

**Policy Title:** Palliative Care - Bereavement Services and Health Home Care Management

**Policy Number:** CW0015

**Effective Date:** December 1, 2021

**Last Revised:** April 6, 2022

**Applicable to:** Children's Waiver Home and Community Based Services (HCBS) Providers and Health Home Care Managers (HHCMs) serving Children's Waiver enrolled and eligible participants that have a terminal illness or a life-threatening illness and meet the requirements below.

**Background:**

Palliative Care Bereavement Counseling has historically supported family members facing the terminal diagnosis of their child/youth who was enrolled in the Children's Waiver. As of December 1, 2021, families may receive Palliative Care Bereavement Counseling up to six (6) months after the passing of the enrolled participant and/or Palliative Care Health Home Care Management services for one (1) additional month following the passing of a participant enrolled in the Children's Waiver.

**Bereavement Service** provides help for participants and their families to cope with grief related to the participant's end-of-life experience. Children/youth with a terminal or life-threatening illness, and their families, cope with grief and loss in a variety of ways and may need various kinds of support over time, including counseling, support groups, and other services.

**Note:** These services can be offered at any point after a Children's Waiver participant is diagnosed with a terminal or life-threatening illness.

When an enrolled participant is disenrolled from Medicaid services or is deceased, Medicaid services typically end because payment of the service is predicated upon the Medicaid enrollment. However, Bereavement Counseling may continue after the participant's passing.

- ❖ Families may receive Bereavement under either the Medicaid State Plan Hospice authority or Palliative Care Bereavement Services under the Children's Waiver, so long as the services are not duplicative.
- Bereavement Counseling services are available for those participants in receipt of hospice care through a hospice provider under the State Plan. Bereavement counseling services are included as a component of the hospice service for those participants who are receiving services with a hospice care provider. For information regarding Bereavement hospice services under the Medicaid State Plan authority, please see the policy guidance:  
<https://www.emedny.org/ProviderManuals/Hospice/PDFS/Hospice%20Manual%20Policy%20Section.pdf>
- This policy outlines the Bereavement Services under the Children's Waiver. Palliative Care Bereavement Counseling is intended to provide continued support after the passing of the participant. **The service must be added to the service plan and the begin date of service must occur prior to the participant's passing. The claim must be submitted within 30 days of the participant's death.**

**Purpose:**

This policy provides guidance to Children’s Waiver HCBS Providers and HHCMs regarding the requirements for delivering and documenting Palliative Care - Bereavement Counseling Services for families of children and youth with a terminal or life-threatening illness who is enrolled in the Children’s Waiver.

**Policy:**

The Children’s Waiver Palliative Care Bereavement Counseling Services **and** Palliative Care Health Home Care Management are intended to support the caregivers, siblings, and other family members after the passing of an eligible and enrolled Children’s Waiver participant that was diagnosed with a terminal illness or a life-threatening illness.

**A. Bereavement Counseling Component:**

Palliative Care Bereavement Counseling is delivered to a participant and their family to cope with and prepare for the end-of-life experience. To address the need for families to receive continued support after the passing of their child, Bereavement Counseling is now available for up to six (6) months after the passing of the enrolled participant.

Palliative Care Bereavement Counseling can be delivered:

1. To the participant with a terminal or life-threatening illness **and** the participant’s identified family members prior to the passing of the participant,

**AND/OR**

2. To the participant’s identified family after the passing of participant, if the HCBS providers service plan and the care managers plan of care (POC) denotes the service as outlined below.

To receive Palliative Care Bereavement Counseling after the passing of the eligible and enrolled participant, the family must initiate the service **prior to** the participant’s passing. A determination of the needed services and request by the family must be made as part of the HCBS service plan for the provider to bill the service, which includes counseling for up to six (6) months after the passing of the participant. Additionally, the six (6) months of counseling must be documented in the participant’s Health Home or Children and Youth Evaluation Services’ (C-YES) POC.

**Determination of Bereavement Service Needs**

The Palliative Care Bereavement provider must conduct an **initial bereavement review** to determine the needs of the participant and their family while considering the social, spiritual, and cultural factors that may impact their ability to cope with the participant’s terminal or life-threatening illness and death. This review should be incorporated into the provider’s service plan<sup>1</sup> that outlines the frequency, scope, and duration of counseling to be provided **and** that service plan should be incorporated into the HCBS care management POC. For families to receive Bereavement Services after the passing of their child/youth, the service must be included in the POC prior to the participant’s passing.

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<sup>1</sup> Please refer to the [HCBS Service Plan under the 1915c Children’s Waiver](#) guidance for additional information

To enhance engagement with, and support for, the family, care managers should have 1-2 documented discussions to identify the needs of the family, even if they ultimately choose not to use the Bereavement Counseling service after the child passes away. The conversations should include care management roles as well as incorporating the risk review for Bereavement Counseling by a licensed mental health practitioner. These needs may not be apparent prior to experiencing a loss, but they should be incorporated into the POC and billed in compliance with the billing guidance in section C below. Bereavement counseling and post-mortem service plans should be updated regularly and be incorporated into the final POC. The Care Manager should ensure that the provider implements the service plan.

