

<b>Topic:</b>	County-to-county transfer procedures
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**Overview**

**Description:** Individuals are enrolled via a SE48 CPA at the CDDP that operates in their county of origin. CDDPs must transfer eligibility if an individual’s county of origin changes (and a brokerage may have to transfer services to another brokerage). Individuals are immediately eligible to receive the same services in the new county of origin; OAR 411-320-0080(13) requires the new CDDP to initially accept the former CDDP’s I/DD eligibility determination.

**Purpose/Rationale:** The purpose of this policy is to minimize interruptions of services and to support transitions to new communities. This policy includes standards and procedures for CDDPs and brokerages to follow to ensure successful enrollment and continuity of services.

**Applicability:** This policy applies to CDDPs, brokerages, and CIIS. Specifically, services coordinators, personal agents and eligibility specialists must coordinate a transfer of eligibility and services.

**Transfer roles**

The sending case manager is responsible for initiating and facilitating the transfer process (procedures are outlined below and in the process map attached to the end of this policy). To ensure continuity of services, a CDDP representative must also coordinate with the people who fill the following roles (one person may fill multiple roles):

- the sending case manager;

- the sending eligibility specialist;
- the sending and receiving CDDP staff member who is responsible for CPAs;
- the receiving CDDP transfer representative;
- the receiving eligibility specialist; and
- the receiving case manager in the individual's new county of origin.

## **Transfer timeline**

The transfer of files and enrollment in the new county of origin must be completed within 90 days of the date of transfer request on the DHS I/DD transfer form (SDS 0702). A 90-day extension is acceptable if it will benefit the client.

## **Transfer procedures**

### **Documentation of transfer request:**

1. Confirmation and progress note. The sending case manager contacts the individual and/or their legal guardian to confirm that both 1) the individual's county of origin will change and 2) the individual wants to continue to receive services in the new county of origin. The sending case manager documents the individual's request in a progress note, including: the date of request; the date that the individual will move (or moved) to the new county; the individual's new address, if known; and whether there will also be a change to the guardian's address.
2. Authorizations to release records. The sending case manager obtains authorizations from the individual and/or individual's guardian to release the individual's records and personal information.
3. Notification to CCDP (SDS 4111, if applicable). If a brokerage serves the individual, the brokerage must complete a SDS 4111 to notify the sending CDDP of any changes to the individual's contact information and to notify the CDDP that the individual is moving to a new county of origin. The personal agent should directly contact the CDDP to determine who coordinates transfers at the CCDP and to confirm the receipt of the SDS 4111.

**Transfer of eligibility to a new CDDP:** The transfer of eligibility documents may occur at the same time as the transfer of case management documents; however, this is not required and it is not always appropriate. If the sending case manager is at the sending CDDP, the sending CDDP may choose to transfer both the eligibility and case management files at the same time. If the case manager is at a brokerage, the sending CDDP is responsible for transferring eligibility files to the new CDDP as soon the sending case manager confirms the transfer request and it receives the individual's authorization to transfer records, and the personal agent is responsible for transferring case management files to the receiving CDDP or brokerage.

1. Preparation of the eligibility transfer packet. The sending CDDP creates an eligibility transfer packet. The packet must include the documents on the DHS I/DD transfer form (SDS 0702):
  - initial intake form for DD services (SDS 0552) or the confirmation of request for services form (SDS 0554), if the individual enrolled before January of 2005;
  - eligibility enrollment form (DHS 0337);
  - eligibility statements, letters, and documents supporting the CDDP's eligibility decision;
  - all eligibility notices sent to the client;
  - eligibility progress notes from the initial intake interview to the eligibility determination, as well as eligibility progress notes from any redeterminations; and
  - legal documents (e.g., guardianship order, DHS commitment, etc.).
2. Transfer of eligibility documents. The sending CDDP sends the eligibility transfer packet to the receiving CDDP in the new county of origin. If a brokerage serves the individual, the sending CDDP should not wait to transfer the eligibility documents; the CDDP should transfer eligibility documents as soon as possible and include a note on transfer form (SDS 0702), such as "personal agent to send case management files." Eligibility documents must be transferred even if the individual will remain at the same brokerage and services will continue with the same personal agent.
3. Receipt and review of eligibility documents. The eligibility specialist at the receiving CDDP must review the eligibility documents and progress notes from the sending CDDP to verify that the client meets the criteria in OAR 411-320-0080. If possible, the eligibility specialist should review the eligibility documents before the agreed upon transfer date. As described in OAR 411-320-0080(13), the receiving CDDP must initially accept the sending CDDP's eligibility determination and identify a representative to assist with enrollment tasks. In the event that the sending CDDP is unable to provide eligibility documents (i.e., the documents cannot be located), the receiving CDDP may request written documentation from the sending CDDP that verifies eligibility and enrollment in developmental disability services (i.e., documentation from the DHS electronic payment system).
4. Redetermination (only if necessary). If the eligibility specialist receives information that suggests the individual is not eligible for developmental disability services, the eligibility specialist should confirm that the sending CDDP has sent all of the eligibility documents, including any correspondence between the sending CDDP and ODDS. The receiving eligibility specialist may need to check with ODDS to review the administrative rule and the eligibility criteria that

