

# Oregon Project Independence Training for Directors and Managers

1

State Unit on Aging  
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**ADRC**  
Aging and Disability  
Resource Connection  
— of OREGON —

2

## First some history

- **1975...what a year**
  - Gerald Ford was President and Robert Staub was the governor of Oregon
  - Vietnam war ends on April 30<sup>th</sup>
  - Average income per year was \$14,100 (today \$48,098)
  - Life Expectancy was 72.6 years (today 79.1 years)
  - Gallon of gas cost \$.44 and a Ford Mustang II cost \$4,105
  - Microsoft was founded and a patent was given for the first mobile phone
  - Song of the year "Love Will Keep Us Together" by Captain and Tennille
  - We were watching Jaws and One Flew Over the Cuckoo's Nest for the first time
  - Angelina Jolie and Tiger Woods were born; Jimmy Hoffa disappears
  - Saturday Night Live premiered, but we were watching All in the Family
  - VCR's were developed by JVC in Japan
  - Oregon Project Independence was conceived in the legislature by advocates, house bill HB 2163

3

## Oregon Project Independence (OPI) was birthed

- House Bill 2163, directed the Department of Human Resources (DHS today) “to develop and place in effect a program of supportive services for persons age 60 or older...” and required a fee for service based on ability to pay. This direction was in direct response to specific concerns expressed by Oregon’s Senior Advocates, including Older American Act funded AAA Advisory Council advocates.
  - First concern, people not Medicaid eligible, but needed in home help were **falling through the cracks**
  - Second concern, was that sometimes minimal in-home services could **prevent people from going into long term care institutions.**
- OPI officially began in 1976, with a budget of \$1,000,000; given to Area Agencies on Aging in manner similar to how Older American Act funds are distributed.

4

## Program Changes over the years

- 1981 the Senior Services Division was established, Other services like Adult Day Care, Respite Care and Personal Care were added to the initial services
- 1987 funding for the OPI program specifically to serve those with Alzheimer’s or Related Disorders.
- 1991 Legislature allowed the funds to be used for any OPI eligible individual, including those under 60 years old with a diagnosis of Alzheimer’s or Related Disorders.
- October 2002 due to budgetary issues DHS mandates OPI closes to new individuals, OPI reopened 7 weeks later.
- 2005 legislature amended the Oregon Revised Statutes (ORS) for OPI to expand eligibility for OPI to serve individuals 19 years of age or older with physical disabilities (ORS 410.435). However statute prohibited the expansion until the amount of moneys for OPI was sufficient.

5

## Program Changes over the years

- ▶ July 1, 2010 OPI eliminated, to close August 1; July 23, 2010 OPI restored for existing consumers and new enrollment is frozen.
- ▶ August 2011 OPI is re-opened, January 2012 new enrollment closed
- ▶ March 2012 OPI is re-opened
- ▶ July 2013 OPI rules (ORS 411-032) updated
- ▶ 2014 HB 5201 funding and direction to develop a pilot to expand OPI to individuals with disabilities younger than 60 years of age. DHS selected 7 AAAs to pilot the program.
- ▶ 2015 Pilot Expansion was continued in the 7 AAAs for the biennium.

## Key Elements Remain the Same

6

### Program Goals

- Promote quality of life and independent living among older adults and people with physical disabilities;*
- Provide preventive and long-term care services to eligible individuals to reduce the risk for institutionalization and promote self-determination;*
- Provide services to frail and vulnerable adults who are lacking or have limited access to other long-term care services; and*
- Optimize eligible individuals' personal and natural supports.*

OAR 411-032-0001

7

## OPI Defined by the Area Agency on Aging Local AAA through the Area Plan

- Chooses the type and amount of services that will be offered
    - Which service types and maximum hours or expense per case \*
    - Including how providers will be monitored and evaluated
  - Identifies who will be served
    - Service Priority Level 1-18
  - How the individual will receive initial and ongoing screenings for other community services
- \*rule stipulates (411-032-0005, 3, a, C)
- Determines the cost of the OPI services
    - Including how fees are set, billed, collected, and used
    - A non-payment policy (including exceptions) and when fees are waived
  - Policy for an individuals' right to grieve regarding adverse eligibility, service determination decisions and consumer complaints
  - Creates the policy for denials, reductions or termination of OPI services

8

## Advisory Council

- Each AAA must have an advisory council
  - Consumers of services provided to aged persons served by DHS programs
  - Including low income and minority persons
  - Type B's shall have two advisory councils
    - Aged (as above)
    - Disability services
- Representing the community
- Involved in the identification of needs
- Selection of services
- Development of the Area Plan and budget
- Review and evaluate the effectiveness of the AAA in meeting the needs of aged people and people with disabilities in planning and service area
- Meet at least quarterly

