

Policy Transmittal Aging and People with Disabilities



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Number: APD-PT-19-020

Issue date: 6/26/2019

Topic: Long Term Care

Due date:

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):

- | | |
|--|---|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input checked="" type="checkbox"/> Area Agencies on Aging: Type B | <input type="checkbox"/> Health Services |
| <input checked="" type="checkbox"/> Aging and People with Disabilities | <input type="checkbox"/> Office of Developmental Disabilities Services (ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs | <input type="checkbox"/> ODDS Children's Intensive In Home Services |
| <input type="checkbox"/> County DD program managers | <input type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input type="checkbox"/> Support Service Brokerage Directors | <input type="checkbox"/> Other (<i>please specify</i>): |
| <input type="checkbox"/> ODDS Children's Residential Services | |
| <input type="checkbox"/> Child Welfare Programs | |

Policy/rule title:	Implementation of Individually Based Limitations (IBLs)		
Policy/rule number(s):	OAR 411-004: Home and Community Based Services	Release number:	
Effective date:	July 1, 2019	Expiration date:	
References:			
Web address:			

Discussion/interpretation: Effective July 1, 2019, case managers and others that assess individuals for Medicaid Long Term Services and Supports will need to begin documenting and obtaining consent for Individually Based Limitations (IBLs). This will occur on a rolling implementation as individuals are assessed throughout the year.

Per [OAR 411-004-0020\(2\)](#), Home and Community-Based Services (HCBS) rules guarantee the following freedoms and/or rights:

- Access own food at any time
- Choice of roommate in shared room or unit

- Control own schedule and activities
- Decorate/Furnish own room or unit
- Freedom from Restraint
- Locks on bedroom/living unit door
- Visitors of own choosing at any time

However, per [OAR 411-004-0040](#), IBLs may be proposed or needed, which limit these rights, due to concerns about an individual’s health and/or safety.

The rolling implementation is specific to those assessed as having a Substantial or Full Assist in one or more of the components of Cognition (per OAR 411-015-0006(3)) and are living in Adult Foster Homes, Assisted Living Facilities, Residential Care Facilities, and Specialized Living.

Case Managers will work with CBC residential providers at initial assessment for individuals new to services and supports and at the next reassessment for individuals currently receiving services and supports to assist in accessing rights and proposing IBLs when appropriate.

Any identified IBLs will be documented on the Service Plan Agreement section (see example below) of the SPAN form (2780N). The SPAN form will be updated to include this change. The I-learn training (as indicated below) will provide information on how to document the IBL on the SPAN form.

HCBS Right:	Reason for limitation:
Choose one <input type="text"/>	
Limitation(s) to this HCBS Right:	
Remove this HCBS limitation (above)	

Add another HCBS limitation

Case Managers may also utilize a new screening tool (see example below) within the service planning portion of Oregon ACCESS to determine if an IBL may be considered or not. The I-learn training (as indicated below) will provide information on how to use this screen.

IBL Screening

Meets Cognition: True False

Limitation Eligibility

Meets Health/Safety of Self/Others: True False

Does not understand concerns/risks: True False

Eligibility Status:

Training/communication plan:

Staff were provided a general overview during the [May 22, 2019 Mandatory Case Management Webinar](#).

Staff that need to be aware of this new policy are required to review the IBL training in I-learn. Here is the link:

<https://ilearn.oregon.gov/Admin/ContentDetails.aspx?id=30BC9A114BF949E283028D35B5928819>. You may also use the search term “IBL” to access the training.

Staff may send in their questions directly to Bob.Weir@state.or.us.

Optionally, staff may participate in any of the regularly scheduled Q&A calls after watching the I-learn training. Calls will occur every two weeks through September. Beginning in October, they are scheduled on the second Tuesday of each month. This schedule may be modified if needed (additional communication on any changes will occur).

These calls will answer the more commonly asked questions that are sent in by email, followed by answering any questions from field staff. The schedule and call-in information are as follows:

Call-in phone: 1-866-390-1828 Participant Code: 1369328 (times are PDT or PST)

2019 Conference calls		2020 Conference Calls	
June 27	10:00 - Noon	Jan. 14	2:00 - 3:00
July 9	2:00 - 3:00	Feb. 11	2:00 - 3:00
July 23	2:00 - 3:00	March 10	2:00 - 3:00
August 6	2:00 - 3:00	April 14	2:00 - 3:00
August 20	2:00 - 3:00	May 12	2:00 - 3:00
Sept. 3	2:00 - 3:00	June 9	2:00 - 3:00
Sept. 17	2:00 - 3:00		
Oct. 8	2:00 - 3:00		
Nov. 12	2:00 - 3:00		
Dec. 10	2:00 - 3:00		

Local/branch action required: Implement as guided by training

Central office action required: Provide ongoing support and assistance

Field/stakeholder review: Yes No

If yes, reviewed by: Field Operations

Filing instructions:

If you have any questions about this policy, contact:

Contact(s): Bob Weir	
Phone: 971-600-7876	Fax: 503-947-4245
Email: bob.weir@state.or.us	