

Patricia Baxter

Authorized Signature

Number: APD-PT-14-019
Issue Date: 8/1/2014

Topic: Developmental Disabilities

CORRECTED

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 Mental Health Directors |
| <input type="checkbox"/> Area Agencies on Aging | <input type="checkbox"/> Health Services |
| <input type="checkbox"/> Aging and People with Disabilities | <input checked="" type="checkbox"/> Office of Developmental Disabilities Services (ODDS) |
| <input type="checkbox"/> Children, Adults and Families | <input checked="" type="checkbox"/> Other (<i>please specify</i>): Brokerage Directors |
| <input checked="" type="checkbox"/> County DD Program Managers | |

Policy/rule title:	Employment and Day Support Activities		
Policy/rule number(s):	Chapter 411, Division 345	Release no	2
Effective date:	July 1, 2014	Expiration:	September 30, 2014
References:			
Web Address:			

Amended Policy Transmittal. This transmittal supersedes other transmittals relating to Alternative to Work (ATE); Community Inclusion (CI) and Day Habilitation. This transmittal was initially released on June 20, 2014 and this Release no 2 replaces that transmittal from June 20, 2014. Amendments are in italics below.

Discussion/interpretation:

Changes to OAR 411-345, to be known as the Employment and Day Support Activities Rules, will be filed as temporary emergency rules effective July 1, 2014. Some of the changes reflect the movement of non-employment related services from the waiver to the K plan.

The temporary emergency rules will be deleting the term “Alternative-to-Employment”, or ATE. “Day Support Activities” (DSA) is the term being adopted to describe certain attendant care or skills training supports delivered by an agency. Day Support Activities will also replace the support services commonly known as Facility Based Socialization, 1:1 Community Inclusion and Small Group Community Inclusion when provided by an agency. *DSA are for the purpose of meeting identified social and interpersonal support needs. Day Support Activities may only occur in a non-residential setting. Agency providers are not providing DSA when the attendant care and skills training is for the sole purpose of meeting other ADL/IADL support needs.*

Non-facility based 1:1 and Small Group Inclusion, when performed by a personal support worker, fit within the previous definitions of attendant care or skills training and are not DSA.

Implementation/transition instructions:

For individuals receiving services in in-home settings:

Individuals who are currently enrolled in and receiving waiver Non-Facility Based Community Inclusion or Facility Based Socialization (however it may be titled on an ISP), may continue to receive those services as authorized in the ISP until one of the following apply;

- Their annual Adult Needs Assessment (ANA) and Individual Support Plan (ISP) are renewed, or
- The individual, guardian or representative requests to have an updated Adult Needs Assessment (ANA), or
- Their level of support needs change and an ANA is completed to identify their level of support need.

The ANA version released on July 1, 2014 must be the tool used to conduct all new adult needs assessments. The hours used for DSA delivered by an agency, comprised of some amount of attendant care and/or skills training, must come out of the monthly total of hours determined to be necessary by the July 1, 2014 version of the ANA. Non-agency based supports needed in the community delivered by a personal support worker must come out of the monthly total determined to be necessary by the July 1, 2014 version of the ANA as a combination of attendant care and skills training.

Individuals who request DSA on or after July 1, 2014 must be assessed using the ANA released on or after July 1, 2014 to determine the level of support needed for this service. Newly authorized services will be identified on the ISP as attendant care or skills training based on the outcome of the person centered planning process. *Effective immediately, in an annual or revised ISP where Day Support Activities are being newly*

authorized, the DSA must be authorized at the payment rate established in the ReBAR rate model.

Day Support Activities are limited to agency providers and should be authorized in eXPRS using the code OR542. Attendant care and skills training codes should be used when a Personal Support Worker provides the service (OR100, OR101, or OR526). For those individuals assessed prior to 7/1/14, the Maximum Monthly Hours field in eXPRS must reflect the total assessed hours identified and authorized in the ISP.

For individuals receiving services in comprehensive residential settings:

Individuals who, prior to July 1, 2014, were enrolled in and receiving waiver Community Inclusion or ATE may continue to receive the same level of service. If a change to the current service is requested after July 1, 2014 to add waiver employment services, the addition of the waiver employment services must reduce the DSA hour for hour.

Newly authorized services will be identified on the ISP as attendant care or skills training based on the outcome of the person centered planning process. Day support activities are to be authorized at the payment rate established in the ReBAR rate model. If an individual requests new or additional DSA, the attendant care and skills training may be authorized in an amount that will not cause more than 24 hours of supports to be authorized in a day when combined with the services provided by the residential program and employment services.

When an individual lives in a licensed or certified residential setting, the comprehensive residential provider is expected to provide residential support to each individual enrolled to their program an average of at least 143 hours per week. If an individual is averaging fewer than 25 hours of Individual Supported Employment per week, Individual Supported Employment may be combined with Small Group Employment Support, Employment Path Services, and DSA so long as the combination of services does not exceed an average of 25 hours per week or 108.3 hours per month on average.

Documentation Requirements:

Federal regulations mandate that the ISP identifies the funding authority of each service that is being provided. The attached document meets the federal requirement identifying the funding authority of Day Support Activities and must become part of each individual's ISP no later than July 31, 2014. As ISPs are renewed, the funding authority of each identified service must be written directly into the ISP and the attached document will not be required.

Effective for actions taken by a CDDP or brokerage on or after July 1, 2014, all references to "ATE" in Department generated materials should be considered to mean

Day Support Activities.

Training/communication plan:

Discussion as needed and bi-monthly call-ins

Local/branch action required:

Completion of attached document (ISP Attachment for Change in Funding Authority) no later than *September 30, 2014*.

Central office action required:

Guidance provided as needed.

Field/stakeholder review: Yes No

If yes, reviewed by: CDDP Managers, Brokerage Directors

Filing Instructions: Replace this Policy Transmittal with the Policy Transmittal that was released on 06/20/2014.

If you have any questions about this policy, contact:

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ISP Attachment for Change in Funding Authority

The attached ISP was authorized for implementation prior to July 1, 2014 and includes a service of Community Living and Inclusion Supports or Alternatives to Employment. These may also be known as 1:1 or small group Community Inclusion, Alternatives To Employment, Pre-Vocational Services, Community Based Non-Employment, Facility Based Socialization, or Facility Based Non-Employment.

Effective July 1, 2014 the funding authority for these services transferred from a 1915(c) waiver to the 1915(k) state plan amendment. For the funding authority change only, this cover sheet serves as sufficient documentation to continue to authorize the service without further approvals or signatures and without changing the description of the service, the amount of service or the provider type. Other revisions to this ISP that are not related to the change in funding authority have been done according to the appropriate administrative rule and policies.

Services Coordinator/Personal Agent

Date