

Patricia Baxter  
Authorized Signature

**Number:** APD-AR-14-033  
**Issue Date:** 6/13/2014

**Topic:** Developmental Disabilities

**Due Date:** Effective 5/27/2014

**Subject:** K Plan Eligibility and CHIP

**Applies to (check all that apply):**

- |  |   |
|--|---|
| <input type="checkbox"/> All DHS employees                     | <input type="checkbox"/> County Mental Health Directors   |
| <input type="checkbox"/> Area Agencies on Aging                | <input type="checkbox"/> Health Services  |
| <input type="checkbox"/> Aging and People with Disabilities    | <input checked="" type="checkbox"/> Office of Developmental Disabilities Services(ODDS)   |
| <input type="checkbox"/> Children, Adults and Families         | <input checked="" type="checkbox"/> Other ( <i>please specify</i> ): Support Service Brokerages; Personal Agents; Service Coordinators; DD Technical Assistance Unit, Provider Relations & Payment Support Unit |
| <input checked="" type="checkbox"/> County DD Program Managers |   |

**Reason for Action:**

Individuals qualified for medical benefits through Children’s Health Insurance Program Title XXI (CHIP TXXI) are not eligible for K-plan services. Other available services and supports must be accessed until Medicaid Title XIX (TXIX) eligibility is in place.

**Discussion/interpretation:**

In Oregon, individuals under 19 years of age can access the Oregon Health Plan (OHP) benefits through Medicaid TXIX or through CHIP TXXI. The eligible income level for CHIP is higher than for Medicaid, besides other eligibility criteria. Community First Choice State Plan Option (“K Plan”) is a TXIX program. Individuals who qualify for CHIP TXXI are not eligible for K Plan services. They may access in-home services through other options – e.g., State Plan Personal Care (SPPC).

**Action Required:**

It has come to the attention of the Office of Developmental Disability Services (ODDS) that there are children with Children’s Health Insurance Program, Title XXI (CHIP) benefits who have been authorized by Community Developmental Disability Programs (CDDPs) for “K-Plan” services. Children covered through CHIP are not eligible for K-Plan services.

CDDPs should work closely with ODDS to address these specific situations where services have been provided under the administrative error of believing that the child was eligible for K-Plan services through CHIP benefits. In these situations, services will not automatically continue. ODDS will work with CDDPs to identify what services are available under applicable funding (e.g., State Plan Personal Care, Family Support, and/or General Fund In-Home Supports for Children). CDDPs will inform the parents/guardians of the situation, and work with families to pursue Medicaid eligibility via MAGI (Modified Adjusted Gross Income) and/ or PMDDT (Presumptive Medicaid Disability Determination Team), depending on the family circumstances. ODDS will provide technical assistance to CDDPs, and facilitate an expedited review of eligibility for MAGI and PMDDT.

If the available services under applicable funding (referred to above) are less than what the family is currently receiving, or have been written into the service plan – CDDPs will issue a Notice of Planned Action (NPA) in advance of any reduction of services and inform families of their right to appeal. Please refer to the Notification of Planned Action transmittal ([APD-AR-13-093](#)) for additional guidance.

CDDPs can contact May Martin (contact information below), for technical assistance.

**Field/Stakeholder review:**     Yes     No

**If yes, reviewed by: CDDP staff**

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

<b>Contact(s):</b>	May Martin		
<b>Phone:</b>	503-947-2318	<b>Fax:</b>	
<b>E-mail:</b>	<a href="mailto:May.martin@state.or.us">May.martin@state.or.us</a>		