

Staley Lawsuit Settlement Agreement Progress Report #5 – Issued 12/27/06

I. INTRODUCTION

Below is the fifth progress report by the Department of Human Services (Department) on the implementation of the Staley Settlement Agreement. This report provides a status update, major informational points, and general data on the implementation of the Agreement for the twelve-month period of November 1, 2005 to October 31, 2006.

As with prior reporting periods, Department and stakeholder activities focused on continued efforts to:

- Implement the specific expectations of the Settlement Agreement as modified;
- Develop and clarify policies and procedures to help assure the efficient/effective delivery of support services;
- Enhance and maintain communication among key stakeholders; and
- Develop and implement effective quality assurance and data systems.

II. SUMMARY OF IMPLEMENTATION ACTIVITIES:

This section will be presented in four parts. The first represents efforts specific to meeting the provisions of the Agreement. The second reflects efforts within the delivery system as a whole as they relate to the services created by the Agreement. The third is efforts related to quality assurance and information systems. The fourth represents key strategic planning activities related to implementing the Agreement that were implemented or discussed but the actions were pending at the time of this report.

A. Activities Specific to Implementing the Agreement

Below is a list of key activities during the reporting period that relate to implementing the provisions of the Staley settlement agreement.

1. The Department received from the Legislature sufficient funds to implement the conditions of the Agreement and utilized the funds accordingly.
2. Revisions to the support service expenditure guidelines were completed.
3. The following changes to applicable administrative rules were made:

- a.) Amended OAR 309-041-1220 (Service Wait Lists for Persons with Developmental Disabilities) to reflect policy changes for non-crisis comprehensive services.
- b.) Amended 411-340-0020 (Support Services for Adults with Developmental Disabilities) to clarify abuse-reporting policy at sites owned by Provider organizations.
4. Completed the planning phase and initiated activities for the enrollment into Support Service Brokerages of individuals currently receiving Semi-Independent Living Program services. The target date for achieving this requirement was changed from October 2006 to April 2007.
5. Completed the planning phase and initiated activities for the development of placements in non-crisis related comprehensive services for 130 individuals within the 05-07 biennial period as required by the Agreement.
6. Completed with stakeholder groups the final version and distribution of "The Roadmap to Support Services".
7. Ongoing meetings with the Plaintiff's representatives to review in detail activities related to compliance with the Agreement. Meetings with other key stakeholder groups were continued. The meetings with key stakeholders groups were principally in the form of planned:
 - a.) Bi-monthly meetings with the Staley Implementation Group (SIG). This included participation in various sub-committees established as a result of the SIG's long-range plan. Minutes of the SIG meetings are available on the Staley Settlement page of the Arc of Oregon website at: <http://www.arcoregon.org/staley.htm>
 - b.) Bi-monthly meetings with the County Mental Health Directors Association's developmental disability sub-committee;
 - c.) Monthly meetings with the County Developmental Disability Program Managers;
 - d.) Bi-monthly meetings with the Support Service Brokerage Executive Directors;
 - e.) Periodic meetings with service provider entities, generally through attendance at the Oregon Rehabilitation Association quarterly meeting.

- f.) SPD staff also met on a frequent basis on a local level basis with Brokerage Executive Directors and county developmental disability program staff.

B. Participation in System-Wide Activities

In regard to systems-wide activities that relate to the implementation of the Staley Settlement Agreement, SPD and/or other Department staff:

1. Continued efforts to maintain coordinated efforts between Oregon Vocational Rehabilitation Services (OVRs) and Support Service Brokerages to provide employment opportunities for people enrolled in support services.
2. Participated with OVRs staff in the ongoing implementation of the Medicaid Infrastructure Grant targeted for improving employment opportunities for people with disabilities.
3. Agreed to participate in a multi-state effort, sponsored by the National Association of State Directors of Developmental Disability Services, to improve competitive employment opportunities. This initiative is named the Supported Employment Learning Network (SELN).
4. Participated in the ongoing implementation of SPD's Medicaid System's Transformation grant for improving rate setting, payment methodologies, and quality assurance for developmental disability services.
5. Continued work with the Department's Office of Investigations and Training to implement effective procedures and guidelines for conducting protective service investigations and activities in individual or family homes. Training on these procedures and guidelines was conducted.
6. Continued participation on the workgroup and process for distributing available Fairview Housing Trust funds.
7. Continued participation in the design and content of an update to the Department's web page. Key information about Support Services has been posted on this page and continues to be updated.
8. Worked with the Department-wide effort to plan for the implementation of the Medicare Modernization Act.
9. Participated in the Department project to upgrade the primary payment system, Medicaid Management Information System (MMIS), required of the state by the Federal government.

