services (such as therapy, counseling, etc.) are being delivered and paid.
 - VDS can be billed during the same time as 37U, however, it will reduce the annual total amount of service hours (1100 hours) more quickly.
 - The service provider must be prepared to submit to the Division a list of VDS sessions it provided to individuals if requested. The list must state the topic of the session, the length of time of the session, the individuals who participated and a brief statement of the outcome(s). This may be requested through an audit, post payment review or on an as needed basis.
10. Billing Guidance by Service Type:

Virtual Day Service

Program Code	31V
Max Allowed	VDS maximum of 45 hours per month and annual maximum of 520 hours per fiscal year. Note: State fiscal year maximum of 1,100 hours for any combination of day programs. Monthly maximum is 115 hours for any combination of day programs.
Units	Client hours and minutes of individual participation. Minutes may be rounded to the nearest 15 minutes.
Billable Time	Only time when the individual is actively participating in VDS activities are billable. A VDS facilitator must be present and leading or facilitating the program at all times.
Non-Billable Time	Examples of time that are not billable include:
	<ul style="list-style-type: none"> • Anytime when the service is not being provided. • VDS facilitator time between arrival to the virtual setting and the start of active programming.
	<ul style="list-style-type: none"> • VDS activities should not be billed and provided during an individual’s lunch hours unless there is programming occurring. Break times can be scheduled as part of the program, but these break times are not billable.
	<ul style="list-style-type: none"> • Individuals can’t receive any other waiver services (such as therapy, counseling, etc.) during the time the VDS provider is billing, with the exception of At-Home Day Program (37U).

11. Service termination

- a. See [Section II. Participant Eligibility and Waiver Program Enrollment](#) in the Waiver Manual for information regarding participant service termination.
- b. Participants have the same appeal rights for this service as they do with any other waiver service.

The Division is evaluating the viability of making this a permanent waiver service.