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DIVISION OF HEALTH CARE FINANCING AND POLICY

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TECHNICAL BULLETIN 23-002

Date: December 20, 2023
From: Kirsten Coulombe, Social Services Chief III, Long Term Services and Supports (LTSS@dncfp.nv.gov)
Subject: Reimbursement for Family Caregivers of Medicaid Recipients with Medically Complex Conditions
Attention: LTSS providers, Nevada Medicaid Managed Care Organizations, 1915(c) Waiver and Katie Beckett Case Managers

PURPOSE: To inform family caregivers regarding reimbursement opportunities through Nevada Medicaid to care for their loved ones who have medically complex conditions requiring skilled nursing interventions. A family caregiver can include a “legally responsible individual” (LRI) such as a parent of a minor child, a spouse, or a guardian in certain circumstances.

I. Background

The United States and Nevada are experiencing a shortage of nurses due to a variety of factors, most notably, the increased demand for nursing care to support the growing health needs of the aging Baby Boomer generation. The COVID-19 Public Health Emergency has exacerbated this issue, particularly among Medicaid providers. According to an August 28, 2023 article in [Nurse Journal](#), Nevada has a ratio of 7.54 nurses per 1,000 residents.

Over the past two years, Nevada Medicaid Home Health agencies have reported difficulties in hiring nurses to provide home health and private duty nursing services to Nevada Medicaid recipients. The gaps in the state’s nurse workforce are also disproportionately higher in Nevada’s rural counties. Medicaid recipients who are unable to access needed nursing care are at risk of institutionalization at a higher cost than in a nursing facility setting. Therefore, Nevada has taken key steps to achieve a broader array of providers to support individuals in need of care in their home.

II. Options For Family Caregivers

There are two options for family caregivers to be reimbursed by Nevada Medicaid.

A. Licensed Family Members

If a family member is a *licensed nurse* in Nevada, and the Medicaid recipient is authorized for [Home Health Care services](#) or [Private Duty Nursing services](#), that family member, who may also be an LRI, can be hired by a Home Health Agency (HHA) to provide the nursing service. If the HHA agency hires the family caregiver as an employee, the caregiver would be paid by the HHA agency who will then bill Nevada Medicaid. This employment option for family caregivers is at the discretion of the HHA agency. Nevada Medicaid cannot require the HHA to hire a family member. The Division will be revising policy to clarify the flexibilities outlined in this Technical Bulletin.

B. Unlicensed Family Members

For Medicaid recipients who have a family caregiver that is not a licensed nurse, but the caregiver is willing to learn how to provide certain skilled services, the unlicensed family caregiver can potentially be reimbursed through Nevada Medicaid’s [self-directed skilled option](#). An LRI would not be eligible for reimbursement under this option. Self-direction is dependent on whether the recipient can direct their own health care needs or has a representative to oversee the unlicensed caregiver on their behalf. The self-directed skilled services can only be authorized through a Medicaid

Intermediary Service Organization (ISO) which a recipient's case manager can assist in providing a list of approved organizations.

i. Able to Self-Direct

If a Medicaid recipient can self-direct, the recipient has the decision-making authority over skilled services and would be responsible to manage those services through the assistance of an ISO. This responsibility includes managing all aspects of how the recipient's services are being provided as well as the decision-making authority to recruit, hire, train and supervise the caregivers that provide their services.

ii. Unable to Self-Direct

If a Medicaid recipient is unable to self-direct due to a disability, or age appropriateness, then a legally responsible individual, or other representative designated by the legally responsible individual, shall self-direct services on behalf of the recipient.

III. To Get Started as Unlicensed Family Member

Because skilled nursing interventions are being performed, Nevada Medicaid does require an [FA-24 C form](#) to be completed by a Physician, Physician Assistant, or Advance Practice Registered Nurse (APRN). The form is a prior authorization request. On the form, medical professionals certify that an unlicensed caregiver has the knowledge, skills, and abilities to perform the skilled nursing services competently. If approved, the unlicensed family caregiver can be hired by the recipient to perform the skilled services and the caregiver is paid through an ISO.

IV. Long Term Expansion for Nurses

In addition to the current options available for family caregivers through Nevada Medicaid, the Division is committed to expanding access to allow nurses to bill for Home Health and Private Duty Nursing services independent of employment with a HHA agency. This will require an amendment to the Nevada Medicaid State Plan to provide the state with the necessary authority to use Medicaid funds to pay for nurses to provide nursing services to their family members in the home setting. In addition, rate methodologies will need to be developed and updates will need to be made to Medicaid policy and the Medicaid billing system. Nevada Medicaid will be working on the State Plan and policy updates for this in the coming months. Completion is anticipated in 2024.

V. Application To Katie Beckett Families

Children using the [Katie Beckett option](#) who need skilled services and have a family caregiver able to perform the services, may qualify to be paid through one of the two options listed above. A family can contact their Katie Beckett Case Manager for assistance to access these options.

VI. For More Information

If a recipient, or family members, would like more information about accessing these services and how a family member may qualify as a paid caregiver, they can contact one of the following resources based on their Medicaid benefit eligibility.

- A. Medicaid recipients with a Nevada Medicaid Managed Care Organization (MCO) may contact their respective MCO: <https://dhcfp.nv.gov/Members/BLU/MCOMain>
- B. Waiver recipients can contact the Aging and Disability Services Division: <https://adsd.nv.gov>
- C. Katie Beckett recipients and all other recipients can contact their local Medicaid District Office: https://dhcfp.nv.gov/Contact/Contact_Home/