

Developmental Disabilities Services

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Number: APD-IM-17-34

Issue date: 4/26/2017

Topic: Developmental Disabilities

Subject: ODDS restoration of hours - Exceptions and Hearings

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"/> Self Sufficiency Programs | <input checked="" type="checkbox"/> ODDS Children’s Intensive In Home Services |
| <input checked="" type="checkbox"/> County DD Program Managers | <input type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input type="checkbox"/> ODDS Children’s Residential Services | <input checked="" type="checkbox"/> Other (<i>please specify</i>): Brokerage Directors; Personal Agents; Service Coordinators |
| <input type="checkbox"/> Child Welfare Programs | |

Message:

Due to the litigation injunction signed on April 19, 2017, ODDS is developing a transition plan. One part of the transition plan is to resolve existing exception and hearing requests to restore the previous ANA-C or CNA-C service level hours.

For pending exception and hearing requests related to requests above the ANA-C or CNA-C hours, a future communication will be issued.

Additionally, ODDS will hold a series of conference calls to answer questions related to the restoration of service level hours for individuals who may have experienced a reduction of hours since November 1, 2016. (See details below.)

No later than May 15, 2017 the following activities will occur:

Exceptions:

ODDS will send Funding Decision Memos for all exception requests that have been submitted to ODDS, where the request is to maintain the ANA-C or CNA-C service level. This is for the purpose of restoring the previous service level.

Exception requests for a service level above the ANA-C or CNA-C will be reviewed separately.

Hearings:

There are currently hearing requests at various stages. The following are what can be expected given the stage of the hearing:

Hearing requested:

The DHS hearing representative will withdraw hearing requests for all individuals who have requested a hearing related to a reduction of their ANA-C or CNA-C hours and send notification of the withdrawal to the claimant. ODDS will send notification to the CME for the individuals file and planning. The notification will include the number of restored hours within the message.

Hearing has been held, waiting for Final Order:

The DHS hearing representative will withdraw the hearing and restore the previous ANA-C or CNA-C hours. The notification will include the number of restored hours within the message.

Final Order already issued:

DHS will amend the Final Order and restore the ANA-C or CNA-C hours.

NOTE Future communications will include:

- The plan for communicating with each individual
- When and where to find the ANA-C and CNA-C assessment
- Policy related to the use of the ANA-D or CNA-D for assessment planning purposes and using the vC service level hours

If you have any questions about this information, contact:

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