



Policy Clarification Notices

RWHAP Part B Administrative Reverse Site Visit

October 23, 2019

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Vision: Healthy Communities, Healthy People



Today's Presentation

- Overview of Policy Clarification Notices (PCN) and Program Letters
- Cross-Cutting Themes among PCNs
 - Payor of Last Resort
 - Vigorously Pursue
- Recent Updates and Key PCNs
- Key Points for RWHAP Part B Recipients



HRSA's HIV/AIDS Bureau

Administering the Ryan White HIV AIDS Program:
Serving low-income people with HIV



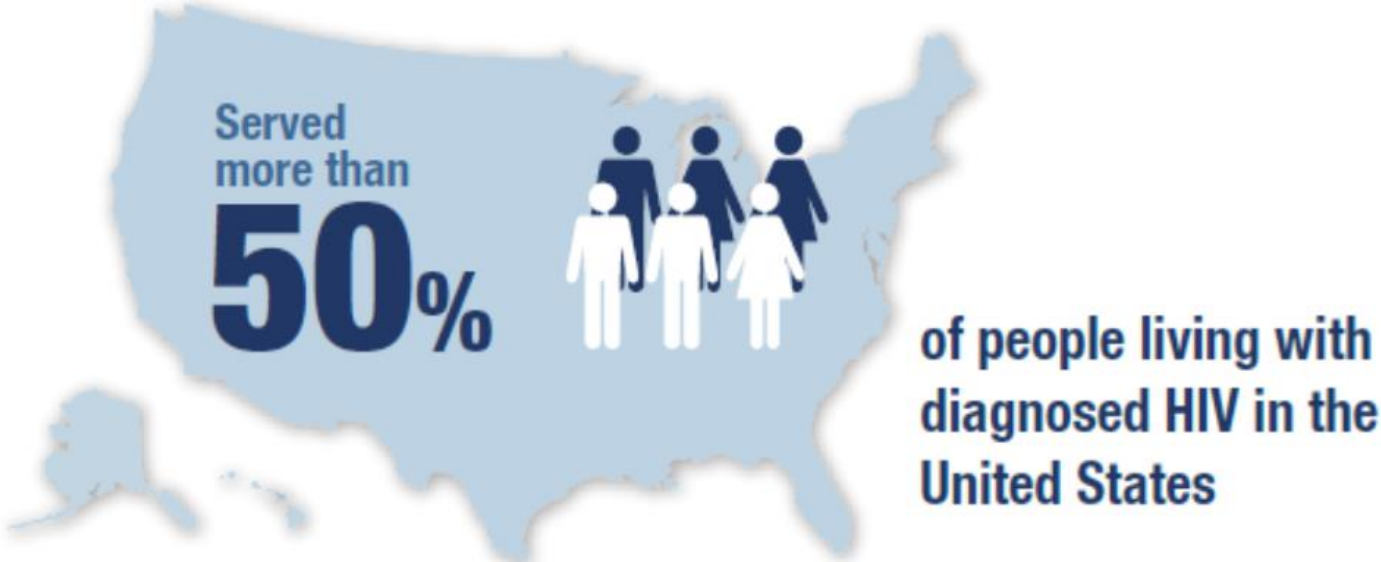
HRSA's HIV/AIDS Bureau (HRSA HAB)

- The Ryan White HIV/AIDS Program was named for a courageous young man named Ryan White who was diagnosed with AIDS following a blood transfusion in December 1984
- Vision: Optimal HIV care and treatment for all
- Mission: Provide leadership and resources to assure access to and retention in high quality, integrated care, and treatment services for vulnerable people with HIV and their families

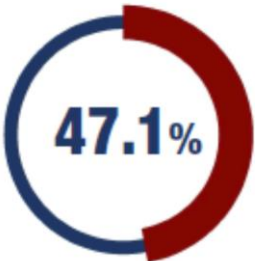


Clients Served by HRSA RWHAP (non-ADAP), 2017

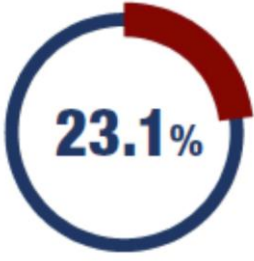
Served **534,903** clients in 2017



73.6% of clients were racial/ethnic minorities



of clients identified as **Black/African American**



of clients identified as **Hispanic/Latino**



62.8% of clients were living at or below **100%** of the **Federal Poverty Level**



Policy Clarification Notices and Program Letters

An Overview



What is a PCN and What Is a Program Letter?

