

Mike McCormick  


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**Authorized Signature**

**Number:** APD-PT-14-011  
**Issue Date:** 4/4/2014

**Topic:** Long Term 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 DD Program Managers     |
| <input checked="" type="checkbox"/> Area Agencies on Aging             | <input type="checkbox"/> County Mental Health Directors |
| <input checked="" type="checkbox"/> Aging and People with Disabilities | <input type="checkbox"/> Health Services                |
| <input type="checkbox"/> Children, Adults and Families                 | <input type="checkbox"/> Other (please specify):        |

Policy/rule title:	Changes to the Payment Limitations in Community-Based Service rule		
Policy/rule number(s):	<a href="#">Chapter 411, division 027</a>	Release no:	
Effective date:	3/20/2014	Expiration:	
References:			
Web Address:	<a href="http://www.dhs.state.or.us/policy/spd/rules/411_027.pdf">http://www.dhs.state.or.us/policy/spd/rules/411_027.pdf</a>		

**Discussion/interpretation:** This transmittal will provide information about the changes to the Payment Limitations in Community-Based Services Oregon Administrative Rule (OAR), [chapter 411, division 027](#).

By amending this rule, Aging and People with Disabilities (APD) will be able to pay the room and board costs for Medicaid eligible individuals who do not have sufficient income to meet their room and board costs and who do not qualify for the special needs payments through OSIPM, OAR [461-155-0700](#).

This rule amendment will ensure MAGI eligible individuals are not unnecessarily admitted to long-term care (LTC) nursing facilities to receive services and supports they could receive through community-based services, only because of having insufficient income. Paying room and board in community based facilities will support MAGI eligible individuals to receive the services they need in the setting of their choice

and in the most cost effective manner.

In addition to the room and board rule changes, reference to the APD Rate Schedule and various minor wording and definition revisions were made. Please refer to the amended Payment Limitations rule for full details of these changes.

**OAR 411-027-0025(3)(b) Payment of Room and Board**

**Previous** to the rule revision, the only way for the Department to provide assistance with room and board payments was as an Oregon Supplemental Income Program – Medical (OSIPM) special need payment. If needed, this is still available for individuals receiving OSIPM and needing assistance with room and board payments.

**Now**, MAGI eligible individuals living in community based care facilities may be eligible for room and board assistance if the individual’s gross income is less than the room and board amount defined in OAR [461-155-0270](#).

- Individuals receiving room and board assistance must apply for all benefits for which the individual may be eligible, per OAR [410-200-0220](#), to continue to receive the room and board assistance. This includes following through on all appeal options if applicable.
- After verifying the individual is not receiving OSIPM, the Department will issue a special needs payment to the facility, on the individual’s behalf, for the difference between the individual’s gross income and the room and board standard. The Personal Incidental Fund (PIF) is NOT included in this payment.
- SDS 437 Authorization of Cash Payment form will be used to process the room and board payments. Use Pay Reason Code “B8” for MAGI eligible individuals that qualify for room and board assistance.
- Unlike OSIPM, the room and board payment for MAGI eligible individuals will be sent directly to the facility, not the individual.

**Implementation/transition instructions:** Already implemented.

**Training/communication plan:** Provide technical support as needed.

**Local/branch action required:** Follow the [411-027](#) rule criteria.

**Central office action required:** Provide technical support as needed.

**Field/stakeholder review:**     Yes     No

**If yes, reviewed by:**    APD Policy Workgroup and the Operations Committee

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**Filing Instructions:**

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

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