was effective at the time of the original eligibility decision. If the sending CDDP does not have any other documentation that supports the individual's eligibility, the sending CDDP send a redetermination notice to initiate a redetermination. The CDDP must provide the individual an appropriate amount of time to present evidence of eligibility and may need to schedule a diagnostic evaluation, depending on the date and content of the records that suggest the individual is not eligible. **The redetermination should not delay enrollment in the new county of origin; the receiving CDDP must authorize services and provide the individual access to services until the redetermination is complete.**

5. Preservation of eligibility records. The sending CDDP must archive eligibility records in accordance with OAR 411-415-0110.

**Transfer of services to a new CDDP or brokerage (some steps may occur at the same time as the transfer of eligibility):**

1. Preparation of case management documents. The sending case management entity prepares a transfer packet, including all of the applicable documents on the I/DD transfer form (SDS 0702):
  - face sheet/demographics;
  - progress notes from the last six months;
  - level of care form (initial evaluation with annual review signatures);
  - Individual Support Plan (ISP) or Annual Plan;
  - ISP or Annual Plan supporting documents (e.g., PCI, RI);
  - functional needs assessment and any additional needs assessments and/or support plans;
  - behavioral support plan, protocols and/or safety plans;
  - employment-related documents;
  - fiscal intermediary forms; and
  - plan of care printout.
2. Transfer of case management files (SDS 0702). The sending CDDP and the sending case manager should coordinate with the receiving case management entity to identify who should receive the case management files. Then, the sending case manager should securely transfer the case management files using the DHS I/DD transfer form (SDS 0702).

The files should be sent as soon as possible (once the sending case manager confirms the transfer request, obtains an authorization to release the individual's records, and identifies who will receive the files); this provides the receiving case management entity with an opportunity to review the files, take enrollment steps, and begin service planning.

3. Establishment of a transfer date. Services should not be terminated until the sending and receiving CDDP agree on an appropriate transfer date. When the individual makes the initial transfer request, the sending case manager should discuss a moving date with the individual and the case manager should inform the sending CDDP. The sending and receiving CDDP should use the information from the sending case manager to choose a transfer date that is in the best interest of the individual and that allows the case management entities to complete the termination and enrollment steps (below).
4. Termination of services (DHS 0337 and end CPA). The sending CDDP must enter the agreed upon transfer date on the DD termination/enrollment form (DHS 0337) and use the transfer date as an end date in eXPRS for all applicable CPAs and POCs. For more information, please see the eXPRS help guides on Client Prior Authorization (CPA) management. The sending CDDP must submit the DD enrollment form (DHS 0337) to the Developmental Disability Provider Technical Assistance Unit (DDPTAU). Under reason for case management termination, the CDDP should select "transfer to another county".
5. Budget documentation. If there are funded services, such as DD49, 50, 51, 53, 54, the sending CDDP must transfer budget documentation to the Contracts Administration Unit (CAU) to fund the new CPAs.
6. Enrollment in new county of origin (DHS 0337 and new CPA). The receiving CDDP must complete and send the DD enrollment form (DHS 0337) to the DDPTAU (the CDDP should note "transfer from\_CDDP" in the comments section). The start date for the receiving CDDP should be the day after the end date on the sending CDDP's DHS 0337. If the individual will be entering a new brokerage, the receiving CDDP must coordinate an entry date with the new brokerage and it should provide the start date of both the receiving CDDP and the new brokerage on the DHS 0337. The receiving CDDP (and brokerage, if applicable) must also complete CPA management work in eXPRS for all applicable services.
7. County transfer memo (SDS 5102). The receiving CDDP must mail a county transfer memo (SDS 5102) to the individual's new address within 10 days of the enrollment date on the DHS 0337.
8. Service planning. The receiving case manager must review the individual's ISP or annual plan dates. A move does not change dates on the ISP, unless there is a new 24- hour residential program (not a different setting with the same provider), supported living program, foster care provider, or if a child enters or exits CIIS. A temporary or interim ISP may be appropriate to ensure continuity of services.

The receiving case manager must also review the individual's service eligibility. If an individual was not receiving paid services via the sending CDDP and wants paid services in the receiving county, the receiving case manager must ensure the individual has Medicaid, a valid level of care evaluation with annual review signatures (initially approved and signed by DHS), and an authorized individual support plan.