- A Policy Clarification Notices (PCN) defines and clarifies Ryan White HIV/AIDS Program (RWHAP) statutory requirements
- A Program Letter explains items that are related to the priorities and mission of HAB, is meaningful to the program, and is responsive to emerging issues related to HIV (such as HRSA program implementation activities, recently enacted laws, final regulations, FDA updates, and/or new HHS initiatives)
- <http://hab.hrsa.gov/manageyourgrant/policiesletters.html>

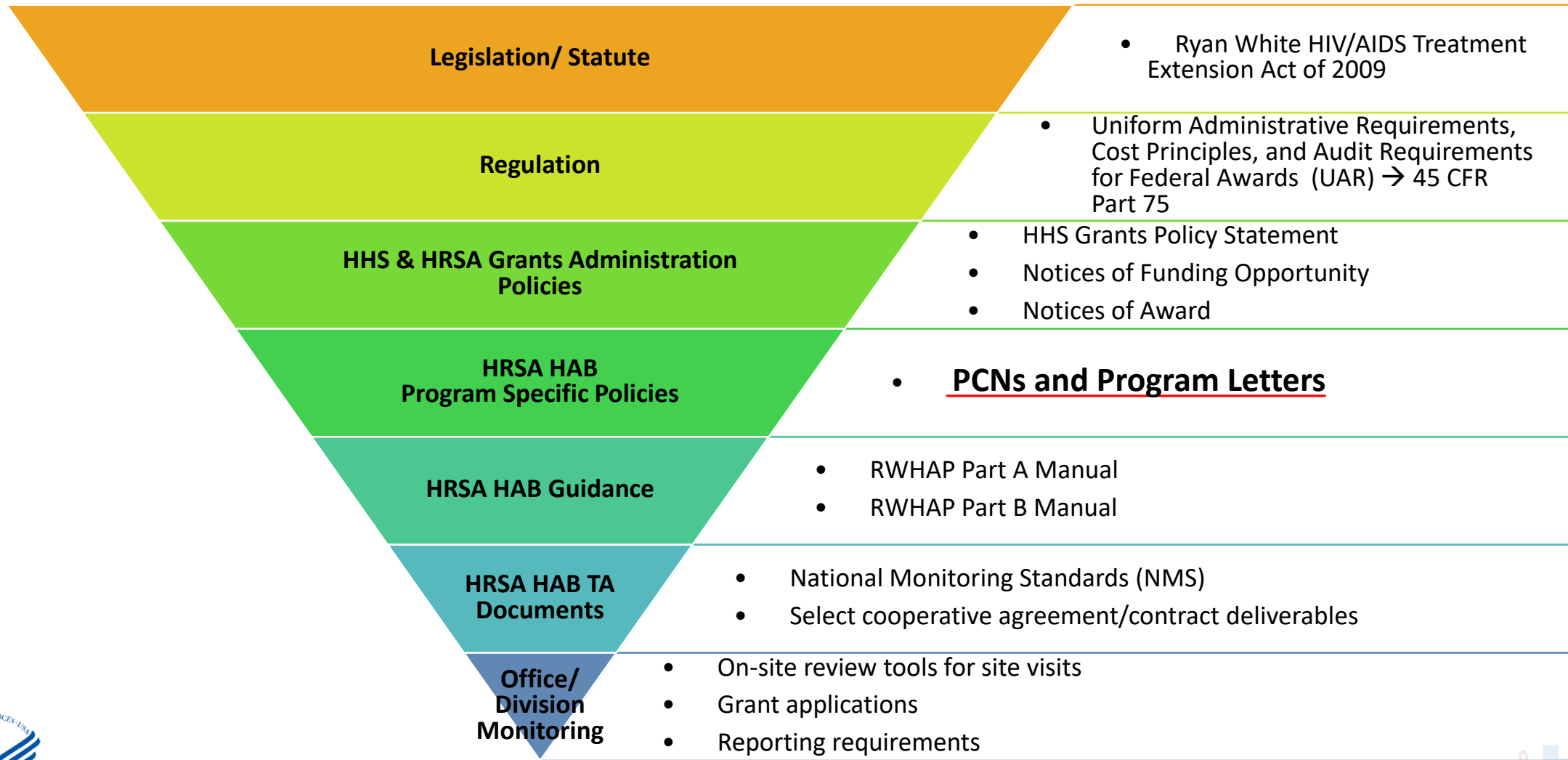


What PCNs and Program Letters Are NOT

- PCNs and Program Letters are not instructions on program implementation
 - Recipients have flexibility in making decisions within the framework of each policy
 - Many factors go into implementation decisions
 - ✓ States may have their own requirements that must also be considered
 - Recipients have many tools to assist with implementing policies
 - ✓ National Monitoring Standards
 - ✓ Part B Manual
 - ✓ TARGETHIV
 - ✓ Technical Assistance Requests



Role of PCNs in Program Implementation



Cross-Cutting Themes among PCNs

Payor of Last Resort and Vigorously Pursue



Payor of Last Resort

- By statute, RWHAP funds may not be used “for any item or service to the extent that payment has been made, or can reasonably be expected to be made...” by another payment source
- Recipients must vigorously pursue enrollment in other relevant funding sources
- Recipients must assess individual clients that are not eligible for public programs for eligibility for private insurance. The RWHAP will continue to pay for items or services received by individuals who remain uninsured or underinsured

Vigorously Pursue

- Health care coverage is a good thing for people with HIV
- RWHAP is still needed to serve its mission
- Maintaining continuity of care is critical
- Enrolling people in coverage is a continuous process, not a one-time activity
- Enrolling into the private health care insurance plan may be a difficult transition for a small portion of our population
- Organizations need to create policies and procedures and maintain documentation



Framework for Vigorously Pursue

Written
Policies

Written
Procedures

Document

Ensures that people with HIV continue to receive care and treatment services while being informed, educated and enrolled into eligible coverage systems. *RWHAP is the payor of last resort throughout this process so that PWH are not lost to care or lose access to medications.*

