

Personal care services - ACLA

Clinical Policy ID: CCP.4044

Recent review date: 1/2023

Next review date: 5/2024

Policy contains: **Personal care services, Custodial care services**

AmeriHealth Caritas Louisiana has developed clinical policies to assist with making coverage determinations. AmeriHealth Caritas Louisiana's clinical policies are based on guidelines from established industry sources, such as the Centers for Medicare & Medicaid Services (CMS), state regulatory agencies, the American Medical Association (AMA), medical specialty professional societies, and peer-reviewed professional literature. These clinical policies along with other sources, such as plan benefits and state and federal laws and regulatory requirements, including any state- or plan-specific definition of "medically necessary," and the specific facts of the particular situation are considered by AmeriHealth Caritas Louisiana when making coverage determinations. In the event of conflict between this clinical policy and plan benefits and/or state or federal laws and/or regulatory requirements, the plan benefits and/or state and federal laws and/or regulatory requirements shall control. AmeriHealth Caritas Louisiana's clinical policies are for informational purposes only and not intended as medical advice or to direct treatment. Physicians and other health care providers are solely responsible for the treatment decisions for their patients. AmeriHealth Caritas Louisiana's clinical policies are reflective of evidence-based medicine at the time of review. As medical science evolves, AmeriHealth Caritas Louisiana will update its clinical policies as necessary. AmeriHealth Caritas Louisiana's clinical policies are not guarantees of payment.

Coverage policy

Personal care **also known as custodial care** services are clinically proven and, therefore, medically necessary for members who:

- Are diagnosed with a mental illness and who require minimal assistance with activities of daily living, and/or assistance with instrumental activities of daily living (such as housekeeping, cooking, medications, or transportation, **but do not require a higher skilled level of care need** — see listing in Findings section of this policy (Louisiana Medicaid Program, 2021).

Medicaid-eligible members who meet medical necessity criteria may receive personal care services when:

- Such care is recommended by the treating licensed mental health professional or physician within their scope of practice.
- The member's age is at least 21 years.
- The member has transitioned from a nursing facility or been diverted from a nursing facility level of care through the My Choice Louisiana program.
- The member is medically stable, not enrolled in a Medicaid-funded program that offers a personal care service or related benefit, and not in need of care that would exceed what can be provided under the scope and/or service limitations of this personal care service (Louisiana Medicaid Program, 2021).

Limitations

No limitations were identified during the writing of this policy.

Alternative covered services

Intensive case management.

Background

Serious mental illness is a persistent mental, behavioral, or emotional disorder resulting in serious functional impairment that substantially interferes with or limits one or more major life activities. In 2019, there were an estimated 13.1 million adults age 18 or older in the United States with serious mental illness, representing 5.2% of all U.S. adults (National Alliance on Mental Illness, 2021).

Examples of serious mental illness include major depressive disorder, schizophrenia, and bipolar disorder. Substance use disorder and/or a developmental disability may accompany serious mental illness. Individuals may experience frequent acute psychiatric episodes resulting in hospitalization or emergency room visits, interactions with law enforcement or imprisonment, suicidal ideation or attempts, or a history of violence related to their mental illness.

An adaptation of the federal Substance Abuse and Mental Health Services Administration (1993) definition provides more detailed eligibility criteria:

- Age 18 years or older.
- A diagnosable mental, behavioral, or emotional disorder of sufficient duration to meet the criteria specified in the *Diagnostic and Statistical Manual of Mental Disorders — Fifth Edition, **Text Revision*** (American Psychiatric Association, **2022**).
 - Substance use disorders, developmental disorders, and organic brain syndromes are excluded, unless they occur with a diagnosable serious mental illness.
- The mental illness has resulted in impairment that significantly interferes with or limits one or more of the following major life activities:
 - Activities of daily living.
 - Interpersonal functioning.
 - Concentration, persistence, and pace.
 - Adaptation to change.

Since 1975, states have been authorized to offer personal care services as an optional Medicaid benefit. By 1999, 26 states offered the optional plan benefit, and 45 offered personal care services through waivers (LeBlanc, 2001).

Medicaid personal care services are defined according to each state's approved plan. These services are categorized as a range of human assistance provided to persons with disabilities and chronic conditions to enable them to accomplish activities of daily living or instrumental activities of daily living (Centers for Medicare & Medicaid Services, 2017).

