



## DIVISION OF DEVELOPMENTAL DISABILITIES

# SERVICES AND SUPPORTS FOR MEMBERS USING REMOTE LEARNING DURING THE COVID-19 EMERGENCY

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**Purpose:** To provide guidance for supporting members who are using online, Remote Learning for part or all of their school day during the COVID-19 emergency.

### **Responsibility of Schools and Planning Teams**

The school team will identify the special education and related services in the IEP/504 plan and the setting most appropriate for them to be delivered.

The DDD planning team will identify medically necessary services in the member's planning document.

### **In Person vs Remote Learning**

Some members may have difficulties using technology, have challenges attending to tasks or demonstrating goal directed behavior, or have challenging behavior which may make remote learning during the school day difficult. Parents may need to reconvene their Individualized Education Plan (IEP) or 504 teams if additional support is needed for the member's school day. The provision of a Free Appropriate Public Education (FAPE) is based upon the individual needs of the student. Members of the IEP team, including the parent, should determine whether the student requires in-person instruction in order to receive a FAPE. Parents should visit the [Arizona Department of Education \(ADE\) Exceptional Student Services \(ESS\) COVID-19 webpage](#) for more information about special education and virtual vs in-person schooling.

### **Identifying the School Day**

Remote learning can be delivered in either a synchronous or asynchronous manner. "Synchronous learning" is online learning with scheduled, real-time virtual instruction. Students virtually attend the classroom each day and submit assignments and participate as they would if they were attending in person. "Asynchronous learning" is online learning supported through a virtual platform with teacher-created lessons and assignments. Work is scheduled and completed as determined by each member/family. Some schools have models that combine both delivery methods; with learning time scheduled by the school and learning time scheduled by the student/family. Some schools are also offering hybrid models that include both in-person and remote learning.

The Support Coordinator should use documentation from the member's IEP or 504 plan, and published school learning plans (such as on a school district website) to identify the schedules for in-person, synchronous, and hybrid models. Parents should provide additional information to the Support Coordinator regarding the learning schedules they establish for each member who is in a part- or full-time asynchronous learning model.

## **Assessing for Medically Necessary Services to Support Remote Learning**

The planning team may assess medically necessary services to support portions of the member's school day in order to support them during the COVID-19 emergency. The Support Coordinator or District Nurse must document the following during the assessment:

- The member's "school day" in the daily schedule section of the planning document.
- The member's need for support during identified remote learning time. Examples include difficulty using the technology, need for supervision due to safety concerns, need for consistent redirection, physical support, behavioral support or other similar need.
- The support available to the member for remote learning. Examples include parents/step-parents, primary caregivers, siblings, neighbors or in-home school personnel.
  - If parents/step-parents, legal representatives or primary caregivers are unavailable, the reason why (e.g. work, school, other) must be documented.
  - Parents/step-parents, legal representatives or primary caregivers **may not** be paid to provide services during remote learning time but **may** be paid to provide assessed medically necessary home and community based services during non-school time during the emergency.
- The number of assessed hours for services to support remote learning cannot exceed the total hours per day than the member's normal school day. For example, if the regular school day would start at 8:30 a.m. and end at 2:30 p.m., a maximum of 7 hours of services could be assessed to support remote learning. However, if the actual synchronous or asynchronous remote learning schedule is only 5 hours per day, the assessed services could not exceed 5 hours of support per day for remote learning.

## **Members Who Live In Their Family Home**

If the assessment identifies support needs and the member does not have available natural supports, Attendant Care and Nursing services are the services currently available to address this need. If there is more than one member (usually siblings) living in a home, the team(s) must document if the members can be supported by one provider or if multiple providers are needed in the home, the reasons why. Habilitation services may not be assessed to support the member during the school day ([42 CFR § 440.180](#) - Home and community-based waiver services).

## **Qualified Vendors and Providers**

If a Qualified Vendor or provider identifies services that are being used to support the school day that are not authorized as such, they shall contact the Support Coordinator or District Nurse to request

a planning meeting. Services authorized to support remote learning shall be delivered as outlined in the Qualified Vendor or Independent Provider Agreement, using currently established service codes and rates. DDD and AHCCCS have identified modifier TM for use when billing for attendant care and nursing services for the purpose of remote support. Vendors should begin making adjustments to their billing systems to accommodate the specific modifier, **TM**. The current service codes listed below are staying in the system and will be used for non-remote learning time.

Description	Current Service Code	Modifier
Attendant Care	ATC	TM
Nursing, Continuous	HN1	TM
Nursing, Visit	HNV	TM
Nursing, Intermittent	HN9	TM

## Summary of Changes

September 15, 2020

- Updated “Assessing for Medically Necessary Services to Support Remote Learning” section with revised clarification for all bullets as well as details regarding the number of assessed hours for services to support remote learning not exceeding the total hours per day of the member’s normal school day.
- Updated “Members Who Live In Their Family Home” section to include guidance for households with more than one member and the documentation required.
- Updated “Qualified Vendors and Providers” section with new information for vendors to use a modifier when billing rather than a new service code as originally communicated on September 8, 2020.