



Eric Holcomb, Governor  
State of Indiana

*Division of Disability and Rehabilitative Services*  
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To: Bureau of Developmental Disabilities Services Providers and Stakeholders  
From: Holly Wimsatt, Director, Bureau of Developmental Disabilities Services  
Re: Appendix K and Code Waiver Updates  
Date: May 17, 2022

The COVID-19 pandemic was declared a statewide public health emergency by Governor Eric Holcomb on March 6, 2020. In response to the statewide public health emergency, several policy changes were temporarily put into place throughout the declared public health emergency.

While some flexibilities were approved as part of the federal public health emergency through the Appendix K process, others were temporarily approved through Executive Orders and The Indiana Health Coverage Programs. [Executive Order 22-09](#) rescinded the statewide COVID 19 Public Health Emergency Declaration **effective March 3, 2022**. With the end of the Statewide PHE, **the code waiver flexibilities noted below are no longer in effect. Bureau of Developmental Disabilities Services is allowing for a 30-day transition period out of the code waiver flexibilities noted below.**

- Reporting of non-ANE incidents and non-COVID incidents within 48 hours. **460 IAC 6-9-5 Incident reporting**
- Allowing potential staff's limited criminal history check to be initiated prior to hire. **460 IAC 6-10-5 Documentation of criminal histories**
- Allowing potential staff to be hired by and work for an existing Medicaid/BDDS approved waiver provider to provide direct supports to participants prior to being trained. **460 IAC 6-14-4 Training**
- Allowing potential staff to be hired by and work for an existing Medicaid/BDDS approved waiver provider to provide direct supports to participants prior to having a TB test. **460 IAC 6-15-2 Maintenance of personnel files**
- Allowing staff to work 90 days beyond CPR/First Aid certification expiration date. **460 IAC 6-14-4 Training**

The other flexibilities approved through Appendix K, as part of the federal public health emergency, will remain in effect for up to six months after the Federal Public Health Emergency ends.

