



**State of Vermont**

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*Agency of Human Services*

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MEMORANDUM

TO: Designated Agency Staff  
FROM: Sarah Squirrel, Commissioner, Department of Mental Health  
DATE: March 19, 2020 – Updated 3/26/2020  
SUBJECT: COVID-19 Guidance for Success Beyond Six

**This information may be superseded by subsequent guidance. Always check Vermont Department of Health for updated information.**

**Guidance and Updates**

Updates to the previous guidance are in red. For additional clarification or program guidance, please contact [Laurel.Omland@vermont.gov](mailto:Laurel.Omland@vermont.gov).

While the situation continues to rapidly evolve, we want to provide as much information as possible to you at this point regarding impacts of COVID-19. Please review the information below carefully and distribute it to your staff and partners as you deem appropriate. We recognize additional detail will be necessary in some areas and guidance may change in the coming days and weeks. We will share further information as clarification becomes available. If the Vermont Department of Health subsequently releases any direction that differs from the guidance below, the VDH direction takes precedence.

The State recognizes that many providers are experiencing financial difficulty as a result of the [Executive Orders](#). Please know that DMH is working with AHS to identify paths for financial relief for providers in this situation.

**Effective Timeframe**

These changes are effective during the period of Governor Scott's Executive Order for school closure, currently March 18 – April 6. If Governor Scott extends or shortens the school closure, these guidelines would apply to that adjusted time period. *(Addition as of 7PM 3/26/20: this guidance was finalized before the [Executive Order to dismiss schools](#) through the remainder of the school year. We will continue to identify implications for SB6 and communicate additional guidance.)*

**Service Delivery**

Medicaid already allows some services to be provided by phone, including Community Supports and Service Planning & Coordination which are the most commonly used services under SB6. DVHA is working on alleviating other restrictions to allow telehealth (video/audio) and telephonic (audio only) service delivery under broader authority due to COVID-19. That specific guidance can be found [here](#).

“Live Chat” within remote learning platforms without audio or visual is not a covered method of service delivery at this time.

DMH, in coordination with DVHA, has the authority to change restrictions on service delivery, including thresholds for case rates. Therefore, the following changes are in place during the COVID-19 school closure period. **DAs should coordinate their plan for service delivery during the school closure period with their LEA/SU/SD to make sure they are in agreement. Determination of service delivery should be based on clinical need, family availability and ability to access supports through alternate methods, and adherence to the Executive Orders. Guidance for determination of Essential Services can be found [here](#).**

#### Behavioral Intervention Program services

- May be provided through telehealth or phone with the student and/or family in their home or chosen setting and are not required to be in-person in a school setting. This includes the following services: Service Planning and Coordination, Community Supports.
- **DMH is actively exploring possibility of a BI Program Case Rate. We do not yet have specifics of the structure or timeline and will keep DAs informed. Information you can provide related to the previous request about budgets, FTEs and # students, as well as match payments will expedite this process.**

#### School-based clinician services

- May be provided through telehealth or phone with the student and/or family in their home or chosen setting and are not required to be in-person in a school setting. This includes the following services: Service Planning and Coordination, Community Supports, Individual and Family Psychotherapy.
- The minimum service threshold is lowered from 2 hours (8 units) of a qualifying service per month to **1 hour of a qualifying service per month** in order to bill the monthly case rate.
- Agencies are looking at other ways of deploying SB6 staff to support other service delivery. DMH supports this practice to ensure that necessary services are available during this period when staffing is limited due to COVID-19 impacts. **A staff provider can provide services under two case rates provided that the services delivered through the each are guided by separate goals on a plan of care and distinctly delivered from the services provided through the other.**

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- May be provided through telehealth or phone with the student and/or family in their home or chosen setting and are not required to be in-person in a school setting. This includes the following services: Service Planning and Coordination, Community Supports, Individual and Family Psychotherapy.
- The minimum service threshold is lowered from 2 hours (8 units) of a qualifying service to 15 minutes of a qualifying service per day in order to bill the per diem rate.

**Finance: Match Payments**

We understand the request to postpone match payments for SB6 until after the COVID-19 crisis is resolved. We discussed this with AHS Central Office finance. Any postponement of match could not extend beyond the fiscal year (June 30, 2020). **Please communicate with DMH Business Office your agency's plan for match payments and agreements you have established with your LEA by April 13.**

## Additional Covid-19 Resources

**This information may be superseded by subsequent guidance. Always check Vermont Department of Health for updated information.**

### Vermont Department of Health

- [2019 Novel Coronavirus Webpage for information, guidance and updates on the status of the Coronavirus.](#)

### Telehealth

- [HIPAA](#) was modified by OCR and HHS March 16th to support broader use of telehealth during the COVID-19 event.
- [Vermont Medicaid Payments for Telephonic Services Furnished During the Emergency Response to COVID-19. \(3/18/2020\)](#)
- [OCR bulletin advising covered entities](#) of further flexibilities available AND obligations that remain in effect under HIPAA as they respond to crises or emergencies.

### Governor's Office

- [Executive Orders](#)
- [Governor Orders Orderly Closure of Vermont PreK-12 Schools](#)
- [Executive Order Declaring State of Emergency in Response to COVID-19 & National Guard Call-Out](#)  
[Addendum 1 to Executive Order 01-20](#)
- [Addendum 2 to Executive Order 01-20](#)
- [Directive 2 - Childcare for Essential Service Providers \(Pursuant to EO 01-20\)](#)

### Vermont Emergency Management

- [Essential Service Provider List](#)

### Vermont Agency of Education

- [COVID-19 Guidance for Vermont Schools](#)
- [Special Education During School Closure due to a Novel Coronavirus Outbreak](#)
- [Free Appropriate Public Education for Students with Disabilities During School Closure Called for in Governor Scott's Order](#)

### Vermont Agency of Human Services

- [Agency and Departments Covid-19 websites](#)