10. Continued participation in the Oregon Department of Education Transition Advisory Committee.

C. Quality Assurance and Information Systems

Efforts to improve quality assurance and information systems were enhanced during this past reporting period. Key activities or accomplishments were:

1. The continued implementation of the quality assurance plan based on the Centers for Medicare and Medicaid Services (CMS) expectations for services funded by a Home and Community Base Services waiver. Results from these activities were presented to the Staley Implementation Group.
2. The continued implementation of a "field review" process conducted by members of the Staley implementation unit staff. Results from field reviews were presented to the Staley Implementation Group.
3. Continued participation in the activities related to the CMS funded quality assurance grant awarded to the Department to improve practices related to assuring the health and safety of people receiving in-home services. This resulted in development of the resource entitled "Helping Individuals Prepare for Emergencies: Development and Testing of a Consumer Guide to Personal Safety and Emergency Management".
4. Participated in a Case Study conducted by Human Services Research Institute on behalf of the Centers for Medicare and Medicaid Services (CMS) to report to CMS on self-directed supports via home and community-based waivers.

D. Strategic Planning Activities and Considerations

During this report period one key strategic planning issue central to implementing the settlement agreement was finalized. This issue was the process to confirm projections of individuals eligible for support services and the resulting Support Service Brokerage capacity needs. In conjunction with the SIG, enrollment projections and Brokerage capacity needs for the 07-09 biennium were projected. These projections resulted in the strategic decisions to (a) utilize a Request for Proposals (RFP) process targeted for the development of at least two new Brokerages to be implemented in the 07-09 biennium and (b) include the needed funds in the Department's budget request for the upcoming Legislative session. Central to this is the implementation of a new

process to improve SPD's wait list enrollment and documentation process.

III. SERVICE DATA – Support Services

A. Demographic Information

Based on available information, below are tables representing basic demographic information for adults receiving support services through Brokerage operations. This information comes from 3,985 records in the Department's Client Process Monitoring System (CPMS).

1. The following table displays the distribution by percentage of the age of individuals receiving support services through Brokerage operations.

| Age Range | % Prior Reporting Period | % Current Reporting Period | Difference |
|-----------|--------------------------|----------------------------|------------|
| 18-20 | 7% | 6% | (1%) |
| 21-30 | 44% | 45% | 1% |
| 31-40 | 23% | 22% | (1%) |
| 41-50 | 15% | 15% | 0% |
| 51-60 | 9% | 9% | 0% |
| 61-70 | 2% | 2% | 0% |
| 71 plus | <1% | 0% | 0% |
| Total | 100 | 100% | |

Compared to the prior reporting period, this data indicates no significant shift in the age distribution of individuals enrolled.

2. The following table displays the distribution by percentage of the gender of individuals receiving support services through Brokerage operations.

| Gender | % Prior Reporting Period | % Current Reporting Period | Difference |
|--------|--------------------------|----------------------------|------------|
| Female | 46% | 46% | 0% |
| Male | 54% | 54% | 0% |
| Total | 100% | 100% | 0% |

Compared to the prior reporting period, this data indicates no significant shift in the gender of individuals enrolled.