Findings

Personal care services include assistance and/or supervision necessary to enable members with mental illness to accomplish routine tasks and live independently in their own homes (Louisiana Medicaid Program, 2021).

Personal care services for members with mental health disorders include the following:

- Minimal assistance with activities of daily living, which include eating, bathing, grooming/personal hygiene, dressing, transferring, ambulation, and toileting;
- Assistance with, or supervision of, instrumental activities of daily living to meet a member's direct needs; these functions include
 - Light housekeeping, including ensuring pathways are free from obstructions;
 - Laundering of the member's bedding and clothing, including ironing;
 - Food preparation and storage;
 - Assistance with scheduling (making contacts and coordinating) medical appointments;
 - Assistance with arranging transportation depending on member needs and preferences;
 - Accompanying the member to medical and behavioral health appointments and providing assistance throughout the appointment;
 - Accompanying the member to community activities and providing assistance throughout the activity;
 - Brief occasional trips outside the home by the direct service worker on behalf of the member (without the member present) to include shopping to meet the health care or nutritional needs of the member or payment of bills, if no other arrangements are possible and/or the member's condition significantly limits participation in these activities;
 - Medication reminders with self-administered prescription and non-prescription medication that is limited to:
 - Verbal reminders.
 - Assistance with opening the bottle or bubble pack when requested by the member.
 - Reading the directions from the label.
 - Checking the dosage according to the label directions.
 - Assistance with ordering medication from the drug store.

Note: Personal care service workers are not permitted to give medication to members. This includes taking medication out of the bottle to set up pill organizers.

- Assistance with performing basic therapeutic physical health interventions to increase functional abilities for maximum independence in performing activities of daily living, such as range-of-motion exercise, as instructed by a licensed physical or occupational therapist or by a registered nurse.

Louisiana Medicaid Program regulations also address the following issues concerning delivery of personal care services to members with mental health conditions:

- Provider responsibilities.
- Service documentation and logs.
- Back-up staffing and emergency evacuation plans.
- Provider qualifications (agency and staff.)
- Limitations and exclusions.
- Billing procedures.

References

On **December 19, 2022**, we searched PubMed and the databases of the Cochrane Library, the U.K. National Health Services Centre for Reviews and Dissemination, the Agency for Healthcare Research and Quality, and the Centers for Medicare & Medicaid Services. Search terms were **Custodial care, Personal Care services,**

ADL' We included the best available evidence according to established evidence hierarchies (typically systematic reviews, meta-analyses, and full economic analyses, where available) and professional guidelines based on such evidence and clinical expertise.

American Psychiatric Association. (2022). *Diagnostic and statistical manual of mental disorders*, **Fifth Edition, Text revision (DSM-5-TR)**. <https://www.psychiatry.org/patients-families/what-is-mental-illness>. **Published March 18, 2022. Updated November 2022.**

Centers for Medicare & Medicaid Services. Fact Sheet: Preventing Medicaid Improper Payment for Personal Care Services. <https://www.cms.gov/Medicare-Medicaid-Coordination/Fraud-Prevention/Medicaid-Integrity-Education/Downloads/pcs-prevent-improperpayment-factsheet.pdf>. Published November 2017.

LeBlanc AJ, Tonner MC, Harrington C. State Medicaid programs offering personal care services. *Health Care Financ Rev*. 2001;22(4):155-173. <https://pubmed.ncbi.nlm.nih.gov/12378764>.

Louisiana Department of Health. Behavioral Health Services. Provider Manual, Medicaid Program Services. Chapter 2: Behavioral Health Services. Section 2.3 Outpatient Services – Personal Care Services. Proposed, 2021.

National Alliance on Mental Illness. Mental Health by the Numbers. <https://www.nami.org/mhstats>. **Published March 2021. Updated June 2022.**

Substance Abuse and Mental Health Services Administration. Center for Mental Health Services. Final notice. Federal Register. May 20, 1993;58(96). www.samhsa.gov/sites/default/files/federal-register-notice-58-96-definitions.pdf.

Policy updates

1/2022: initial review date and clinical policy effective date: 1/2022

1/2022: Policy references updated.

1/2023: Policy references updated.