

Lois Ann Day

Authorized Signature

Number: CW_PT_09_002
Issue Date: 07/01/2009

Topic: Foster Care

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 checked="" type="checkbox"/> Children, Adults and Families | <input type="checkbox"/> Seniors and People with Disabilities |
| <input type="checkbox"/> County DD Program Managers | <input type="checkbox"/> Other (please specify): |

Policy/Rule Title:	I-E.5.1.2 Personal Care Services		
Policy/Rule Number(s):	OAR 413-090-0100 thru 413-090-0210	Release No:	
Effective Date:	07/01/2009	Expiration:	
References:			
Web Address:	http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e512.pdf		

Discussion/Interpretation:

These rules have been revised and amended to describe Department responsibilities in determination of a child's eligibility for personal care services, and the parameters and limitations of a personal care services plan.

413-090-0100 defines the purpose of these rules and limits the scope of these rules to personal care services for an eligible child.

413-090-0110 provides the definitions for terms used throughout these rules.

413-090-0120 describes the scope and limitation of personal care services available to an eligible child.

413-120-0130 describes the child's requirements for eligibility for personal care services.

413-090-0135 describes the mechanism through which the Department, through the contract RN or Personal Care RN Manager, determines the individual is a qualified provider of personal care services.

413-090-0140 describes the parameters for review of personal care services eligibility.

413-090-0150 describes the process of payment determination for personal care services.

413-090-0210 describes the circumstances which would end the personal care services plan.

Implementation/Transition Instructions:

The revision of these rules describes the Department's parameters of personal care services as described in federal law and the Title XIX state plan. These rules define the scope and limitations of personal care services to an eligible child and the determination that an individual is a qualified provider.

Whenever the caseworker identifies a child's medical or mental impairment and concludes an assessment is warranted, the caseworker completes the Personal Care Nurse Referral (CF 172B)

Of note, the determination of a qualified provider, for the purpose of delivery of the personal care services is limited to the contract RN or the Personal Care RN Manager. This, most often will be the foster parent or relative caregiver, but is not limited to our certified families. Another individual could be determined the qualified provider, in which case the Central Office foster care program would contract with that individual to provide the service.

The scope of personal care services is described in 413-090-0120. These services must be tied to a child's diagnosed physical or mental impairment, and provide assistance with the activities of daily living. Personal care services do not include the activities and tasks normally associated with caring for and teaching a child, but are additional services necessary due to the child's impairment.

The determination of the services is made through a Personal Care Nurse Assessment and the scope of the services is documented on the Personal Care Services Plan. The Assessment and Plan are reviewed and approved in Central Office. Level of care and payment determination are made in Central Office.

The foster parent or relative caregiver has the right to a review of the level of care determination through a request for a contested case hearing as described in I-A.5.2. Requests for a review through the contested case hearing process will be administered through Central Office.

Training/Communication Plan: Changes in the scope of personal care services have been presented throughout the state over the past several months. The Personal Care RN Manager, Foster Care program Manager or Assistant Manager, and Foster Care Program Coordinators can provide additional information if needed.

Local/Branch Action Required:

Review and implement Administrative Rules.

All Special Rate Review Committees will end; no further need to review special rates and personal care services. All reviews will occur at central office.

Any new child who may need personal care services can be referred for an assessment by completion of the Personal Care Services Referral (CF 172 B).

Any child currently receiving personal care services will be screened using the CANS screening, and when a child has a physical or mental impairment, will be assessed by a contract RN during July and August, 2009. Payments will continue through August 31, 2009.

If a payment rate will change on September 1, the foster parent can request a contested case hearing. Forms to request the hearing will be available in branch offices prior to notices being sent. All contested case hearings processes will be handled through central office.

Central Office Action Required: Convene the Rule Advisory Committee and schedule Policy Council Review of administrative rules. Post new forms; obsolete old forms on DHS forms directory. Provide consultation and training as needed and requested.

Field/Stakeholder review: Yes No

If yes, reviewed by:

Filing Instructions:

If you have any questions about this policy, contact:

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