3. The following table displays the distribution by percentage of the race/ethnicity of individuals receiving support services through Brokerage operations.

| Race/Ethnicity | % Prior Reporting Period | % Current Reporting Period | Difference |
|-------------------------|--------------------------|----------------------------|------------|
| White (non-Hispanic) | 76% | 76% | 0% |
| Black (non-Hispanic) | 1% | 1% | 0% |
| American Indian | 1% | 1% | 0% |
| Alaskan Native | 0% | 0% | 0% |
| Asian, Pacific Islander | 7% | 6% | (1%) |
| Hispanic (Mexican) | 3% | 3% | 0% |
| Hispanic (Puerto Rican) | 2% | 2% | 0% |
| Other Hispanic | 0% | 0% | 0% |
| Hispanic (Cuban) | 1% | 1% | 0% |
| Southeast Asian | 1% | 1% | 0% |
| Unknown | 8% | 9% | 1% |
| Total | 100% | 100% | |

Compared to the prior reporting period, this data indicates no significant shift in the ethnicity of individuals enrolled.

4. The following table displays the disability characteristics of individuals receiving support services through Support Service Brokerage operations. This table represents the percent of people served who have been indicated as having the particular characteristic listed. Some individuals have more than one disability characteristic listed.

| Disability Characteristics | % Prior Reporting Period | % Current Reporting Period | Difference |
|----------------------------|--------------------------|----------------------------|------------|
| Cerebral Palsy | 14% | 14% | 0% |
| Seizure/Epilepsy | 18% | 18% | 0% |
| Mental Retardation | 95% | 94% | (1%) |
| Motor Dysfunction | 29% | 30% | 1% |
| Behavior Dysfunction | 37% | 37% | 0% |
| Other Health Impairment | 26% | 27% | 1% |
| Communication Dysfunction | 51% | 52% | 1% |
| Visual Dysfunction | 21% | 21% | 0% |
| Auditory Dysfunction | 8% | 8% | 0% |

Compared to the prior reporting period, this data indicates no significant shift in the disability characteristics of individuals enrolled.

5. The following table displays the distribution by percentage of the living arrangements of individuals receiving support services through Brokerage operations.

| Living Arrangement | % Prior Reporting Period | % Current Reporting Period | Difference |
|-----------------------------|--------------------------|----------------------------|------------|
| Alone | 9% | 9% | 0% |
| Spouse | 2% | 2% | 0% |
| Parents, Relative, Children | 79% | 79% | 0% |
| Non-Relative Foster Care | 2% | 2% | 0% |
| Friend or Other | 3% | 3% | 0% |
| Unknown/Not Specified | 5% | 5% | 0% |
| Total | 100% | 100% | 0% |

Compared to the prior reporting periods, the data indicates no significant shifts in the pattern of living arrangements of people enrolled in Brokerages.

B. Enrollment, Termination, and Transfer Data

1. The table below displays the pattern of enrollments by three-month periods into Support Service Brokerages as reported by the Brokerages since the inception of services. The table indicates 451 people were enrolled in support services for the reporting period, for a total of 4653 since the beginning of adults support services.

| Period # | Period By Quarter | Total # Enrolled Per Quarter | Cumulative Enrollments |
|----------|--------------------|------------------------------|------------------------|
| 1 | 11/1/01 to 1/31/02 | 501 | 501 |
| 2 | 2/1/02 to 4/30/02 | 543 | 1044 |
| 3 | 5/1/02 to 7/31/02 | 339 | 1383 |

| | | | |
|----|-----------------------|-----|------|
| 4 | 8/1/02 to 10/31/02 | 357 | 1740 |
| 5 | 11/1/02 to 1/31/03 | 232 | 1972 |
| 6 | 2/1/03 to 4/30/03 | 9 | 1981 |
| 7 | 5/1/03 to 7/31/03 | 755 | 2742 |
| 8 | 8/1/03 to 10/31/03 | 137 | 2879 |
| 9 | 11/1/03 to 1/31/04 | 108 | 2987 |
| 10 | 2/1/04 to 4/30/04 | 114 | 3101 |
| 11 | 5/1/04 to 7/31/04 | 236 | 3337 |
| 12 | 8/1/04 to 10/31/04 | 175 | 3512 |
| 13 | 11/1/04 to 1/31/05 | 182 | 3694 |
| 14 | 2/1/05 to 4/30/05 | 236 | 3930 |
| 15 | 5/1/05 to 7/31/05 | 189 | 4119 |
| 16 | 8/1/05 to 10/31/05 | 83 | 4202 |
| 17 | 11/1/05- 1/31/06 | 86 | 4288 |
| 18 | 2/1/06- 4/30/06 | 77 | 4365 |
| 19 | 5/1/06- 7/31/06 | 116 | 4481 |
| 20 | 8/1/06- 10/31/06 | 172 | 4653 |