**Examples:**

Services Plan:

- 1) Palliative Care Bereavement counseling will be provided bi-weekly to (name of the participant) with family involvement to develop coping strategies regarding the terminal diagnosis of (name of the participant). Continued counseling for the family will be reviewed and determine regarding bereavement.
- 2) Palliative Care Bereavement counseling will be provided bi-weekly for up to six months to the participant's family regarding grief and loss of their child and to develop coping strategies.

Plan of Care:

- 1) Palliative Care Bereavement counseling will be provided bi-weekly for the participant for 3 months with family involvement to address coping strategies regarding the terminal diagnosis.
- 2) Palliative Care Bereavement counseling will be provided bi-weekly for up to six months to the participant's family due to the passing of the participant

The **Palliative Care HCBS Provider** will utilize the following to assist with the Bereavement Counseling review and development of the service plan:

**Determination of Bereavement Counseling Needs**

The participant is determined to have a terminal illness or a life-threatening illness and the participant and/or family members have at least one of the following:

- 1) a degree of anxiety and depressive responses and triggers of such responses
- 2) other affective responses such as guilt and helplessness
- 3) somatic concerns and dysregulation
- 4) psychiatric symptoms including orientation and mental status, PTSD (post-traumatic stress disorder) in both full-blown and partial forms, and suicidal ideation
- 5) self-esteem issues
- 6) effects on the individual's ability to work or perform major life tasks
- 7) effects on the management of family relationships, including the relationship to spouse or partner, to other children, and to the extended family

Bereavement Counseling should incorporate guidance that accounts for:

- the nature and degree of involvement in interpersonal relationships outside the family
- the meaning framework or structure in which the bereaved is embedded and its current power
- the degree to which the bereaved is able to invest emotional energy in life tasks and the type of life tasks that are engaged

For family members, the relationship to the terminally ill participant and the bereavement needs are reviewed in relation to:

- 1) the ability to cope with the terminal diagnosis and management of treatment
- 2) the degree of preoccupation with the diagnosis and the illness
- 3) the degree of guilt, helplessness, or ability to manage the illness
- 4) the extent in which the illness is impacting the functioning, activities, and daily life needs for the siblings, caregivers, and other family members

For family members, the relationship to the deceased participant and the bereavement needs are reviewed in relation to:

- 1) the degree of preoccupation with memories and thoughts of the deceased
- 2) the extent to which the description of the deceased is characterized by an inability or unwillingness to express the personal feelings brought about by the death
- 3) the degree of idealization of the deceased
- 4) the report of psychological conflict or contradictions in the relationship
- 5) the degree and type of positive affect and emotion
- 6) the degree and type of negative emotion toward the deceased
- 7) the degree of closeness or distance from the relationship and experience of the deceased
- 8) the affective experience when discussing the deceased (e.g., a parent who might say, "I always feel guilty thinking about how my son died")
- 9) the presence of previously described grief phases of shock, seeking reminders of the deceased, disorganization, and restoration of a coherent life flow the manner in which the deceased is memorialized both publicly and within the family

Social, spiritual, and cultural factors that may impact a family member or other individual's ability to cope with the participant's death may include, but are not limited to:

- History of previous losses
- Religion
- Family problems
- Community
- Financial and/or legal concerns
- Communication issues
- Drug and alcohol abuse
- Health concerns
- Mental health issues
- Presence or absence of a support system
- Feelings of despair, anger, guilt, or abandonment

These issues may not be readily apparent during the initial bereavement counseling review but must be considered and should be incorporated into the provider's service plan.

The broad elements of comprehensive psychological and emotional care include the following:

- Evaluation of the child's psychological status and identification of psychological symptoms or disorders
- Provision of appropriate psychotherapy, psychotropic medications, or behavioral interventions as an integral part of the participant's overall care
- Advice for the participant's physician, parents, and others on additional strategies or steps that they can take to manage or minimize emotional distress

- Evaluation of the participant's parents and siblings (and sometimes other family members) for psychological symptoms
- Referral as appropriate to support groups for ill children/youth, healthy siblings and parents that allow them to share experiences in living with serious illness
- Bereavement support for the family after the participant's death

**B. Palliative Care Coordination Component: Medical Notifications and Related Tasks**

In addition to (but not contingent upon) Children's Waiver Bereavement Counseling services, the family may receive Health Home care management services for an additional one (1) month after a participant in the Children's Waiver passes away, in accordance with this policy.

Palliative Care Management is intended to assist with provider notifications and managing discontinuation of services after a child's passing.

When a participant dies, particularly a participant who was terminally ill or had a life-threatening illness, families are often too emotionally stressed and overwhelmed to perform the multiple notifications and service discontinuations needed. Medically complex children/youth often have 10 to 15 medical specialists, 2 to 3 Durable Medical Equipment (DME) and supply vendors, 1 or 2 different pharmacies or specialty pharmacies, private duty nurses and/or multiple agencies, and various school contacts. In addition, the family needs to notify the Local Department of Social Services (LDSS), the insurance carrier, and/or Medicaid Managed Care Plan (MMCP). The Health Home care manager (HHCM) can assist with these tasks to support the family.

