

Mike McCormick

Authorized Signature

Number: APD-PT-16-025

Issue date: 6/22/2016

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 Mental Health Directors |
| <input checked="" type="checkbox"/> Area Agencies on Aging | <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 | |

Policy/rule title:	In-Home Live-in Services Ending for New Individuals		
Policy/rule number(s):	411-030-0068 and 411-030-0070	Release no:	
Effective date:	7/1/16	Expiration:	
References:			
Web address:	http://www.dhs.state.or.us/policy/spd/rules/411_030.pdf		

Discussion/interpretation: Due to the changes from the Department of Labor Fair Labor Standards Act, Oregon Administrative Rules (OARs) will be revised to end the live-in service program effective July 1, 2016 for **new** live-in service plans. Exceptions will not be granted to this policy change. The policy change shall be implemented as follows:

For individuals not receiving live-in services prior to July 1, 2016, this means:

- Individuals will not be able to receive live-in services on or after July 1, 2016.
- Hours may not be assigned under the Live-in Services category in the service plan portion of Oregon ACCESS, even if hours are available to assign.

- Individuals participating in the Independent Choices Program may not receive hours under live-in services as a part of their cash-out calculation on the 546IC form.
- Individuals assessed in the month of June 2016 that wish to begin live-in services in July 2016 may be considered if approved by Central Office.
- The limit of authorized hours for a homecare worker and the exception policy per [APD-PT-15-023](#) still applies.

For individuals receiving live-in services prior to July 1, 2016, this means:

- Individuals may continue receiving live-in services at this time if previously approved by Central Office.*
- Individuals receiving live-in services that has not been assessed per [APD-PT-15-025](#) must still follow the same criteria and be approved by Central Office.
- Individuals that participate in the Independent Choices Program may continue to receive hours under live-in services as a part of their cash-out calculation on the 546IC form.
- An individual may continue to receive one of the above services until one of the following occurs:
 - The individual moves from an in-home setting for more than 30 days and later moves back to an in-home setting.
 - The individual ends his or her live-in services for more than 30 days (which includes the live-in homecare worker ending their employment).
 - An assessment determines the individual is no longer eligible for live-in services.
 - The individual's service plan was approved as an exception per [APD-PT-15-025](#), however the live-in homecare worker that was working at least 4 days a week ends their employment (or in the Independent Choices Program, the primary provider ends their employment).

*Please note that an additional Policy Transmittal will be issued at a later date to address service plans that include live-in services prior to July 1, 2016.

Implementation/transition instructions: When developing a service plan in Oregon ACCESS for individuals that do not have the option of live-in services, the hours must be reduced to 0 in the "Allowed Hours" column (if any hours are indicated, see below) in the hours segment of the service plan (selecting the dropdown reason of "Not Available"). In-home service plan hours must be developed in accordance with the needs of the individual.

Hours Authorization Segment							
In Home Hours		Status: Pending	Begin Date: 01/01/2016		End Date: 12/31/2016		
Type	Need	Assist level	Asmt Hrs	Alwd Hrs	Rem Hrs	Excp Hrs	Reason
Live-In	Live-In Services	Full	326	0	326	0	Not available

Please continue to answer the statements presented in the Live-in Services portion of the assessment even if the individual does not have the option to receive live-in services. The statements are still utilized for eligibility for shift services per [APD-PT-15-025](#). The assessment still requires these statements to be answered prior to completion.

If an individual has any exceptional care needs, submit an exception request following the existing exception process.

Training/communication plan: Webinars will be presented to discuss service planning aspects for individuals that may have met the previous qualifications of live-in services. Staff that develop in-home service plans must attend one of the following webinars (the content will be the same in each webinar):

June 28, 2016
9:00-10:30 PDT

June 30, 2016
9:00-10:30 PDT

July 6, 2016
1:30-3:00 PDT

To register for any of these webinars, use the following link:
<https://attendee.gotowebinar.com/rt/2295736673607912450>

You may log into the webinar up to half an hour prior to the start time. Group sites may be established. Prior to the webinars, the presentation will be posted here:
http://www.dhs.state.or.us/spd/tools/cm/mandatory_inservice_webinars/mandatory_cm_webinars_index.htm

Local/branch action required: Implement as directed.

Central office action required: Implement OARs and provide technical assistance as needed.

Field/stakeholder review: Yes No

If yes, reviewed by: APD Operations and APD Policy

Filing instructions:

If you have any questions about this policy, contact:

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