Developmental Disabilities Services

Action Request Transmittal

Patricia Baxter  
Authorized Signature  

Number: APD-AR-14-033  
Issue Date: 6/13/2014  
Due Date: Effective 5/27/2014

Topic: Developmental Disabilities  
Subject: K Plan Eligibility and CHIP

Apply to (check all that apply):  
☐ All DHS employees  
☐ Area Agencies on Aging  
☐ Aging and People with Disabilities  
☐ Children, Adults and Families  
☒ County DD Program Managers  
☐ County Mental Health Directors  
☐ Health Services  
☐ Office of Developmental Disabilities Services (ODDS)  
☐ Other (please specify): Support Service Brokerages; Personal Agents; Service Coordinators; DD Technical Assistance Unit, Provider Relations & Payment Support Unit

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.

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

| Contact(s): | May Martin |
| Phone:      | 503-947-2318 |
| E-mail:     | May.martin@state.or.us |