ORS 410.210

9

## Contract with Department of Human Services Insights and Direction for OPI

- ▶ Area Plan
- ▶ Reporting requirements
  - ▶ 148/150
  - ▶ Data reporting
    - ▶ NAPIS
    - ▶ RAIN
    - ▶ RTZ/GTC
- ▶ Information Systems
- ▶ AAA may request funds for services other than listed in rule
- ▶ Program Monitoring
- ▶ Agency Management
  - ▶ Criminal Records & Abuse checks for staff and volunteers
  - ▶ Mandatory reporting
  - ▶ ADA compliant
  - ▶ Grievance Procedure
  - ▶ Competitive Procurement

10

## Personnel Practices

- ▶ AAA and OPI service providers must have written personnel policies that contain state and federal requirements
- ▶ Personnel records for each employee

## Non-compliance

- ▶ May result in a reduction or termination of OPI funding
- ▶ Amount reduced is made by the Director of the Department

11

## OPI Services

Authorized Services that OPI funds may be expended:

- Home Care
- Chore
- Assistive Technology devices
- Personal Care
- Adult Day Services
- Registered Nurse Services
- Home Delivered Meals
- Service Coordination/Case Management

definitions in OAR 411-032-0000;  
authorized services 411-032-0010 1 a, b

- Other Services allowed on a case by case basis by the SUA Director
  - Services to support community caregivers and strengthen the natural support system of individuals;
  - Evidence-based health promotion services
  - Options Counseling or
  - Assisted transportation options that allow individuals to live at home and access the full range of community resources.

12

## Providers of OPI Services

### In-Home Care Agency

Licensed by Oregon Health Authority and meeting the requirements of in-home agencies under ORS 443.305 to 443.350 and OAR chapter 333, division 536,

OAR 411-032-0010 1, c, d, e

### Homecare Worker

Provider meeting the standards and requirements of the Home care Commission under ORS 410.600 to 410.614 and OAR chapter 411, divisions 030 and 031.

- Use the HCC referral and registry
- HCW are represented by SEIU and AAAs must comply to the labor contract agreements

13

## Costs & Data

- Allowable Costs
  - Direct service Costs is the provision of services to individuals
  - Administrative Costs are those expenses associated with the overall operation of OPI that are not directly attributed to an authorized service. Administrative costs include, but are not limited to, costs associated with accounting services, indirect costs, facility expenses, etc. Administrative costs cannot exceed 10% of the OPI funds
- Data Collection
  - Date of Birth and Social Security number are required
  - For those under 60 with dementia specific information from the person's physician needs to be in OACCESS regarding the specific type of dementia

14

## Individuals Qualifying for OPI Services

- Complete the OPI risk tool to measure the risk of placement in an institution/Long Term Care
- AAA has capacity to add a consumer, or to have interested individual placed on the waiting list
  - Offering the individual other OAA programs, including Options Counseling
- Face to Face assessment is done in the individuals home
- Individual does not reside in a nursing facility, assisted living facility, residential care facility or adult foster home.
- Determine the individual is not receiving Medicaid (OSIPM)
- Over the age of 60 or has an Alzheimer's or related diagnosis if under 60
  - For the OPI expansion adults with disabilities ages 19-59 are served

15

## Qualifying for OPI Services

- Care Needs are identified by using the CAPS in OACCESS
  - Determines Service Priority Level (SPL) 1-18 or 99
  - Identifies needs, unmet needs as well as family, friends and community support that are assisting in needs
- Information regarding an individuals financial status
  - If appears eligible for Medicaid, if they are encourage them to apply for Medicaid
  - Service Coordinator/Case Manager can assist individual regarding private pay services
  - Financial and personal information disclosure (Social Security Number, Household composition, income and medical expenses to establish OPI Sliding fee scale.

16

## Service Determination

- Rests with the AAA
- Services are re-determined at regular intervals, not less than every 12 months
- Individual who is approved must receive written notification of the service approval
  - OPI Service Agreement Form 287L
    - Maximum number of hours
    - Hourly fee
    - Maximum Monthly fee
    - Hourly service rate
    - Provider Contact Information



17

## Priority for Authorized Services

- ▶ AAA may have local priorities for OPI authorized services
- ▶ Local priorities cannot conflict with the OPI ORS or OAR
- ▶ Priority for authorized services is:
  - ▶ Not First Come, First Served
  - ▶ Maintaining eligible individuals already receiving authorized service as long as their condition indicates the service is needed.
  - ▶ Individuals screened utilizing a Department authorized tool that measures risk for out of home placement based on an individual's financial, physical, functional, medical, and social service needs. Individuals with the highest risk of out of home placement are given priority. Form 0287J\*

\*also in the ADRC, Get Care 2 (GC2), RTZ

18

## Appeals

Individuals whose services are:

- ▶ Denied
- ▶ Disallowed
- ▶ Reduced through eligibility determination or service determination

Individuals are entitled to request a review of the decision through the local AAA grievance review procedure. This is not a fair hearing, similar to Medicaid practices.

