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Catherine Cooper
Authorized Signature

Number: **SPD-PT-05-013**
Issue Date: 05/25/05

Topic: **Long Term Care**

Transmitting (check the box that best applies):

- New Policy Policy Change Policy Clarification Executive Letter
 Administrative Rule Manual Update Other: _____

Applies to (check all that apply):

- All DHS employees County Mental Health Directors
 Area Agencies on Aging Health Services
 Children, Adults and Families Seniors and People with Disabilities
 County DD Program Managers Other (please specify):

Policy/Rule Title:	Adult Day Services for Clients Living in Adult Foster Homes and Residential Care Facilities.		
Policy/Rule Number(s):	411-066-0000 through 411-066-0020; 411-027-0000; 411-027-0025; 411-027-0050.	Release No:	
Effective Date:	05/27/05	Expiration:	N/A
References:			
Web Address:	http://www.dhs.state.or.us/policy/spd/rules/411-066.pdf http://arcweb.sos.state.or.us/rules/OARS_400/OAR_411/411_027.html		

Discussion/Interpretation: Adult Day Services (ADS) is a waived service as indicated in OAR 461-160-0560, and is considered part of the community-based services. Adult Day Services are most appropriately authorized as a stand-alone waived service or used in conjunction with In-Home services (**see PT 05-011**). In the past, Adult Day Services has been authorized for clients living in Adult Foster Homes and Residential Care Facilities. This transmittal announces new policy regarding Medicaid payments to Adult Day Services providers for clients living in Adult Foster Homes or Residential Care Facilities.

This change is required to comply with Payment Limitations in CBC, OAR 411-027-0000(7)(c), which states that Adult Day Services will not be authorized nor paid if another provider has been authorized payment for the same service. Adult Foster Home Administrative rules OAR 411-050-0447(1)(3)(5)(6) and Residential Care Facility Administrative rule 411-050-2010. These rules require that providers address the communication, psychosocial, nursing, behavioral and activities of daily living needs of clients and are paid in full for these services under OAR 411-027-0025 (1)(2). Adult Day Services for these residents are considered a

duplication of services and payment is not allowable under the rules.

In exceptional circumstances payment for ADS can be authorized for residents of an Adult Foster Home if day services is the appropriate resource to meet a “special need” per OAR 411-027-0000(7)(b), and the services provided by the ADS cannot be provided by the AFH provider. This PT explains these special needs and how to obtain authorization.

Transition: For clients who live in Adult Foster Homes or Residential Care Facilities who are already receiving Adult Day Services, the services may continue until the client’s annual service review and re-assessment. There will be no renewal of ADS for residents living in Residential Care Facilities.

If at the time of the client’s annual service review and reassessment, the client meets the special needs identified below, the case manager must submit an SPD 514 to Central Office for approval and authorization of the ADS in order for the service to be continued.

“Special Needs” Criteria for Approval of ADS with AFH: Central office may authorize ADS for a resident in an Adult Foster Home if:

- a) The client has special needs and;
- b) Because of these needs the client requires services or interventions that are not able to be provided by the existing adult foster home provider and;
- c) An appropriate alternative care setting is not available.

Requests for ADS authorization must include the following documentation:

(1) Current narration in the CA/PS system which documents attempts to find an alternative care setting such as Enhanced Care Services or an Endorsed Alzheimer’s Unit, where the clients special needs could be met. The documentation must include rationale for the decision to continue the current AFH placement with Adult Day Services. Client and family preferences plus geographic proximity of alternative care settings are factors to be considered in this decision process.

(2) A statement of support from the case manager documenting that the ADS program is addressing one of the following “special needs.”

- The resident requires assistance with behaviors resulting from dementia, Alzheimer’s, traumatic brain injury or other medical diagnoses or physical disability. The CA/PS assessment documents that the client demonstrates daily behaviors that require constant intervention by the provider or;
- A need for assistance with behaviors associated with a mental health diagnosis such as depression, personality disorder or thought disorder. The CA/PS assessment must document that the client demonstrates daily behaviors that require constant intervention by the provider.

(3) A current plan of care from both the Adult Foster Home and the Adult Day Service provider

identifying the clients special needs and interventions designed to reduce behaviors to a manageable level, improve the clients functioning and maintain the current care setting. The plans should contain interventions, goals with timelines and regular progress reports.

When ADS is authorized for special needs related to mental health diagnoses the case manger is encouraged to refer the resident for a mental health evaluation and medication review so that psychiatric treatment needs can be addressed in addition to the behavioral symptoms.

Special needs do not include a client's need for communication, socialization, nursing or health related activities. AFH providers are expected to either provide these services within the rate they receive from SPD or arrange for their provision from other Medicaid programs such as the Oregon Health Plan or Contract Nursing Service. ADS will not be authorized to provide respite care for an AFH provider

ADS, AFH and Payment Add-Ons: It is expected that in most situations, the add-on payment will assist providers in addressing clients with special needs. Clients who have needs noted above should qualify for a behavior add-on. If due to a clients special needs a provider incurs costs related to additional staffing which an Add-On payment cannot recover, than the case should be submitted to the Exceptions Committee according to OAR 411-050-0050 and per the instructions on Form SPD514.

ADS for Clients in Relative Foster Homes: For information regarding ADS in Relative Foster Homes please call or e-mail one of the contacts listed at the end of this transmittal.

Central Office Exception Process: ADS requests for AFH residents will be reviewed by the ADS Program Coordinator, a member of the Adult Foster Home team and their respective managers. *An SPD514 Exception request, with supporting documentation, must be prepared by the case manager, approved and signed by a manager and faxed to the fax number on the form. Requests received by 5pm Tuesday will be considered at the Exceptions meeting that week. Exceptions staff will send a notice of approval by e-mail and send a letter of denial by mail to the case manager requesting the Exception.* The payment for ADS will be made directly to the ADS provider.

Duration of the Authorization: Authorizations may be approved for up to one year and will be limited to a maximum of 3 days a week. The Exceptions Committee may approve a request for shorter periods of time if the plan is for the AFH provider to be trained by the ADS provider to address the client's special needs. Requests must be resubmitted and reviewed upon the end of the approval period or at the time of annual re-assessment.

ADS for Clients in Residential Care Facilities: Residents of Residential Care Facilities have a range of specialized programs available to them within this type of care setting and will not be able to seek this authorization. Clients who live in Residential Care Facilities who are already receiving Adult Day Services may continue the services only until the client's annual service review and re-assessment.

Case managers are expected to work with Residential Care providers and the ADS provider to ensure that the services being provided by the ADS be transitioned over to the clients residential service plan before the termination date.

Implementation/Transition Instructions: Use this policy when considering requests for ADS for clients living in AFH. This policy replaces previous policy detailed in Policy Transmittal 04-026, issued 5/24/04.

Training/Communication Plan: Central Office will provide technical assistance and training as needed.

Local/Branch Action Required: Use this policy when requesting Adult Day Services for clients living in AFH.

Central Office Action Required: Review Adult Day Services requests in the Exceptional Payment Review committee. Provide authorization, training and technical assistance to the field.

Field/Stakeholder review: Yes No

If yes, reviewed by: SPD Operations Committee

Filing Instructions: N/A

If you have any questions about this policy, contact:

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