

<p>SENIORS AND PEOPLE WITH DISABILITIES INDEPENDENT CHOICES PROGRAM: Eligibility, Authorization and Payments</p>
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INDEPENDENT CHOICES PROGRAM

- Definition** Independent Choices is an In-home program and is a 1915j Medicaid State Plan Option. The Independent Choices Program (ICP) is an in-home services program that empowers participants to self-direct their own service plans and purchase goods and services that enhance independence, dignity, choice and well-being.
- Eligibility** To be eligible for the ICP an individual must:
Meet all program requirements of the in-home services program in OAR chapter 411, division 030. Service eligibility is determined by conducting a CAPS 2 assessment in OACCESS.
- Provider** The participant or representative carries full responsibility for locating, screening, interviewing, hiring, training, paying, and terminating employee providers. The participant or representative must comply with Immigration and Customs Enforcement laws and policies. The participant or representative must assure the employee provider's ability to perform or assist with activities of daily living, self-management and twenty-four hour availability needs. Employee providers must complete a criminal history check pursuant to OAR chapter 407, division 007. If a record of a potentially disqualifying crime is revealed, the participant or representative may employ the provider at the participant's or representative's discretion. Participant's relatives may be employed as employee providers.
- Procedure** Develop a service plan and budget to meet the needs identified in the CAPS2 assessment; Sign the ICP participation agreement; Have or be able to establish a

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checking account; Provide evidence of a stable living situation for the past three months; and Demonstrate the ability to manage money as evidenced by timely and current utility and housing payments. If the participant is unable to direct and purchase his or her own in-home services, the participant must have a representative to act on the participant's behalf. If the participant is unable to manage ICP cash payment accounting, tax or payroll responsibilities and does not have a representative, the participant must arrange and purchase the ongoing services of a fiscal intermediary, such as an accountant, bookkeeper or equivalent financial services. Participants, or their representative who have met the eligibility criteria in section (3)(b) of this rule, may also choose to use a fiscal intermediary. The participant is responsible for any fees or payment to the fiscal intermediary and may allocate the fees or payment from their discretionary funds or other non ICP funds.

Representative The participant can have a representative act on the participant's behalf. The representative is the person assigned by the participant to act as the participant's decision maker in matters pertaining to the ICP service plan and service budget. A representative must: Complete a criminal history check pursuant to OAR chapter 407, division 007 and receive a final fitness determination of approval; and Sign and adhere to the "Independent Choices Program Representative Agreement" on behalf of the participant. This representative may be appropriate if the participant is unable to direct and purchase his or her own in-home services, as indicated by the assessment. A representative cannot be an employee provider regardless of relationship to the participant.

Bookkeeper A fiscal intermediary, such as an accountant or bookkeeper may be appropriate if the participant is unable to manage the ICP cash payment, accounting, tax or payroll responsibilities and does not have a representative.

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Cash Benefit The cash benefit is determined based on the assessment of need, the service plan, the level of assistance standards in OAR 411-030-0070 and natural supports. The cash benefit is calculated by adding the activities of daily living hours, the self-management hours and the 24-hour availability hours the participant is eligible for as determined in the CAPS2 assessment, at the rates according to the SPD rate schedule. The following services, which are approved by the case manager and paid for by SPD, are excluded from ICP cash benefit: Contract RN services, Contracted non-medical waiver service transportation, home delivered meals, and emergency response systems. The cash including the employer's portion of required FICA, FUTA, and SUTA benefit shall be directly deposited into the participant's ICP designated checking account.

Applied Rules

- 411-030-0001 through 411-030-0090 (In-home rules)
- 411-030-0100 (ICP rules)
- 411-030-0100 (7) (Cash benefit)

FORMS AND SYSTEMS: INDEPENDENT CHOICES PROGRAM

Eligibility

OACCESS assessment (CAPS2) Assessment determines eligibility
CP or "cash pay"

Authorization

SDS 0546IC- SPD Independent Choices Benefit Calculation form shows the hours assessed resulting in the amount of the cash benefit. Ensure status is CP for "cash pay" and the cash benefit amount on this page for the month

