

Lilia Teninty

Authorized Signature

Number: APD-PT-16-036
Issue date: 9/30/2016

Topic: Developmental Disabilities

Transmitting (check the box that best applies):

- New policy
 Policy change
 Policy clarification
 Executive letter
 Administrative Rule
 Manual update
 Other: _____

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

Policy/rule title:	Rescinding Notification of Planned Actions		
Policy/rule number(s):		Release no:	
Effective date:	09/30/16	Expiration:	
References:			
Web address:			

Discussion/interpretation:

When a Notification of Planned Action (NoPA) ‘action’ is no longer going to be taken by the office that issued the NoPA, the office that issued the NoPA must rescind it, informing the recipient that the action identified in the NoPA will no longer be taken.

Implementation/transition instructions:

The Office of Developmental Disabilities has developed and posted a Worker Guide to provide information and guidance related to rescinding a Notification of Planned Action.

This worker guide is posted on the DD Case Management Tools and Brokerage Personal Agent Tools pages of the DHS Staff Tools site.

Training/communication plan:

Local/branch action required:

Review with employees

Central office action required:

Answer and respond to technical questions

Field/stakeholder review: Yes No

If yes, reviewed by: CDDP Policy team; Brokerage policy team

Filing instructions:

If you have any questions about this policy, contact:

Contact(s):	Jeanette Baxter		
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Email:	Jeanette.s.Baxter@state.or.us		

Topic:	Rescinding a Notification of Planned Action
Date Issued/Updated:	9/30/2016

Overview

Description: When and how to rescind a Notification of Planned Action (NOPA)

Purpose/Rationale: A NOPA is sent to an individual receiving DD funded services when a decision to deny, reduce, suspend or terminate services has been made. If circumstances change following the issuance of a reduction or termination NOPA, there may be reasons to rescind the NOPA.

- ❖ **Note:** *If circumstances change following the issuance of a denial or suspension NOPA please contact the ODDS Complaint Coordinator for information on how to proceed or respond*

Applicability: Service Coordinators and Personal Agents who issue Notification of Planned Actions (NOPA).

Procedure(s) that apply:

If the reason prompting the planned action (reduction or termination) is no longer relevant/applicable, you must send a letter rescinding the NOPA. This tells the individual that the decision to reduce or terminate a service is no longer applicable and you will not be taking the identified action to reduce or terminate a service.

To rescind a NOPA, a letter must be sent to the individual and their guardian/representative (as applicable). The letter must contain:

- The **date** that was identified on the reduction or termination NOPA that was previously sent and is now being rescinded
- The **action** that was identified in the Notification of Planned Action
- The **reason** that the action will no longer be taken
- Any other applicable information related to the previous and current decision

A copy of the letter rescinding the NOPA must be placed in the individual's file.

Form(s) that apply:

[Notification of Planned Action 0947](#)

Definition(s):

Rescind: to no longer take action that was identified

Reference(s):

[NOPA Worker Guide](#)

Frequently Asked Questions:

- **Do I have to rescind a NOPA anytime something changes and the planned action won't occur?**

When an individual has been given a NOPA denying a service that is later approved you do not have to rescind the NOPA. Simply authorize this service within the ISP and narrate what happened in progress notes. Do not authorize a service in an ISP and also rescind a denial as this will likely cause confusion.

For reductions and terminations, if the reason prompting the planned action is no longer relevant/applicable, you must send a letter rescinding the NOPA.

Examples of this are:

1. A services coordinator (SC) received information from the local Medicaid Eligibility office that an individual is going to lose Medicaid eligibility by the end of the month and has sent a NOPA advising the individual that their In Home Services are being terminated due to loss of Medicaid eligibility. A week later, the SC receives verification that the individual has completed the needed steps to keep their Medicaid eligibility and there is no longer a need to terminate In Home Services. The CDDP must send a letter rescinding the NOPA in this situation.
2. An individual requested DD services and the CDDP sent a denial. A week later, the individual's parent brings a copy of standardized tests that

were completed two months prior by the school psychologist. These results support DD eligibility. In this situation, the CDDP should send a Notice of Eligibility, **NOT** send a letter rescinding the NOPA, and document what happened in progress notes.

- **When is it appropriate to rescind a notice? And when is it not appropriate to rescind a notice?**

You must rescind a NOPA whenever you have sent a Notification of Planned Action and no longer plan to take the action, except as described above. . This should occur before the planned action or in the time immediately after the effective date of action identified on the NOPA.

****More information will be coming about responding to situations when a service is suspended and no longer needs to be suspended and rather needs to be 'activated' again****

- **Do I have to use a specific form to rescind a NOPA?**

No, there is not a specific form. To rescind a NOPA, write a letter that includes the information outlined in the bulleted list above. Please note, a letter may only be sent electronically if the individual/guardian has requested contact to occur in this manner. Please remember that this letter contains Protected Health Information (PHI) and as such, must be sent in a secure fashion.

Here is a sample letter rescinding a NOPA:

Dear Mr. Doe,

On 06/01/2016, our office sent you a Notification of Planned Action. This Notification of Planned Action let you know that because you no longer had Medicaid, we would be terminating your attendant care supports. On June 15th, 2016, our office was notified that your Medicaid would not be ending. Because your Medicaid is no longer ending, we are rescinding the Notification of Planned Action and no longer plan to take the action identified in the Notification of Planned Action. You can continue to have attendant care supports.

If you have any questions about this information, please feel free to contact me. You can reach me at (503) XXX-XXXX.

Contact(s):

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