

## Parents as Paid Caregivers of Minor Children

### Background

AHCCCS received temporary authority from the Centers for Medicare and Medicaid Services (CMS) to permit parents as paid caregivers to minor children during the federal COVID-19 public health emergency (PHE). This temporary authority allowed parents and caregivers a way to ensure their children continued to receive health care services during the pandemic, and to have a choice in whether or not to allow direct care workers into their homes. It also ensured continuity of services in the event direct care workers became ill or decided not to work as the result of COVID-19.

Absent a federally declared public health emergency, AHCCCS does not have the authority to pay parents to provide services to their minor children. Therefore, once the public health emergency ends, AHCCCS will no longer be able to pay parents for services rendered to their minor children.

The federal government has extended the PHE through July 15, 2022 and the authority flexibility expires at the end of the quarter in which the PHE ends (currently September 30, 2022).

AHCCCS is planning to leverage federal funding available in the American Rescue Plan Act (ARPA) to temporarily extend the authority to pay parents as paid caregivers to minor children through March 31, 2024 in order to help parents and case managers plan ahead for other service options. AHCCCS is also pursuing plans to expand the pool of qualified direct care workers that can provide care to minor children.

**Q1: Will the ability to allow parents of minor children to get paid to provide services expire?**

**Q2: Will any requirements change for parents providing paid care at the end of the PHE?**

**Q3: What if we don't have another caregiver in place after March 31, 2024?**

**Q4: Can family member,s including parents of adult children, continue provide paid care after March 31, 2024?**

**Q5: Can parents who haven't yet taken advantage of this option do so now?**

**Q6: What is AHCCCS doing to ensure there are enough qualified individuals to provide care after March 31, 2024?**

**A1: Will the ability to allow parents of minor children to get paid to provide services expire?**

Yes, the temporary authority to pay parents to provide services to minor children expires on September 30, 2022. AHCCCS is planning to use American Rescue Plan Act funding to extend the flexibility beyond the PHE, through March 31, 2024, in order to give families time to make other plans. Efforts are underway to build up a workforce of qualified direct care workers to provide the care. AHCCCS reimbursement for services provided by parents of minor children will not be available after March 31, 2024.

**A2: Will any requirements change for parents providing paid care at the end of the PHE?**

The requirements generally stay the same with one exception. Parents can temporarily provide paid attendant care to their minor children if they meet all the direct care worker requirements in AHCCCS policy including, but not limited to:

- Employed or contracted by an agency,

- Passing direct care worker Level One competency tests, and
- Compliance with Electronic Visit Verification (EVV).

The only new requirement is that parents cannot exceed 40 hours of paid care for their children in a given week regardless of whether the parent is employed by multiple agencies. Similarly, if there are two parents getting paid to provide services to one member, the hours of the two parents combined cannot exceed 40 hours of paid care in a given week, per child. If two children are receiving personal care/attendant care services, the parent(s) may provide up to a combined 80 hours of paid care per week. AHCCCS is applying this limitation to be consistent with another program allowing legally responsible individuals to get paid to provide care. It is important to note the number of hours (up to 40) that a parent (or any Direct Care Worker) can get paid to provide care is assessed and determined through the person centered planning process and must meet medical necessity requirements.

#### A3: What if we don't have another caregiver in place after March 31, 2024?

AHCCCS encourages members and their families to start planning now for this transition, and work with the provider agency and their case manager/support coordinator on a transition plan to resume care from a Direct Care Worker (DCW), and discuss COVID-19 risk mitigation measures that you wish to continue. While planning, you should identify any DCW requirements that are specific to the unique needs and preferences of the member, and identify potential candidates to serve as a DCW including other family members, friends, neighbors, and others within their social network. If a suitable candidate is identified and available, it is strongly recommended that you transition to DCW care prior to March 31, 2024.

#### A4: Can family member,s including parents of adult children, continue provide paid care after March 31, 2024?

AHCCCS policy allows parents and family members of adult children to provide paid care. This policy will not change.

#### A5: Can parents who haven't yet taken advantage of this option do so now?

Yes, new parents can provide paid care until March 31, 2024. However, due to the time limitation, parents are strongly encouraged not to start this process without a plan to transition to a non-parent DCW by March 31, 2024.

#### A6: What is AHCCCS doing to ensure there are enough qualified individuals to provide care after March 31, 2024?

AHCCCS is using the ARPA spending plan to pursue a number of different initiatives to help recruit and retain a qualified workforce including, but not limited to:

- Incentivizing people to join the workforce,
- Helping providers develop recruitment and retention strategies to meet their memberships needs,
- Enhancing training to build competencies to meet member needs, and
- Developing career pathway opportunities.