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Authorized Signature

Number: APD-PT-13-019
Issue Date: 11/5/2013

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 checked="" type="checkbox"/> County DD Program Managers |
| <input type="checkbox"/> Area Agencies on Aging | <input checked="" type="checkbox"/> County Mental Health Directors |
| <input type="checkbox"/> Aging and People with Disabilities | <input type="checkbox"/> Health Services |
| <input type="checkbox"/> Children, Adults and Families | <input checked="" type="checkbox"/> Other (please specify): DD provider agencies, ODDS county relations, OLRO DD licensing, SEIU, DRO, DD Council |

| | | | |
|------------------------|-----------------|-------------|--|
| Policy/rule title: | Choice Advising | | |
| Policy/rule number(s): | 411-320 | Release no: | |
| Effective date: | 10/15/13 | Expiration: | |
| References: | See attached | | |
| Web Address: | | | |

Discussion/interpretation: Individuals with Intellectual or Developmental Disabilities their families, and legal or designated representative, if applicable, must be informed of an individual’s service options at least annually or at anytime information is requested by the individual, their legal or designated representative, or parent of a child. Assisting an individual to identify and understand their service options is called Choice Advising.

The attached document describes when Choice Advising conversations happen and what service options are available to an eligible adult or child through the state plan, waiver or family supports for children, and shall be referred to when describing what service options are available to the eligible individual.

ODDS has also developed a brochure to assist families applying for services or wanting information about services that can be distributed at the local level. Attached is

a copy of that brochure which will be posted on the Department's Community First Choice (K plan) website and Facebook page. ODDS is working with publications to print copies of the brochure which will then be made available to CDDP's and brokerages for distribution.

Community First Choice (K plan) website:
<http://www.oregon.gov/dhs/k-plan/Pages/index.aspx>

ODDS Facebook page:
<https://www.facebook.com/pages/Oregon-Developmental-Disabilities/179862702153136>

Implementation/transition instructions: Individuals must be informed of their service options to make initial determination of appropriate services and qualified providers that the individual is eligible for, and at least annually or as requested by an individual, their legal or designated representative, or the parent of a child.

Training/communication plan: Information applies per this policy transmittal and access to information will be posted on the Department's K plan website and Facebook page.

Local/branch action required: Services Coordinators and Personal Agents will utilize the attached Choice Advising document to describe to individuals the services for which the individual is deemed eligible. Brochures will be available upon completion of printing and field distribution.

Central office action required: None

Field/stakeholder review: Yes No

If yes, reviewed by: CMS Implementation team and stakeholders

Filing Instructions:

If you have any questions about this policy, contact:

| | | | |
|--------------------|--|-------------|---------------|
| Contact(s): | Shelly Reed | | |
| Phone: | 503-945-5828 | Fax: | 503-373-7273` |
| E-mail: | Shelly.M.Reed@state.or.us | | |

Oregon's I/DD System values self-determination, which means:

After you complete a needs assessment of your support needs, preferences and goals, **you are in charge** of planning, choosing and directing your supports. You may also ask a legal representative or a person of your choice to assist you.

You build your support plan using a person-centered planning process that describes what is important to you and the supports that drive your services over the next year.

You will make the decision about which services meet your desire to live a healthy, safe and productive life.



Resources available to help you make decisions about services

You may choose to contact the Community Developmental Disability Program (CDDP) in your area at: http://www.oregon.gov/dhs/DD/pages/county/county_programs.aspx

Or...you can call: **503-945-5811** for assistance

If you are an adult, you may also choose to contact a Support Services Brokerage at: <http://www.oregon.gov/dhs/DD/adults/brokerages.pdf>

Or...you can call: **503-945-5811** for assistance

For additional information about I/DD Services in Oregon, “Like” us on Facebook at “Oregon Developmental Disabilities”

For detailed information about services and answers to commonly asked questions visit: <http://www.oregon.gov/dhs/k-plan/Pages/index.aspx>



Office of Developmental Disability Services (ODDS)

ODDS Program Services & Eligibility

ODDS Commitment

ODDS is committed to supporting you to direct your own services and supports. The following information is intended to help you make informed decisions about how you receive support.

If determined eligible, a trained professional will contact you within 25 days to get to know you and share information about what services are available in your local area.

You will have the opportunity to talk about your support needs, where you would like to live, work and receive case management services.

You can visit those who provide services to see who will most effectively support your service goals.