2. The table below displays the reason for enrollment into Support Service Brokerages by category since the inception of services.

| Reason For Enrollment – total enrollment period | Total | % |
|---|-------|-----|
| Self-Directed Support Program Transition | 832 | 18% |
| Crisis/Diversion | 143 | 3% |

| | | |
|--|------|------|
| Relative Foster Care Transition | 11 | 0% |
| Aging (over 75 years of age) Caregivers | 74 | 2% |
| Family Support/Children's In-Home Support Transition | 213 | 5% |
| High School Transition | 672 | 14% |
| General Adult Wait List | 1687 | 36% |
| Adult Vocational Services Transition | 879 | 19% |
| Semi-Independent Living Program | 3 | 0% |
| Dual Waiver Transfer | 139 | 3% |
| Total | 4653 | 100% |

This table indicates that 60% of the total enrollments have been in the wait list related categories of Crisis/Diversion, Aging Caregivers, Family Support/Children's In-Home Transition, High School Transition, and General Adult Wait List. These are all individuals who are either on the current wait list or would otherwise be placed on the wait list for support services due to their pending termination of services because of age or other circumstances. This represents a 4% increase in these enrollment categories over the last report.

The remaining enrollments (40%) were individuals already receiving adult services but these services met the definition of support services as defined in the Staley settlement agreement. These categories are the Self-Directed Support Program Transition, Adult Vocational Services Transition, Semi-Independent Living Program and Dual Waiver (people also receiving service under a separate Home and Community-Based waiver program). These groups of individuals were enrolled into Support Service Brokerages under a separately planned schedule.

3. The two tables below display the wait list related enrollment reason categories distinguished between the prior and current reporting periods.

| Reason For Enrollment – 11/1/04 through 10/31/05 | Total | % |
|--|-------|------|
| Crisis/Diversion | 43 | 7% |
| Aging (over 75 years of age) Caregivers | 16 | 2% |
| Family Support/Children's In-Home Support Transition | 50 | 8% |
| High School Transition | 187 | 29% |
| General Adult Wait List | 356 | 55% |
| Total | 652 | 100% |

| Reason For Enrollment –11/01/05 through 10/31/06 | Total | % |
|--|------------|-------------|
| Crisis/Diversion | 22 | 5% |
| Aging (over 75 years of age) Caregivers | 14 | 3% |
| Family Support/Children’s In-Home Support Transition | 72 | 17% |
| High School Transition | 184 | 43% |
| General Adult Wait List | 135 | 32% |
| Total | 427 | 100% |

This data indicates the following changes in the wait list related categories from the prior annual reporting period: Percentage decreases in the areas of Crisis/Diversion (-2%) and General Wait List (-23%). Percentage increases in the areas of Aging Caregivers (1%); Family Support/Children’s In-Home Support Transition (9%), and High School Transition (14%).

4. The table below represents terminations from the beginning of support services by three-month periods through the end of the report period.

