

# Policy Transmittal Aging and People with Disabilities



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**Number:** APD-PT-20-013

**Issue date:** 2/25/2020

**Topic:** Long Term Care

**Due date:**

**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 checked="" type="checkbox"/> Area Agencies on Aging: Type B     | <input type="checkbox"/> Health Services                                      |
| <input checked="" type="checkbox"/> Aging and People with Disabilities | <input type="checkbox"/> Office of Developmental Disabilities Services (ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs                     | <input type="checkbox"/> ODDS Children's Intensive In Home Services           |
| <input type="checkbox"/> County DD program managers                    | <input type="checkbox"/> Stabilization and Crisis Unit (SACU)                 |
| <input type="checkbox"/> ODDS Children's Residential Services          | <input type="checkbox"/> Other (please specify):                              |
| <input type="checkbox"/> Child Welfare Programs                        |   |

<b>Policy/rule title:</b>	Participation in Waivered Case Management Services for Aged and People with Disabilities		
<b>Policy/rule number(s):</b>	Chapter 411, Division 028	<b>Release number:</b>	
<b>Effective date:</b>	Immediately	<b>Expiration date:</b>	
<b>References:</b>	Waivered Case Management Services		
<b>Web address:</b>	<a href="https://www.oregon.gov/DHS/SENIORS-DISABILITIES/SPPD/APDRules/411-028.pdf">https://www.oregon.gov/DHS/SENIORS-DISABILITIES/SPPD/APDRules/411-028.pdf</a>		

**Discussion/interpretation:** [APD Worker Guide G.9](#), Decision Notice Preparation Tips has been updated to include language to support case managers (CMs) taking action to close a service case when a consumer does not participate in the required Waivered Case Management (WCM) Service contacts (i.e. direct and indirects). This new language can be found under the Service Closure section as number 19.

**Implementation/transition instructions:** Effective immediately, when a CM is unable to make contact with a consumer or their representative after multiple attempts, the CM must send the “WCM No Contact Letter” (form [DHS 2504](#), which is available in multiple languages on the forms server) to request that the consumer or their representative contact them immediately.

If the consumer or their representative fail to respond to the WCM No Contact Letter, the CM must then prepare and send a timely Notification of Planned Action (form [APD 0540](#)) to close the consumer’s Long-Term Service case at least 10-days before the effective date of the action. A separate notice must be sent for the consumer’s medical benefits as applicable.

See “Local/branch action required” section below for timelines for this process.

**Important notes:**

1. Before taking action on a consumer’s medical benefits, staff must follow Due Process requirements as indicated in the [APD MAGI Manual](#).
2. MAGI consumers are not eligible to receive WCM services. However, MAGI in-home consumers are still required to receive risk mitigation and monitoring contacts and may be closed for services if they do not participate (see [Risk Assessment FAQ](#) document found on the Client Details page on the CM Tools website).
3. As a reminder, in-home consumers who have not employed a provider remain open for services and cannot be closed for this reason. However, the CM should consider reassessing the needs of in-home consumers who have not hired a provider to determine if they still meet SPL eligibility. When a consumer is eligible for, but is currently not receiving services by a provider, the CM should set-up an Oregon ACCESS in-home services benefit with a “TBD” provider.
4. SPPC recipients are not required to receive WCM contacts.

**Training/communication plan:** N/A

**Local/branch action required:**

- **Month 1:** The CM makes multiple attempts to contact the consumer. If the consumer does not respond, a WCM No Contact Letter (form DHS 2504) must be sent to the consumer before the end of month one.
- **Month 2:** If the consumer does not respond to the letter, the CM must make additional attempts to contact the consumer again, which should include visiting their home/care setting to complete the contact in person, before the end of month two.

- **Month 3:** If the CM is still unable to complete the contact, the CM must prepare and mail a timely Notification of Planned Action (form APD 0540) to close the consumer's Long-Term Services at least 10-days before the effective date of the action. The notice may be withdrawn if the CM successfully completes the contact before the effective date of the notice.
- **Note:** If at any point during this process the CM is able to complete an appropriate direct contact, the CM must start the process over again the following month at month 1.

**Central Office action required:** N/A

**Field/stakeholder review:**  Yes  No

**If yes, reviewed by:** Field Ops Review Committee

**Filing instructions:**

*If you have any questions about this policy, contact:*

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