Once you are enrolled in services, you will be able to learn about the necessary supports available to you to support you meet your needs, preferences and goals.



What Services are available to Children?

A **Services Coordinator** will work with you to create a service plan focused your child's needs and goals. You will revisit this plan annually or more frequently if your child's needs change.

Your Services Coordinator will check in to help explain services which may be available to your child.

Additional services that may be available to you, include: respite; training to help you meet your child's needs; personal care supports, such as assistance with everyday activities like meal preparation, bathing or feeding your child; environmental adaptations; behavioral consultation; and some technological supports. This does not replace the usual household expenses for which a parent is responsible

Family to family networks are available to offer opportunities to meet with others and learn about other local resources. Your Service Coordinator can assist with a referral.



What Services are available to Adults?

Based on your or your adult child's assessed needs, preferences and goals, here are some of the services that may be available to you:

Assistance with your everyday activities, including bathing, dressing, shopping, meal preparation, managing your money, behavioral consultation, and access to the community and communication.

Employment supports. ODDS believes that everyone can have a job. Supports are available to help you meet your employment goals.

Community inclusion supports to help you be an active participant in your community.

These services are available in your own home, your family home, a group home or foster home.



More Information about Adult Services:

If you live in your own or your family home, you may have a choice of who will provide your case management services:

- A Personal Agent at a Brokerage, or
- A Services Coordinator at a CDDP.

For people who need 24-hour staffing support outside of your own or family home, a Services Coordinator will provide case management.

If you live in your own or family home, services like environmental adaptations, or assistance to keep your home clean and safe, may be available to you.

Take advantage of the opportunity to meet with someone from a Brokerage or a CDDP in your community to help you understand what case management system best fits you and your needs.

Choice Advising

An Ongoing Conversation

October 30, 2013

Individuals with intellectual and developmental disabilities (I/DD) have the right to choose the funded services for which they are eligible. Although new vocabulary, the term choice advising simply defines the times at which an individual will be provided information about the available services for which they are eligible. Through choice advising the individual, and if applicable their legal guardian and designated representative may request appropriate and available services, qualified providers and service settings based on the individual's assessed needs.

Initial Choice Advising

Intake and Eligibility

When an individual applies for DD services, they shall receive the Office of Developmental Disabilities (ODDS) brochure which describes the services available to both children and adults.

After an individual has been determined eligible for DD services they are provided choice advising by a qualified individual at the CDDP. Some CDDP's may work in partnership with local brokerages to present information to adults regarding case management as well as service delivery options. Information regarding case management services must be impartial and must be presented so that the individual, and if applicable their legal guardian and designated representative may make an informed decision without being influenced or directed to elect services offered through a particular agency.

Level of Care

During the level of care process the individual is informed of available service options and their rights as an individual who qualifies for Medicaid services. The choices that an individual, their parent, legal guardian and designated representative, if applicable, is informed of during this process include:

- Home and Community Based Services vs. ICF/IDD
- Waiver Services including case management
- Community First Choice State Plan
- Support Service Brokerages
- Community Developmental Disabilities Program

- Children's Intensive In Home Supports
 - Behavior
 - Hospital Medically Involved
- Fair Hearing Rights

If an individual has not previously been determined Medicaid eligible, but meets level of care eligibility criteria the CDDP will assist in determining if OSIP-M eligibility can be acquired for the individual.

Person Centered Planning Process

Children

The person centered planning process begins once a child has met level of care eligibility. The child's services coordinator will inform the child's parent or legal guardian of the services available to the child based on the child's assessed needs. Services which may be available include the following:

- **State plan services**
 - Personal Care
 - Community First Choice
 - In home supports (attendant care for activities of daily living, instrumental activities of daily living and health related tasks)
 - Relief Care (respite)
 - Environmental Adaptations
 - Behavior Support Services
 - Community Nursing Support
 - Technology Support
 - Residential Services (24 hour, foster care)
 - Chore Services
 - Community Transportation (non- medical)
 - Employer Related Support Training
 - Voluntary employment related training STEPS program offered through Home Care Commission
- **Waiver Services**
 - Case Management
 - Extended state plan (OT, PT, Speech Language)
 - Family training
 - Children's Intensive in Home Supports
 - Medically Involved

- Medically Fragile
- Behavior

- **Family Support**

Choice advising occurs annually as the child's ISP team convenes or at any time the child's parent or legal guardian expresses a desire to request choice advising. During the plan renewal the child's parent or legal guardian will be asked if they are satisfied with services the child is receiving. Parents or legal guardians who express a desire to change service options or who express dissatisfaction with chosen and available services can request choice advising at any time.

