

Live-in and Shift Services

Presented by:
APD Medicaid LTC Systems Policy Unit
Effective 8/31/15

Agenda

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Overview

This change is to have additional rule criteria that outlines who is eligible to receive live-in services.

This change will also apply to those that receive at least 496 hours a month in hourly services (defined as “**Shift Services**”).

This change is driven by the Department of Labor (DOL) initiatives for HCWs.

The new rule criteria will apply to any assessment that is created on August 31st or later.

Implementation

❖ New Service Plans

New criteria applies to any service plan as a result of an assessment that is created on or after August 31st, 2015.

❖ Existing Service Plans

New criteria is not applied to an existing service plan. When a service plan is created based upon a new assessment that is created on or after August 31st, 2015, the new criteria applies.

If the individual moves out of the in-home setting, the criteria must be applied if the individual moves back to an in-home setting. This also requires a new assessment.

Criteria

The individual must meet criteria in #1 **and** either criteria #2a or #2b.

1. At least one ADL or IADL task must be performed sometime during each hour the individual is awake in order to ensure their safety and well-being.

Examples: Bedbound individual that requires repositioning throughout the day.

Individual with cognitive needs that can't be left alone due to extreme and unpredictable behavior at any time throughout the day.

An individual with a task that must be performed at a very high frequency per day (i.e. toileting need or treatment).

Criteria Continued...

Considerations:

- Individuals with Tier 3 exceptions are more likely to be eligible for live-in services.
- Care can't be simply “spread throughout the day” to meet this criteria. If the care can be arranged so that it is possible for the individual to be safe for more than an hour during the day, then the person is not eligible for live-in or shift services.
- Individuals that can't be left alone at any time throughout the day are more likely eligible for live-in or shift services.

Criteria Continued

2a. The individual is a Full Assist in Mobility or Elimination (per SPL rule) and has at least one of the following conditions:

- ❖ A medically diagnosed, debilitating condition; such as, but not limited to: Cachexia, severe neuropathy, frequent and unpredictable seizures, coma, persistent or reoccurring stage 3 or 4 wounds, late stage cancer, or debilitating muscle spasms.
- ❖ A spinal cord injury or similar disability with permanent impairment.
- ❖ An acute care or hospice need that is expected to last no more than six months.

Criteria Continued

2b. The individual is Full Assist in Cognition (per SPL rule) and has one of the following conditions:

- ❖ Traumatic Brain Injury
- ❖ Dementia or a related disorder
- ❖ A debilitating mental health disorder

Along with being a Full Assist in Cognition, the individual must be a Full Assist in one of the following categories:

- ❖ Danger to Self or Others
- ❖ Wandering
- ❖ Awareness
- ❖ Judgment

Hourly Limitations

Shift/Hourly Services

- A HCW may not be authorized more than 16 hours in a 24 hour period of time between one or more individuals in the same home.
- A HCW may not be authorized more than 50 hours in a workweek per individual.

Live-in Services

- A HCW may not be authorized more than 19 hours in a 24 hour period of time between one or more individuals in the same home.

Shift/Hourly and Live-in Services

- A HCW may not be authorized as a live-in and a shift/hourly HCW for the same individual.
- A HCW may not claim payment for hours worked for more than one individual at the same date and time.

Service Planning

Live-in Services: An eligible individual should receive 159 hours a month in live-in services . The “allowed hours” will need to be adjusted to this amount in CA/PS. This may be prorated if necessary. The amount of hours allowed may change in the future.

- Client Assessment
 - Four ADLs
 - Mobility
 - Ambulation
 - Transfers
 - Eating
 - Elimination
 - Bladder
 - Bowel
 - Toileting
 - Cognition/Behavior
 - Adaptation
 - Awareness
 - Judgement
 - Memory
 - Orientation
 - Danger to Self or Others
 - Demands on Others
 - Wandering
 - Additional ADL/IADL
 - Live-In / Shift Needs**
 - Live-In / Shift Needs
 - Live-In / Shift Needs
 - Treatments
 - Supports
 - Synopsis
 - SPL and Needs Summary
 - Full Benefit Results

Live-In / Shift Needs

To ensure the health and well-being, an ADL or IADL task is needed and performed sometime during each hour the individual is awake.

This replaces the "Sleep" screen

Select the most appropriate answer:

- A. Yes
- B. No

A

Select the primary and driving medical need for this individual:

- A. Medically diagnosed, debilitating condition
- B. Spinal cord injury or similar disability
- C. Acute or hospice need expected to last no more than 6 months
- D. Cognitive based medical need, such as dementia or a related disorder, traumatic brain injury, or serious mental health condition (65 years or older)

D

Comments Spell Check

Along with his other ADL and IADL needs, Steve needs continual repositioning throughout the day. He can not physically manage this without assistance. Steve indicates that based upon his needs, he can not be left alone for any length of time.