19

## Appeals continued

- Individuals must continue to receive authorized services until the disposition of the local AAA grievance review
- The AAA must provide the individual with written notification of the grievance review determination decision.
- Individuals who disagree with the results of the AAA grievance review also have a right to an administrative review with the SUA (Department), (ORS chapter 183). AAA must include how to do this in the written notification given to the individual at the time of the decision.

20

## Appeals continued

- Individuals requesting an administrative review from the Department are not eligible for continued OPI services
- All individuals, including those who may have previously been terminated from OPI, have the right to apply for OPI authorized services at any time

21

## Sliding Fee Scale for Services

- A \$25 one-time fee is applied to all new individuals receiving OPI services who have adjusted income levels at or below the poverty level.
- AAA's will have flexibility to work with individuals who incur a hardship in paying the \$25 (e.g. payment plan, adjusted fee)
- Fees are billed for OPI services except for Service Coordination and Home Delivered Meals
- All individuals whose annual gross income exceeds the minimum, are charged based on a sliding fee schedule as established by the Department.
- Household definition is the individual, spouse and any dependents as defined by the IRS (different from SNAP and Medicaid)
- Household income includes salaries, interest and dividends, pensions, annuities, social security, railroad retirement and any other income

22

## Sliding Fee Scale for Services

- Fee Schedule is in 10% increments from 151% to 400% of Federal Poverty Level (FPL) updated annually
- Deducted from the income are out of pocket health care costs and child support
- AAA's policy and procedure for fee collection directs local staff on actions to take with non payment
- Standardized form 0287K completed at least annually or when requested to calculate the percentage of the cost of OPI services billed to the consumer based on the Federal Poverty Level.
- AAA maintains a record of fees, surcharges and contributions reporting them regularly to the Department
- Note that rule does **not** allow for non-billing unless addressed in local OPI policy

23

## 2017 OPI Fee Schedule

effective 3-1-17

Adjusted Net Income Range (% of Poverty)	Income Description	Household # 1	Household # 2	Household # 3-	Cost Share (as % of unit price)
0 - 150%	Yearly	\$0 to \$18,090	\$0 to \$24,360	\$0 to \$30,630	0%
	Monthly	\$0 to \$1,508	\$0 to \$2,030	\$0 to \$2,553	
151 - 175%	Yearly	\$18,091 to \$21,105	\$24,361 to \$28,420	\$30,631 to \$35,725	5%
	Monthly	\$1,509 to \$1,759	\$2,031 to \$2,368	\$2,554 to \$2,978	
176 - 200%	Yearly	\$21,106 to \$24,120	\$28,421 to \$32,480	\$35,726 to \$40,840	10%
	Monthly	\$1,760 to \$2,010	\$2,369 to \$2,707	\$2,979 to \$3,403	
201 - 225%	Yearly	\$24,121 to \$27,135	\$32,481 to \$36,540	\$40,841 to \$45,945	20%
	Monthly	\$2,011 to \$2,261	\$2,708 to \$3,045	\$3,404 to \$3,828	
226 - 250%	Yearly	\$27,136 to \$30,150	\$36,541 to \$40,600	\$45,946 to \$51,050	30%
	Monthly	\$2,262 to \$2,513	\$3,046 to \$3,383	\$3,829 to \$4,254	
251 - 300%	Yearly	\$30,151 to \$33,165	\$40,601 to \$44,660	\$51,051 to \$56,155	40%
	Monthly	\$2,514 to \$2,764	\$3,384 to \$3,722	\$4,255 to \$4,680	
276 - 300%	Yearly	\$33,166 to \$36,180	\$44,661 to \$48,720	\$56,156 to \$61,260	50%
	Monthly	\$2,765 to \$3,015	\$3,723 to \$4,060	\$4,681 to \$5,105	
301 - 325%	Yearly	\$36,181 to \$39,195	\$48,721 to \$52,780	\$61,261 to \$66,365	60%
	Monthly	\$3,016 to \$3,266	\$4,061 to \$4,398	\$5,106 to \$5,530	
326 - 350%	Yearly	\$39,196 to \$42,210	\$52,781 to \$56,840	\$66,366 to \$71,470	70%
	Monthly	\$3,267 to \$3,518	\$4,399 to \$4,737	\$5,531 to \$5,956	
351 - 375%	Yearly	\$42,211 to \$45,225	\$56,841 to \$60,900	\$71,471 to \$76,575	80%
	Monthly	\$3,519 to \$3,769	\$4,738 to \$5,075	\$5,957 to \$6,381	
376 - 400%	Yearly	\$45,226 to \$48,240	\$60,901 to \$64,960	\$76,576 to \$81,680	90%
	Monthly	\$3,770 to \$4,020	\$5,076 to \$5,413	\$6,382 to \$6,807	
over 400%	Yearly	\$48,241 +	\$64,961 +	\$81,681 +	100%
Monthly	\$4,020 +	\$5,413 +	\$6,807 +		