Recent Updates and Key PCNs

A Recap of Recent PCN Releases



Key Reasons for PCN Revisions



Environmental changes due to medical, policy or research advances



Post-Implementation Review Assessment



Alignment of previous PCNs or policy letters

2018 – 2019 Updates

- Revised 3 PCNs
 - PCN #13-02: Clarifications on Ryan White Program Client Eligibility Determinations and Recertifications Requirements
 - ✓ Program Letter
 - PCN #15-02: Clinical Quality Management Policy Clarification Notice
 - PCN #16-02: Ryan White HIV/AIDS Program Services: Eligible Individuals and Allowable Uses of Funds
- Released 2 new PCNs
 - PCN #18-01: Services for Clarifications Regarding the Use of Ryan White HIV/AIDS Program Funds for Health Care Coverage Premium and Cost Sharing Assistance
 - PCN #18-02: The Use of Ryan White HIV/AIDS Program Funds for Core Medical Services and Support for People Who are Incarcerated and Justice Involved



PCN #13-02 - Clarifications on RWHAP Client Eligibility Determinations and Recertifications Requirements

- Clarifies requirements for determining initial eligibility, and 6-month and annual recertification
- Explains eligibility determination and recertification are necessary to ensure HRSA RWHAP remains the payor of last resort



Program Letter Released with PCN #13-02

- Viral suppression is essential to end the HIV epidemic
 - Clinical outcomes for people with HIV
 - Prevention in the community and public health realm
- Rapid initiation of antiretroviral therapy is clinical care standard
 - Newly diagnosing people with HIV
 - Maintaining treatment for people with HIV
 - Re-engaging people with HIV who are lost to care



Rapid Eligibility Determinations Outlined in PCN #13-02

- Clarifies flexibility for documenting HRSA RWHAP eligibility and recertification
 - HAB defers to recipients to determine
 - ✓ If they will implement rapid eligibility determinations
 - ✓ Range of services to provide to clients before HRSA RWHAP eligibility is documented/ascertained
 - ✓ Time limit for provision of these services while eligibility is being determined
- HRSA RWHAP remains the payor of last resort
 - If HRSA RWHAP funds are used for clients ultimately determined to be ineligible, recipients:
 - ✓ Assume risk of recouping funds
 - ✓ Ensure funds are returned to the recipient's RWHAP
- All existing requirements related to eligibility and recertification continue