| Period # | Period By Quarter | Total # Terminations Per Quarter | Cumulative Terminations |
|----------|--------------------|----------------------------------|-------------------------|
| 1 | 11/1/01 to 1/31/02 | 7 | 7 |
| 2 | 2/1/02 to 4/30/02 | 13 | 20 |
| 3 | 5/1/02 to 7/31/02 | 35 | 55 |
| 4 | 8/1/02 to 10/31/02 | 26 | 81 |
| 5 | 11/1/02 to 1/31/03 | 51 | 132 |
| 6 | 2/1/03 to 4/30/03 | 46 | 178 |
| 7 | 5/1/03 to 7/31/03 | 30 | 208 |
| 8 | 8/1/03 to 10/31/03 | 30 | 238 |
| 9 | 11/1/03 to 1/31/04 | 33 | 271 |

| | | | |
|----|-----------------------|----|-----|
| 10 | 2/1/04 to 4/30/04 | 31 | 302 |
| 11 | 5/1/04 to 7/31/04 | 40 | 342 |
| 12 | 8/1/04 to 10/31/04 | 40 | 382 |
| 13 | 11/1/04 to 1/31/05 | 35 | 417 |
| 14 | 2/1/05 to 4/30/05 | 42 | 459 |
| 15 | 5/1/05 to 7/31/05 | 50 | 509 |
| 16 | 8/1/05 to 10/31/05 | 44 | 553 |
| 17 | 11/1/05 to 1/31/06 | 45 | 598 |
| 18 | 2/1/06 TO 4/30/06 | 27 | 625 |
| 19 | 5/1/06- 7/31/06 | 41 | 666 |
| 20 | 8/1/06- 10/31/06 | 38 | 704 |

5. Seven hundred and four (704) people have enrolled into Support Service Brokerages and subsequently left. This is an average of 11.7 people per month for the total 60-month reporting period. Of the total 553 left in the prior reporting periods and 151 left during the current reporting period. The table below displays by number and overall percentage the reason listed for all those leaving support services.

| Termination by Reason – Total Enrollment Period | Total | % |
|--|--------------|----------|
| Deceased | 69 | 10% |
| Legal Rep Withdrew | 4 | 1% |
| Moved to Comprehensive Service | 278 | 39% |
| Health/other issues | 3 | 0% |
| Other/Unknown | 20 | 3% |
| Refused Services | 149 | 21% |
| No longer eligible | 28 | 4% |

| | | |
|-------------------|------|------|
| Moved from Area | 153 | 22% |
| TOTAL | 704 | 100% |
| Average Per Month | 11.7 | |

6. The following table displays the reasons for the 177 people terminating support services during the prior annual reporting period and the 151 people terminating during this particular reporting period.

| Termination by Reason – 11/1/04 through 10/31/05 | Total | % |
|---|--------------|----------|
| Deceased | 16 | 9% |
| Legal Rep Withdrew | 2 | 1% |
| Moved to Comprehensive Service | 77 | 44% |
| Health/other issues | 0 | 0% |
| Other/Unknown | 5 | 3% |
| Refused Services | 33 | 19% |
| No longer eligible | 6 | 3% |
| Moved from Area | 38 | 21% |
| TOTAL | 177 | 100% |
| Average Per Month | 14.75 | |

| Termination by Reason – 11/1/05 through 10/31/06 | Total | % |
|---|--------------|----------|
| Deceased | 24 | 16% |
| Legal Rep Withdrew | 0 | 0% |
| Moved to Comprehensive Service | 61 | 40% |
| Health/other issues | 0 | 0% |
| Other/Unknown | 3 | 2% |
| Refused Services | 23 | 15% |
| No longer eligible | 2 | 1% |
| Moved from Area | 38 | 25% |
| TOTAL | 151 | 100% |
| Average Per Month | 12.6 | |

This data indicates the following changes in the termination categories from the prior annual reporting period: Percentage decreases in the areas of Legal Representative Withdrew (-1%); Moved to Comprehensive Services (-4%); Other (-1%); Refused Services (-4%); and No Longer Eligible (-2%). Percentage increases in the areas of Deceased (7%) and Moved From Area (4%). The monthly average of terminations also decreased from 14.75 to 12.6.

7. Attached to this report is supplemental enrollment and termination information. Attachment #1 is a line graph displaying the overall enrollments as well as the termination numbers by quarter. Attachment #2 is a summary of enrollment and termination information by County. Attachment #3 is a summary of enrollment and termination information by Support Service Brokerage.
8. In addition to the termination information, data indicates that 76 individuals transferred between Support Service Brokerages during this reporting period. This compares to 83 transfers during the prior year reporting period, a decrease of 8%.

