

Cathy Cooper
Authorized Signature

Number: SPD-AR-10-083
Issue Date: 9/22/2010

Topic: Long Term Care

Due Date:

Subject: Buckley Bill Notice Requirement

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 | <input type="checkbox"/> | Health Services |
| <input type="checkbox"/> | Children, Adults and Families | <input checked="" type="checkbox"/> | Seniors and People with Disabilities |
| <input type="checkbox"/> | County DD Program Managers | <input type="checkbox"/> | Other (please specify): |

Reason for Action: Currently, individuals receiving PACE (PAC) or Money Follows the Person (MF1 or MF4) services are not receiving an automatically generated 70B Buckley Bill Notice prior to the CAPS annual review date. Due to this identified issue, and the requirement to issue this notice prior to the annual re-assessment, SPD/AAA local office staff must manually complete and send the 70B Buckley Bill Notice to these individuals. This notice will ensure that SPD is in compliance with [Oregon Administrative Rule \(OAR\) 411-015-0008\(1\)\(e\)](#).

Timeframe of Anticipated Resolution:

SPD Central Office is in the process of resolving this issue and it is anticipated this problem will be resolved within the next 90 days. Once resolved, a transmittal will be released to inform the SPD/AAA local office staff that individuals receiving PAC, MF1 or MF4 benefit types will automatically receive the 70B Buckley Bill Notice. However, until this is resolved, staff will need to manually generate and send the 70B Buckley Bill Notice to all individuals receiving the service types mentioned in this transmittal.

Action Required:

SPD/AAA local office staff that serve individuals in the PACE or Money Follows the Person Programs, must manually generate and send the Buckley Bill Notice (Form SDS 0070B) to individuals in these programs, prior to completing their annual CAPS re-assessments ([OAR 411-015-0008\(1\)\(e\)](#)).

The following needs to be completed for all individuals who have annual re-assessments due with a PAC, MF1 or MF4 Service Category Benefit type in CAPS:

- A minimum of fourteen (14) days in advance, manually complete and send the [SDS 0070B Buckley Bill Notice](#) located on the [DHS Form Server](#).

The DHS Form Server direct web link is:

http://dhsforms.hr.state.or.us/forms/databases/FMPRO?-db=FormTbl.fp5&-lay=Main&-format=Findforms_FMP.htm&-findany.

Tip: Ticklers can be set in OACCESS as reminders to send manual notices to individuals with assessments coming due.

- A copy of this notice must be kept in the individual's case file.
- Narrate the date the notice was mailed to the individual.

If the individual requests an administrative hearing based on the results of the annual CAPS re-assessment, the narration and the copy of the 70B Buckley Bill Notice will be critical to the outcome of the hearing.

Field/Stakeholder review: Yes No

If yes, reviewed by: **Operations Committee and SPD Policy Workgroup**

If you have any questions about this action request, contact:

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