Choice advising must occur anytime a child is provided with Notice of Exit by a licensed or certified provider, or a voluntary transfer is requested. The child, if appropriate, and the child's parent or legal guardian must be informed of:

- Fair Hearing rights
- Other service options
- Other services available to the child
 - Family to family networks
 - General Community Resources as applicable such as:
 - Mental Health Services
 - Legal Aid

Choice advising includes informing the child's parent or legal guardian, the risks and appropriateness of service options chosen. For example a parent or legal guardian may request services delivered by an agency that is not available or appropriate for the child. Providers may decline referrals even if it is the chosen option, particularly if there is no capacity within the agency. Parents or legal guardians also must be informed that Department funded services are provided based on the assessed disability related needs of the child only, as indicated in a functional needs assessment, including goals and preferences related to those identified needs. Parents or legal guardians will be informed that services and supports must not supplant the parental responsibility for a child under the age of 18.

Transition

As a child nears adulthood a series of conversations occur beginning at age 16 through both the Individual Education Plan (IEP) and Individual Support Plan (ISP) process. The adolescent and parent or legal guardian are engaged in conversations with educational programs and DD services coordinators regarding adult service options. Individuals may access educational, vocational and DD services during this period, requiring

coordination of services offered through multiple agencies. Choice advising for transition age individuals includes services available as described in children's choice advising and may also include, but is not limited to the following:

- Benefits planning including Social Security Administration (SSA) work incentives
- Employment supports provided by the Commission for the Blind or the Office of Vocational Rehabilitation Services (OVRs) and waiver employment options.
- Guardianship
- Rights and risks with adult decision making such as independent living
- Conflict of Interest Requirements
 - Designated Representative

Adults

The individual and their legal guardian and designated representative, if applicable, will be provided information about case management and other services available through a support services brokerage or CDDP. Adults, who receive case management only, or in home supports, may choose case management services through the CDDP with a services coordinator or with a personal agent at a support services brokerage.

Depending on the agency providing case management, either the services coordinator or personal agent will inform the individual, their legal guardian and designated representative, if applicable, of the services that may be available to the individual, based on their assessed needs which may include:

- **State plan services**
 - Personal Care
 - Community First Choice
 - In home supports (attendant care for activities of daily living, instrumental activities of daily living and health related tasks)
 - Relief Care (respite)
 - Environmental Adaptations
 - Behavior Support Services
 - Community Nursing Support
 - Technology Support
 - Residential Services (24 hour, foster care)
 - Chore Services
 - Community Transportation (non- medical)
 - Employer related supports and responsibilities

- Voluntary employer related training STEPS program offered by the Home Care Commission
 - Transition Supports, as applicable
- **Waiver Services**
 - Case Management options
 - CDDP
 - Support Service Brokerage
 - Extended state plan (OT, PT, Speech Language)
 - Family training
 - Employment

The individual, their legal guardian and designated representative, if applicable, must be informed of:

- Conflict of Interest requirements
 - Designated Representative
- Fair Hearing rights
- Employer responsibilities

Choice advising occurs at least annually as the individuals selected ISP team convenes or at any time the individual, their legal guardian and designated representative, if applicable, expresses a desire to request choice advising. During the plan renewal the individual, their legal guardian or designated representative, if applicable, will be asked if they are satisfied with services the individual is receiving. Individuals, their legal guardian and designated representative, if applicable, who express a desire to change service options or who express dissatisfaction with chosen and available services can request choice advising at any time.

Choice advising must occur anytime an individual is provided with Notice of Exit by a licensed or certified provider, or a voluntary transfer is requested. The individual must be informed of:

- Fair Hearing Rights
- Other service setting options
 - Individuals who must relocate due to Notice of Exit or voluntary transfer must be provided with three available and appropriate alternate service settings.
 - Other services available through the state plan or waiver
 - General Community Resources such as

- Mental Health Services
- Legal Aid

Choice advising includes informing the individual their legal guardian and designated representative if applicable, the risks and appropriateness of service options chosen. For example an individual may request services delivered by an agency that is not available or appropriate for the individual, or they may wish to live independently but have risk factors that would create health and safety issues for the individual or others. Providers may decline referrals even if it is the chosen option.