The POC, developed by the HHCM, should include the medical notifications and other related tasks that need to occur in the 30 days after the participant passes.

**Palliative Care Management activities** may include but are not limited to:

- Contacting all DME<sup>2</sup> providers to determine whether the equipment is owned or rented
  - If owned, (if parent chooses) arrange removal from home
  - If rented, arrange for pick-up by vendors
  - If borrowed, arrange for item[s] to be returned to owner
- Arranging for all disposable supplies to be donated and transported (since vendors are prohibited from taking back supplies).
- Notifying all nursing / home care providers, including Fiscal Intermediary agencies
- Notifying all physicians and pharmacies
- Contacting school district / Committee on Special Education (CSE) team, Early Intervention Program (EIP) and/or therapy providers
- Notifying LDSS, MMCP, and insurance carrier [if applicable]
- Notifying Office for People with Developmental Disabilities (OPWDD) [ if applicable]
- Removing Environmental Modifications – there are often items such as chair lifts or wheelchair ramps that families want removed from their homes, and they may want to know how / where to sell their modified vehicle.
- Assisting with locating funding for final expenses
- Providing linkage to bereavement groups and/or sibling support groups as well as ensuring that Bereavement Counseling continues under the waiver/hospice benefit
- Notifying personal contacts as requested

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<sup>2</sup> Please refer to the [DME Manual](#) for more guidance and information

These needs may not be readily apparent during the initial bereavement risk review but should be incorporated into the Health Home or C-YES POC.

### **Plan of Care**

The care management POC must indicate the specific services that will be provided (including post-mortem bereavement counseling and assistance with medical notifications), individuals who would receive the services, and the frequency, scope, and duration of the services. The POC should be reviewed and updated up until the participant's death, following subsequent bereavement review findings, and changes in the family's needs. The Care Manager should ensure that any bereavement counseling is delivered in a manner consistent with the POC in effect at the time of the participant's death.

The POC must reflect the needs of the family and services that the provider will deliver to the family within the scope of the HCBS definition as outlined in this policy and HCBS Manual.

### **Example:**

#### Plan of Care:

- 1) Palliative Care Bereavement Services will be provided by the Health Home care manager for one month including tasks to assist the family due to the passing of the participant such as medical notifications
- 2) Palliative Care Bereavement counseling will be provided bi-weekly for up to six months to the participant's family due to the passing of the participant

### **C. Billing Component**

Palliative Care Bereavement Counseling services must be provided by a professional with experience or education in grief and loss counseling, per the [Children's HCBS Manual](#). Assistance with medical notifications and other related tasks must be provided by a Health Home or C-YES Care Manager. Billable services must be documented in the Service Plan, including the bereavement risk review, and in the Plan of Care.

#### **Bereavement Counseling:**

1. Claims for payment for Bereavement Counseling services provided to family members after the participant's death, must be submitted with a date of service prior to and within 30 days of the participant's passing.
2. A *one-time* claim should be submitted by the Palliative Care – Bereavement HCBS provider as documented below.
3. The rate includes the Bereavement risk review and up to six (6) months of counseling after the passing of the participant.

#### **Palliative Care Management**

1. The Health Home monthly PMPM would be billed, as outlined in policy, for the month in which the child passed if the HHCM had the opportunity to complete the monthly required core services. Add the member's monthly billing instance to the Medicaid Analytics Performance Portal (MAPP) to indicate that a billable Health Home service was provided during that member month.
2. The Palliative Care Management Service month is for an HCBS and not Health Home PMPM, therefore these claims will not be reflected within the MAPP HHTS. Claims for payment for the Palliative Care Management Bereavement services provided after the

participant's death must be dated prior to and submitted within 30 days of the participant's passing.

3. The Palliative Care Management Bereavement Service will be billed directly by the Health Home to the payer using the new upstate/downstate rate codes listed below based on the member's acuity at the time of passing. This rate is allowed for an additional unit to be billed in the same month as the regular Health Home PMPM within 30 days of the participant's passing.
4. The member's segment within the MAPP HHTS must be ended with the last day of the month in which the member passed but documentation for the Palliative Care Management Bereavement Services should be maintained in the member's chart.

Service	Rate Code	Procedure Code	Unit Measure	Unit Limit
Palliative Care Bereavement Services	7952 – Assess/Counseling	96156	Bereavement Risk Assessment and up to six (6) months of Bereavement counseling	1 unit/calendar year Per member
Health Home Care Management Based Upon Acuity	7946 – HH Upstate Low 7947 – HH Upstate Med 7948 – HH Upstate High 7949 – HH Downstate Low 7950 – HH Downstate Med 7951 – HH Downstate High	96156	Care Coordination for one (1) month	

Please refer to the [Children's HCBS Manual](#) for additional information regarding Bereavement Services under the Children's Waiver.