C. Data on Service Costs and Purchases

From the Support Service Brokerages we have received information that reflects planned and actual expenditures for support services based on approved Individual Support Plans. Planned expenses for the year ending August 2005 averaged \$659 per month, with an actual average of \$507 per month. However, planned expenditures have risen to a monthly average in July 2006 to \$795, with average actual monthly expenditures for the same month reported to be \$627.

1. The table below displays the range of costs of annual support plans for people in Brokerages. This data is for 3,878 plans reported by Brokerages in July 2005.

| Range of Annual Plan Amounts | Total # of Plans Prior Reporting Period | % to Total | Total # of Plans Current Reporting Period | % to Total |
|------------------------------|---|------------|---|------------|
| \$0 | 105 | 3% | 55 | 1% |
| \$1-\$3840 | 683 | 19% | 703 | 18% |

| | | | | |
|-------------------|-------|------|------|------|
| \$3841-\$6000 | 239 | 7% | 166 | 4% |
| \$6001-\$9600 | 1,350 | 37% | 1118 | 29% |
| \$9600-\$12,000 | 863 | 24% | 965 | 25% |
| \$12,001-\$19,999 | 233 | 6% | 708 | 18% |
| over \$20,000 | 131 | 4% | 163 | 4% |
| Total | 3,604 | 100% | 3878 | 100% |

This data indicates a continued shift of expenses from all ranges below \$9,600 to those above that rate. For the prior reporting period, 66% of the individual annual plan amounts were less than \$9,600 and 34% above. For this reporting period 52% of the individual annual plans were below \$9,600 and 48% were above. The largest shift is a 12% increase in the range of \$12,001 to \$19,999.

2. The table below reflects expenditures reported by service category.

| Support Service Category | % of Total Plan Expenses | % of Total Actual Expenses | Net |
|----------------------------------|--------------------------|----------------------------|--------|
| Community Living Supports | 37.43% | 42.80% | 4.57% |
| Community Inclusion | 37.59% | 35.25% | -2.34% |
| Respite Care | 7.79% | 7.54% | -0.39% |
| Non-Medical Transportation | 6.91% | 7.53% | 0.62% |
| Supported Employment | 8.76% | 6.02% | -2.74% |
| Specialized Supports | 0.82% | 0.67% | -0.15% |
| Homemaker | 0.02% | 0.03% | 0.01% |
| Spec. Medical Equip/Supplies | 0.09% | 0.03% | -0.09% |
| Environmental Access/Adapt. | 0.35% | 0.05% | -0.30% |
| Chore Services | 0.11% | 0.07% | -0.04% |
| Speech/Hearing/Language | 0.03% | 0.05% | 0.02% |
| Family Training | 0.02% | 0.00% | -0.02% |
| Personal Emerg. Response Systems | 0.02% | 0.00% | -0.02% |
| Special Diets | 0.02% | 0.01% | -0.01% |
| Total | 100.00% | 100.00% | 0.00% |

Compared to previous reporting periods the information above reflects an increase in planned expenditures in the categories of Community Living Supports (2.31%) and decrease in Community Inclusion (2.51%).

D. Data on Supplement to Base Benefit (Base Plus) Requests

At the end of the reporting period, 363 people enrolled in support services qualified for the Supplement to Base. This is 9% of the total enrolled. Of the 363 total, 113 (31%) were for the mid-range supplement and 250 (69%) were for the full base supplement.

E. Data on participation in Support Services Waiver

Current data indicates that approximately 87% of the individuals enrolled in Support Service Brokerages participate on the Medicaid support services waiver. Data also indicates that 93% of the support services expenses are eligible for federal matching funds against the Medicaid support waiver.

