

## Respite

*The service definition and limits outlined below do not include all details and requirements. For the service standards, limitations, provider types and qualifications, and reimbursement information, refer to the appropriate Medicaid HCBS DD Waiver.*

### Waiver Availability

- Family Support Waiver (FSW)
- Developmental Disabilities Adult Day (DDAD) Waiver
- Comprehensive Developmental Disabilities (CDD) Waiver

### NFOCUS Service Codes

- Respite Individual—Independent In-Home (CDD/DDAD) 8148**
- Respite Individual—Independent Out-of-Home (CDD/DDAD) 9042**
- Respite Individual—Agency In-Home (CDD/DDAD) 2656**
- Respite Individual—Agency Out-of-Home (CDD/DDAD) 9307**
- Respite Individual—Independent In & Out-of-Home (FSW) 8148\***
- Respite Individual—Agency In & Out-of-Home (FSW) 2356\***

*\*FSW Waiver requires EVV use for all Respite services, including at in-home and out-of-home service sites.*

### Service Definition

Respite is a non-habilitative service provided to a participant unable to care for themselves as relief for their usual caregiver.

### Conditions of Provision

- A. A participant chooses each service based on their needs.
  - 1. Services should increase independence and community integration; and
  - 2. The chosen waiver services and who provides them are documented in the participant's Person-Centered Plan (PCP).
- B. Respite includes assistance with:
  - 1. Activities of daily living;
  - 2. Health maintenance; and
  - 3. Supervision.
- C. Respite is not a habilitative service.
- D. Examples of Respite activities include but are not limited to:
  - 1. Assistance with the provision of medication; or
  - 2. Supervision for activities at home or in the community.
- E. Respite has the following limitations:
  - 1. Respite can only be provided to relieve a usual unpaid caregiver living in the same private home as the participant.
  - 2. Respite cannot be used when the usual caregiver is working or attending school.

3. Parents and stepparents are not eligible to serve as respite providers.
4. Respite may be provided in the participant's home, the respite provider's home, or during community activities.
5. When no other option is available, respite may be provided in an institutional setting with prior approval by DDD.
6. Respite cannot be provided by an independent provider who lives in the same private home as the participant.
7. Respite cannot be provided to participants ages 18 years or older and children ages 13 and younger at the same time and location, unless approved by DDD Central Office.
8. Respite shall exclude any services available through public education programs funded under the Individuals with Disabilities Education Act (IDEA).
  - a. This includes services not otherwise available through public education programs in the participant's local school district, including after school supervision and daytime services when school is not in session (such as summer breaks and/or scheduled school holidays, in-service days).
  - b. Services cannot be provided during the school hours set by the local school district.
  - c. Regular school hours and days apply for a child who receives home schooling.
9. Respite cannot overlap with, replace, or duplicate other similar services provided through Medicaid.

## Provider Requirements

*The information outlined below does not include all provider requirements. It is intended to be general information about providers of this specific DD service.*

- A. All providers of waiver services must:
  1. Be a Medicaid provider;
  2. Comply with all applicable Titles of the Nebraska Administrative Code and Nebraska State Statutes;
  3. Adhere to standards as described in the Division of Medicaid and Long-Term Care Service Provider Agreement;
  4. Complete DHHS trainings upon request; and
  5. Use universal precautions.
- B. Respite can be offered by a DD agency provider or independent provider.
  1. A DD agency provider is a company enrolled as a Medicaid provider and certified by DHHS to provide DD services and is responsible for:
    - a. Hiring and supervising employees who work with the participant;
    - b. Employing staff based on their qualifications, experience, and demonstrated abilities;
    - c. Providing training to ensure staff are qualified to provide the necessary level of care;
    - d. Agreeing to make training plans available to DHHS;
    - e. Ensure adequate availability and quality of service; and
    - f. Other administrative functions.
  2. A DD independent provider is a person or vendor enrolled as a Medicaid provider and employed by a participant.
    - a. The participant is responsible for hiring and supervising their independent provider.

- C. Respite can be self-directed.
- D. Respite may be provided by a relative but not a Legal Guardian or Legally Responsible Individual.
- E. Respite cannot be provided by a provider who lives in the same home as the participant.
- F. When provided in a participant's home, Respite requires an operational Electronic Visit Verification (EVV) system which allows the check in and out of service appointments electronically. Computer skills and access to the technology for the EVV system are required for Respite providers when they work in the participant's home.
  - 1. Respite requires Electronic Visit Verification (EVV) for all uses, in-home and out-of-home, on the Family Support Waiver.

## Rates

- A. Respite must be purchased within a participant's annual individual budget amount.
- B. Respite is reimbursed at an hourly rate.
  - 1. Respite can be billed up to eight hours a day.
  - 2. Any use of respite over eight hours within a 24-hour period, 12:00 am -11:59 pm, is not reimbursable.
- C. Respite has an annual cap:
  - 1. 360 hours for the CDD Waiver;
  - 2. 240 hours for the DDAD Waiver; and
  - 3. 240 hours for the FSW.
- D. Unused Respite cannot be carried over to the next PCP year.
- E. The cost of transportation is:
  - 1. Included in the rate during Respite;
  - 2. Not included in the rate to the site where Respite begins; and
  - 3. Not included in the rate from the site where Respite ends.
- F. DD Rates are listed on the [DD Provider webpage](#).
  - 1. Only one fee schedule is effective at a time.
  - 2. The start date is on each schedule; once a fee schedule is no longer valid an end date is added.