## Policy Transmittal Cover Sheet

**This page is not distributed with the transmittal**
*(See requirements for use, below)*

<table>
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<tr>
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<tbody>
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<td>Author's comments:</td>
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**Audience:**

CDDP and Brokerages

Audience examples might include:
- “Those interested in payments to pharmacies.”
- “Those involved with managed care enrollment and exemptions.”
- “Users of the FACIS program.”
- “Those who determine eligibility and case manage seniors and people with disabilities.”

**Distribution deadline:**

**Special distribution instructions:**

The transmittal cover is only required for transmittals processed following the DHS Transmittals for Client Services/Programs procedures, as outlined in the DHS Communication Formats and Transmittal Forms policy. See the following documents for further instructions and guidance:

- [Policy Transmittal Instructions (DHS 0079A)](DHS 0079A)
- [DHS Communication Formats and Transmittal Forms Policy (DO-101-001)](DO-101-001)
- [DHS Transmittals for Client Services/Programs Procedures (DO-010-001-01)](DO-010-001-01)
Topic: Freedom of Choice Form Update

Transmitting (check the box that best applies):
- [ ] New policy
- [x] Policy change
- [ ] Policy clarification
- [ ] Executive letter
- [ ] Administrative Rule
- [ ] Manual update
- [ ] Other:

Applies to (check all that apply):
- [ ] All DHS employees
- [ ] Area Agencies on Aging: {Select type}
- [ ] Aging and People with Disabilities
- [ ] Self Sufficiency Programs
- [x] County DD program managers
- [x] Support Service Brokerage Directors
- [x] ODDS Children’s Residential Services
- [x] Child Welfare Programs
- [ ] County Mental Health Directors
- [ ] Health Services
- [ ] Office of Developmental Disabilities Services (ODDS)
- [x] ODDS Children’s Intensive In Home Services
- [ ] Stabilization and Crisis Unit (SACU)
- [ ] Other (please specify):

Policy/rule title: Freedom of Choice Form Amendments

Policy/rule number(s):

Release number:

Effective date:

Expiration date:

References:

Web address:

Discussion/interpretation: The Freedom of Choice form is being amended to provide documentation that an individual’s current support needs are accurately reflected in the Level of Care/Oregon Needs Assessment prior to transitioning to the Adult Waiver when an individual turns 18. The addition highlighted in red was added to the Case Manager’s Certification section on page 2 of 2 on form DHS 2808 – Freedom of Choice to read:

By signing below, I confirm that I have informed the individual of his or her right to choose an institutional setting or HCBS, and to accept or deny services. In addition, if the person is a child turning 18 and transitioning to the Adult Waiver, I confirm I have
reviewed the LOC and agree it is accurate.

Implementation/transition instructions: ODDS recognizes that there are occasions when an individual’s birthday and an individual’s birthday and ONA schedule do not align. In these cases, the following should be applied:

✓ When a child is turning 18 years old, the case manager reviews the current ONA at least 30 days prior to the child’s birthday. If there are no identified changes in support needs, a new ONA is not required to be completed on or before the individual’s birthday. The case manager signs the Certification section of the Freedom of Choice form.

✓ If after the case manager reviews the current ONA and identifies significant changes in support needs, a new ONA must be completed prior to the individual turning 18 years old.

✓ If a child is enrolled in the Children’s Intensive In-Home Services (CIIS), the following process should be applied:
  ➢ If the child is coming from a CDDP to a CIIS Medically Fragile or Hospital waiver: A new ONA must be completed by an assessor and the child must meet the LOC criteria outlined in the CIIS waiver requirements prior to transitioning to a new waiver.
  ➢ If the child is going from CIIS Medically Fragile or Hospital waiver to the Children or Adults waiver, a new ONA must be completed by an assessor and the individual must meet LOC prior to transitioning to a new waiver.
  ➢ If the child is transitioning from a CDDP to the CIIS Behavior waiver or from CIIS behavior to CDDP: Only the Freedom of Choice form must be completed and signed.

For those who have turned 18 since the ONA roll-out, the Freedom of Choice form has been required as part of that process as outlined in Oregon Administrative Rule 411-425. The new form only needs to be implemented for those turning 18 on or after the release of this policy transmittal.

Note that the Freedom of Choice form will not be available to complete electronically in eXPRS until the summer of 2019. Further information will be provided at a later date.

Field/stakeholder review: ☐ Yes  ☒ No

Field/stakeholder review: ☒ Yes  ☐ No

Filing instructions:

If you have any questions about this policy, contact:

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