II. CASE MANAGEMENT CASELOAD INFORMATION

In general the status remains the same as described in the previous reports. This is:

- A. Funding for case management provided through the Agreement was allocated to counties and the Support Service Brokerages with a goal of reducing the overall caseload to a 1:45 ratio.
- B. However, major factors continue to affect actual ratios at the local (case management) level. These are:
 1. County caseloads remain very high. Given the transfer of people to Support Service Brokerages as support services phase in, many individuals waiting for support services remain on targeted case management caseloads. This creates a situation where county caseloads will remain high.
 2. County costs often exceed the Department's allocation, which is based on an average county cost per case manager FTE that is summarized in a model budget. Counties that have costs above the statewide average feel resource pressures, and some counties are simply not able to purchase the number of FTE expected. Additionally, counties often experience increases in costs that exceed the percentage of increases provided by the state's cost-of-living increase.
 3. The caseload after full implementation of the Staley agreement seems likely to exceed the original estimates and prevent the attainment of a 1:45 ratio. The estimated caseload growth was anticipated to reach over 15,500 after full implementation. As of January 2006, caseloads are at 15,532 which exceeds the original

estimates. Given ongoing caseload growth the goal of reaching a 1:45 ratio will continue to be compromised.

III. SERVICE DATA – Non-Crisis Comprehensive Services

A. In regard to the number of individuals requesting non-crisis comprehensive services (without regard to priority listing), current statewide waitlist data available through the Client Progress Monitoring System indicates that 3344 people on the statewide waitlist have requested residential services that would meet the Agreement's definition of comprehensive services. This represents no increase over the prior reporting period.

Through this reporting period, 60 people had non-crisis comprehensive services developed consistent with the Agreement.

1. The following table displays the number of non-crisis comprehensive services developed by County for the non-crisis comprehensive services.

| County | # of Placements | % |
|------------|-----------------|------|
| Benton | 3 | 5% |
| Clackamas | 4 | 7% |
| Curry | 3 | 5% |
| Jackson | 3 | 5% |
| Jefferson | 2 | 3% |
| Josephine | 3 | 5% |
| Klamath | 7 | 12% |
| Lane | 2 | 3% |
| Malheur | 2 | 3% |
| Marion | 2 | 3% |
| Multnomah | 9 | 15% |
| Polk | 5 | 8% |
| Washington | 15 | 25% |
| TOTAL | 60 | 100% |

2. Twenty-seven (27) people have been placed in non-crisis comprehensive service for this particular annual reporting period. The following table displays the number of non-crisis comprehensive services developed by County for the non-crisis comprehensive services for this reporting period.

| County | # of Placements | % |
|------------|-----------------|------|
| Clackamas | 3 | 11% |
| Curry | 3 | 11% |
| Jefferson | 2 | 7% |
| Josephine | 3 | 5% |
| Klamath | 7 | 26% |
| Marion | 1 | 4% |
| Polk | 3 | 11% |
| Washington | 5 | 19% |
| TOTAL | 27 | 100% |

3. The following table displays the distribution of the type of residential setting developed for the 27 individuals.

| Residential Setting | # of Placements | % to Total |
|---------------------|-----------------|------------|
| In-Home | 0 | 0% |
| Group Home | 2 | 7% |
| Supported Living | 17 | 63% |
| Foster Care | 8 | 30% |
| TOTAL | 27 | 100% |

4. The following table displays the distribution by count and percentage the monthly plan costs of the non-crisis residential services for the 27 individuals.

| Monthly Residential Plan Costs | # | % to Total |
|--------------------------------|----|------------|
| <\$1000 | 0 | 0% |
| \$1000 to \$1999 | 14 | 52% |
| \$2000 to \$2999 | 11 | 41% |
| \$3000 to \$3999 | 2 | 7% |
| \$4000 to \$4999 | 0 | 0% |
| \$5000 to \$5999 | 0 | 0% |
| \$6000 to \$6999 | 0 | 0% |
| TOTAL | 27 | 100% |

5. The following table displays the average monthly cost of residential service plans by type of residential setting for the 27 individuals.

| Residential Setting | Ave. Plan Cost |
|---------------------|----------------|
| In-Home | \$0 |
| Group Home | \$2,592 |
| Supported Living | \$2,004 |
| Foster Care | \$2,275 |
| AVERAGE | \$2,128 |