PCN #16-02 - RWHAP Services: Eligible Individuals and Allowable Uses of Funds

- The “service categories”: describes each service category and provides guidance on associated activities
- Keeps the original HRSA HAB PCN number
 - 2018 revisions are additional clarifications – not policy changes
- Provides additional clarification on 9 service categories
 - Four core medical services
 - Five support services



PCN #16-02 Changes

- Telehealth is a modality for providing a service and it is allowable, and encouraged
- Aligns description of unallowable costs with Notice of Funding Opportunity/Notice of Award
- Includes more information on service standards
- Clarifies accounting and reporting requirements apply to all service categories
- Clarifies licensure/certification requirement is based on state/local requirements



PCN #16-02 - Core Medical Services

- 1. AIDS Drug Assistance Program Treatments**
- 2. AIDS Pharmaceutical Assistance**
3. Early Intervention Services (EIS)
- 4. Health Insurance Premiums and Cost Sharing Assistance for Low-Income Individuals**
5. Home and Community-Based Health Services
6. Home Health Care
7. Hospice
8. Medical Case Management, including Treatment Adherence Services
9. Medical Nutrition Therapy
10. Mental Health Services
11. Oral Health Care
- 12. Outpatient Ambulatory Health Services**
13. Substance Abuse Outpatient Care



[HRSA HAB PCN 16-02 Ryan White HIV/AIDS Program Services: Eligible Individuals and Allowable Uses of Funds](#)



PCN 16-02 - Support Services

1. Child Care Services
2. **Emergency Financial Assistance**
3. Food Bank/Home Delivered Meals
4. Health Education/Risk Reduction
5. **Housing**
6. Linguistic Services
7. Medical Transportation
8. **Non-Medical Case Management Services**
9. Other Professional Services
10. **Outreach Services**
11. Psychosocial Support Services
12. Referral for Health Care and Support Services
13. **Rehabilitation Services**
14. Respite Care
15. Substance Abuse Services (residential)



Service Categories vs. Activities

- Recipients and subrecipients may use different terms for their grant activities that may not match the service category names
 - A recipient might provide what they call linkage to care coordination which meets the definition and activities of Medical Case Management
 - A recipient might have staff who are “Rural Outreach Coordinators” whose work is aligned with Early Intervention Services
- Whatever the recipient calls the grant activity, it must fit within a service category as described in PCN #16-02
- This enables appropriate reporting of services delivered



PCN #18-02 - The Use of RWHAP Funds for Core Medical Services and Support for People Who are Incarcerated and Justice Involved

- Replaces PCN #07-04 Use of Ryan White HIV/AIDS Program Funds for Transitional Social Support and Primary Care Services for Incarcerated Persons
- Presentation Coming Up on Day 3 @ 10:00AM
 - Successful models for using RWHAP Part B funding for incarcerated people with HIV
 - Presenters Connie Jorstad, HAB Division of Policy and Data (DPD) and Courtney Elrod, Ohio Department of Health (ODH)



Key Points for RWHAP Part B Recipients

Notable PCNs and Takeaways



Notable PCNs for Part B Recipients

- PCN 15:03 - Clarifications Regarding the RWHAP Program & Program Income
 - Clarifies policy regarding program income generated and received as a result of a RWHAP award
- PCN 15:04: Utilization and Reporting of Pharmaceutical Rebates
 - Clarifies HRSA guidelines for the utilization and reporting of pharmaceutical rebates by ADAPs and the effect of other program provisions on these rebates
 - Only applies to RWHAP Part B ADAP recipients that collect drug manufacturer rebates on ADAP medication purchases and it outlines requirements for the utilization and reporting of rebates



Key Takeaways

- Policies and program letters provide guidance and clarification on legislative requirements
- hab.hrsa.gov/program-grants-management/policy-notice-and-program-letters
- Consider HAB policies when writing and monitoring contracts
- Policies are not implementation tools and recipients have some degree of flexibility in how they choose to implement policies
- Speak with your assigned RWHAP Project Officer if you have questions specific to your situation





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