9. Geographic exceptions. If an individual moves to a county where the chosen brokerage does not typically provide services, the brokerage must submit a Geographic Exception Form to the appropriate ODDS subject matter expert (see the SME list on the DHS staff tools webpage). The receiving CDDP's SE48 CPA that assigns the out-of-catchment-area brokerage will be in "pending" status until ODDS approves the exception.

## **Frequently asked questions**

### **What if the receiving eligibility specialist does not agree with the eligibility determination made at the previous CDDP?**

OAR 411-320-0080(13) requires the CDDP to honor the eligibility determination made by the previous CDDP. The receiving CDDP must send the individual a transfer memo (SDS 5102) enroll the individual by sending an update (DHS 337) to ODDS within 10 days of the transfer date.

OAR 411-320-0080(13) requires the receiving CDDP to verify eligibility by reviewing the eligibility notice, eligibility progress notes, redetermination date, and evaluations and supporting eligibility documentation. If the CDDP reviews the records and finds information that suggests the individual is not eligible, the CDDP may complete a redetermination. The CDDP must begin the process by sending the individual a notice of redetermination and confirming with the sending CDDP that it has all of the documents used for the previous eligibility determination.

### **What if an individual's county of origin changes but the individual will remain at the same brokerage?**

All eligibility documents included on the transfer form (APD 0702) must be sent to a new CDDP if the individual's county of origin changes. It is the brokerage's responsibility to notify the former CDDP of the transfer date so the sending CDDP can end its CPA and send a DD enrollment form (DHS 0337) to DHS. The personal agent only needs to transfer the case management documents that the receiving CDDP needs to create a new CPA.

The receiving CDDP reviews the eligibility documents, starts a new CPA, and enrolls the individual by sending an enrollment form to DHS. It is not necessary for the brokerage

to end the POC lines in order for the sending or receiving CDDP to complete the CPA steps.

### **What if a CDDP terminates an individual's services and then the individual subsequently requests services in another CDDP?**

If the request for services is less than 12 months from the date of termination. In this case, OAR 411-320-0080(13) requires the receiving CDDP to contact the CDDP that previously provided services and request documents from the previous eligibility specialist and case manager. The eligibility specialist in the new county of origin must verify that:

1. The individual meets all requirements in OAR 411-320-0080(1); and
2. The individual's age does not require the CDDP to complete a redetermination under OAR 411-320-0080.

If the eligibility specialist verifies both (1) and (2), the eligibility specialist should treat the case as a county transfer and accept the previous eligibility decision (send the individual a County Transfer Memo (SDS 5102)). If the eligibility specialist cannot verify (1) or the individual requires a redetermination because of a birthday, the eligibility specialist must make a new eligibility determination.

If the request for services is more than 12 months from the date of termination. In this case, the individual must reapply in the new county of origin. The new CDDP should still request eligibility and service documents, but the individual is treated as a new applicant.

### **Can a CDDP or brokerage send an individual's records to another CDDP?**

To transfer records, the CDDP must obtain a valid authorization from an individual and/or guardian and use a secure system to transfer documents. OAR 411-320-0070(5)-(6) requires CDDPs to transfer records to a new county of origin and appropriately archive records.

ORS 179.505 and ORS 192.517 cover CDDP disclosures of records, which may include "written accounts" and "psychotherapy notes." "Psychotherapy notes" require a separate authorization that includes the specific records to be disclosed.

## **Definitions**

County of Origin means: (a) For an adult, the county of residence for the adult; and (b) For a child, the county where the jurisdiction of guardianship exists.

Resident means an individual that meets the residency requirements in OAR 461-120-0010 and 42 CFR § 435.403.

## **References**

[How to Create a CPA](#)

[How to Create a CPA for Brokerage Enrollments](#)

[\(CDDP\) How to Create a CPA for Brokerage](#)

[Enrollments \(Brokerage\)](#)

[How to Add or Change a SE48 CPA for Brokerage Request Date](#)

[TNT FAQ](#)

[Brokerage request date – APD-AR-15-030 \(This transmittal replaces AR-13-082\)](#)

[PSW background checks – APD-PT-14-026](#)

## **Applicable forms**

Transfer form – [SDS 0702](#)

County Transfer Memo – [SDS 5102](#)

DD Eligibility/Enrollment/Update Form – [DHS 0337](#)

Customer Information Update Form – [SDS 4111](#)

Notification of Planned Action – [SDS 0947](#)

[Geographic Exception Form](#)

## **Relevant Oregon Administrative Rules**

### **Residency & county-of-origin**

OAR 411-320-0020. Definitions related to eligibility OAR 461-120-0010. DHS residency rule

### **CDDP transfer responsibilities**

OAR 411-320-0080(13). CDDP transferability of eligibility determination.

### **Case Management Responsibilities**

OAR 411-415-0030

### **Transfer of records**

ORS 179.505

ORS 192.517

34 CFR §99.33

45 CFR § 164.508

### **Service records**

OAR 411-415-0110



# I/DD County Transfers