6. The following table displays the type of additional services in plans for the 27 individuals.

| Other Services Purchased | # | % |
|----------------------------|----|-----|
| Transportation | 0 | 0% |
| Employment/Comm. Inclusion | 21 | 78% |

7. The following table displays the average monthly costs of the other services purchased for the 27 individuals.

| Costs Other Services Purchased | Ave. p/mo. |
|--------------------------------|------------|
| Transportation | \$0 |
| Employment/Comm. Inclusion | \$815 |

8. The following table displays the distribution by percentage of the age of individuals receiving developed non-crisis comprehensive services for the 27 individuals.

| Age Range | # | % to Total |
|-----------|----|------------|
| 18-21 | 5 | 19% |
| 22-29 | 13 | 48% |
| 30-39 | 6 | 22% |
| 40-49 | 2 | 8% |
| 50-59 | 0 | 0% |
| 60-69 | 1 | 4% |
| 70+ | 0 | 0% |

9. The following table displays the distribution by percentage of the gender of individuals receiving developed non-crisis comprehensive services for the 27 individuals.

| Gender | # | % |
|--------|----|------|
| Female | 19 | 70% |
| Male | 8 | 30% |
| Total | 27 | 100% |

10. The following table displays the disability characteristics of individuals receiving developed non-crisis comprehensive services for the 27 individuals. This table represents the percent of people served who have been indicated as having the particular characteristic listed. Some individuals have more than one characteristic listed.

| Disability Characteristic | % |
|---------------------------|-----|
| Cerebral Palsy | 15% |
| Seizure/Epilepsy | 15% |
| Mental Retardation | 81% |
| Motor Dysfunction | 33% |
| Behavior Dysfunction | 67% |
| Other Health Impairment | 33% |
| Communication Dysfunction | 56% |
| Visual Dysfunction | 30% |
| Auditory Dysfunction | 19% |

IV. FAIR HEARINGS AND GRIEVANCES

A. Number of individuals who have utilized a grievance and outcome.

Brokerages reported four formal grievances addressed during the reporting period. The summary is as follows:

| # | Issue | Disposition |
|---|--|---|
| 1 | Family caregiver complaint about lack of responsiveness by Personal Agent; that the ISP was completed without a meeting and that the family did not know what was on the plan prior to the customer signing. | Brokerage Director set a schedule for meetings with the customer, family and PA including the ISP planning meeting and quarterly updates; plans will be reviewed with family before being signed. |
| 2 | Family caregiver complaint about the lack of availability and responsiveness from the Personal Agent; the ISP was completed without a meeting. | Brokerage Director set a schedule of meetings for the Customer, family and PA including the ISP planning meeting and quarterly update phone calls. |
| 3 | Family caregiver disagreed with the scoring of the Basic Supplemental Criteria Inventory (BSCI); felt inappropriate services were being offered; felt they were not getting | Brokerage Director met with the family with the outcome that they did not disagree with the scoring of the BSCI but with the tool itself. The discussion revealed that it was not that services |

| | | |
|---|--|--|
| | desired services and refused to sign the ISP. | were inappropriate but that the benefit level the customer was eligible for would not meet her needs once she graduated from high school and that was why they refused to sign the plan. A short term plan was written to take them to graduation and other avenues of support will continue to be explored. |
| 4 | Customer requested the use of Support Service funds to purchase a golf cart for transportation purposes. | Brokerage upheld that Support Service funds can not be used for this item. Personal Agent will explore other ways to obtain the item. |

This reporting does indicate that grievances are expressed but responded to at an informal level of resolution as provided in the administrative rules.

B. Number of people filing for a contested case hearing and outcome.

One request for a contested case hearing was processed. The summary is as follows:

| # | Issue | Disposition |
|---|--|---|
| 1 | Family caregiver/guardian claimed benefit level was lowered inappropriately and that purchase of a specific piece of equipment was denied. | A hearing was scheduled but the issues were resolved prior to hearing. The benefit level was lowered inappropriately and was reinstated. The proper documentation of need for the equipment was received from the guardian and the equipment was purchased. |