24

## Consumer Contributions, Donations and Gifts

- Nothing in these rules prevent OPI individuals, or the individual's family, from making a donation or contribution.
- Donations are used to expand services under OPI. Expansion of services is limited to services authorized in OAR 411-032-0010 as identified in the AAA's Area Plan
- One time fee and all fees for service are used by the local AAA to expand services under OPI. Expansion of services is limited to services authorized in OAR 411-032-0010 as identified in the AAA's Area Plan.

25

## Expansion Pilot for Adults with Disabilities

- The pilot allows the Department to study the potential to transition Oregon Project Independence to a statewide, age neutral, program that assesses and serves seniors and persons with physical disabilities based on their functional needs.
- Scheduled to end June 30, 2017 OAR 411-032-0050
- Currently in 7 AAAs
- Services for individuals 19-59 years of age who have a disability

26

## OACCESS key reports for managers

- Caseload Report
  - List by branch, not by AAA
  - List of consumers assigned to staff
    - Consumer Name
    - Prime Number
    - Program Code
    - Living situation
    - MED Status, does not apply to OPI or OAA programs
  - Can be sorted by worker, by zip code or program code
- CAPS 2 Review Report
  - List of assessments that are expiring
  - By date, zip, worker
  - For OPI use all statuses, as status is set by Medicaid

27

## OACCESS key reports for managers

- ▶ CAPS2 Emergency Concerns Report
  - ▶ Risk Assessment completed in the CAPS note done by all AAAs for OPI
  - ▶ Gives individuals name, address and phone number and the risk areas that have been identified
  - ▶ Service Coordinator/Case Manager adds comments regarding the plan
  
- ▶ Directors and Managers have rights
  - ▶ to read and narrate in OACCESS narration
  - ▶ to review Client Assessment and Planning System (CAPS)
  - ▶ to view individuals demographic information

28

## Monthly SUA reports

### Report 1048 and 1048b

- ▶ OPI consumers with an approved service plan as of the reporting date
  
- ▶ Produces a list of active OPI clients as of the reporting date. Active clients are OPI clients with an approved service plan as of the reporting date.
  
- ▶ List includes client name, branch, district, name, authorized and exception hours, total hours, Service Priority Level, Report Date, and Service plan status (approved).
  
- ▶ List is in Excel and be sorted by District Acronym, District Number, Branch, Age Group, as well as specific client info.

Data Source: Office of Business Intelligence Data Warehouse and Oregon ACCESS

29

## Monthly SUA reports

### Report 1091

- ▀ OPI & Medicaid Client Report
  - ▀ Only sent when you have people in your AAA listed
- ▀ See AR 16-039 for details
  - ▀ AAA informs and works with the APD office to work with the consumer.
- ▀ Produces a list of active OPI clients who are also coded to be on full Medicaid

Data Source: Office of Business Intelligence Data Warehouse and Oregon ACCESS

30

## Monthly SUA reports

### AAA Cumulative OPI Home Care Worker Report

by month per fiscal year, with totals

Overview of cost of HCW services being paid by the division and withheld from the payment to the AAA.

Includes costs for Overtime and Travel time, as well as adjustments.

Emailed by Brenda S Stuiivenga, Office of Financial Service accountant

## Resources

- ▶ Home Care Commission (HCC)

<http://www.oregon.gov/dhs/seniors-disabilities/HCC/Pages/index.aspx>

- ▶ OPI Rules 411-032

[http://www.dhs.state.or.us/policy/spd/rules/411\\_032.pdf](http://www.dhs.state.or.us/policy/spd/rules/411_032.pdf)

- ▶ SUA Website

<http://www.oregon.gov/dhs/seniors-disabilities/SUA/pages/index.aspx>

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