Next

- Client Assessment
 - Four ADLs
 - Mobility
 - Ambulation
 - Transfers
 - Eating
 - Elimination
 - Bladder
 - Bowel
 - Toileting
 - Cognition/Behavior
 - Adaptation
 - Awareness
 - Judgement
 - Memory
 - Orientation
 - Danger to Self or Others
 - Demands on Others
 - Wandering
 - Additional ADL/IADL
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Full Benefit Results

Based on Assessment 07/15/2015 and Benefit Version # 5

Results

ALF Rates	Level 5
RCF/AFH Rates	Base + 2
R-AFH Rates	Base + 2
SPL Summary	

Version Info

Additional Benefit Results

Prev

Next

This replaces
24-hour Availability

In-Home Maximum Hours

	Need	Assist	Hours
ADL			
Eating	Substantial		20
Bath/Personal Hygiene	Full		25
Cognition	Full		20
Dressing/Grooming	Full		20
Elimination	Full		25
Mobility	Full		25

IADL

Breakfast	Substantial		8
Dinner / Supper	Substantial		16
Lunch	Substantial		8
Medication Management	Substantial		4
Shopping	Substantial		4
Transportation	Substantial		3
Housekeeping	Full		20

Live-In Services

Live-In Services	Full		298
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Proceed to the Assessment
Decision Point

Next

Hours Authorization Segment

In Home Hours

Status: Pending

Begin Date: 07/01/2015

End Date: 07/31/2016

Type	Need	Assist level	Asmt Hrs	Alwd Hrs	Rem Hrs	Excp Hrs	Reason
Live-In Ser	Live-In Services	Full	298	159	139	0	Not available
ADL	Bath/Personal Hygiene	Full	25	25	0	0	
	Bowel/Bladder	Full	25	25	0	0	
	Cognition	Full	20	20	0	0	
	Dressing/Grooming	Full	20	20	0	0	
	Eating	Substantial	20	20	0	0	
	Mobility	Full	25	25	0	0	
I/ADL	Breakfast	Substantial	8	8	0	0	
	Dinner / Supper	Substantial	16	16	0	0	
	Housekeeping	Full	20	20	0	0	
	Lunch	Substantial	8	8	0	0	

If eligible for Live-in services:
 - 159 hours for a 7 day live-in or
 - Prorate for all other live-in plans

	ADL Min	ADL Sub	ADL Full	IADL	Live-In Services
Total Allowed Hours	0	20	115	60	159
Total Exception Hours	0	0	0	0	0
Total Authorized Hours	0	20	115	60	159

Approved Date: 00/00/0000
 Approved By:

Created Date: 07/20/2015
 Created By: hsint06

Last Modified Date: 07/20/2015
 Last Modified By: hsint06

OK

Cancel

Spousal Pay Program

Spousal Pay HCWs will be converted to hourly HCWs upon implementation. Exceptions to this rule will not be permitted.

New criteria is not applied to an existing service plan. When a new service plan is created based upon a new assessment that is created on or after August 31st, 2015, the new criteria applies.

A secondary PAS assessment will no longer be required for initial eligibility.

Other Spousal Pay rules still apply.

Independent Choices Program

Individuals under the ICP program must also meet new program requirements.

Individuals that do not meet the new requirements must have any hours assigned to 24-hour availability reduced to zero.

Individuals that do meet the new requirements will be authorized 159 hours in Live-in Services.

Current ICP plans may be granted an exception to the new program requirements.

Exceptions

- All individuals that have at least 496 hours a month in an hourly plan (shift services) will have their exception reviewed under the new criteria by Central Office. This includes plans that were previously approved.
- All individuals with proposed live-in plans will also be reviewed under the new criteria by Central Office.

Exceptions

- Individuals with existing live-in plans that are assessed as not meeting the new eligibility requirements may receive an exception from Central Office if they meet the following criteria:
- Previously eligible for 159 hours of 24 hour availability from the most recent assessment prior to August 31st, 2015
 - Employ a live-in HCW at least 4 days a week.
 - Meet one of the following criteria per SPL rules:
 - Full Assist in Mobility and at least an Assist in Ambulation or Transfers; or
 - Full Assist in Cognition; or
 - Full Assist in at least two ADL's under Elimination.

Exceptions Continued...

- An individual receiving an exception under the previous criteria will end when one of the following occurs:
 - The live-in HCW that is working at least 4 days a week ends their employment for any reason (or, in ICP, the primary provider is no longer working for the individual); or
 - A completed assessment determines the individual does not meet the ADL criteria as previously described.

Exceptions Continued...

- A Case Manager may request an exception for an individual not eligible for live-in services by following the following process:
 - The Case Manager explains on the exceptions request ([SDS 0514](#)) why this individual needs to have a live-in plan and submits the request to their manager.
 - If the manager agrees, the request is sent to Central Office.
 - Central Office staff will contact the Case Manager to go over the reasons for the exceptions request, exploring all other available options.
 - Central Office will make the final decision on granting or denying the request.

Tier Security Rights

- Live-in Services
 - Tier 3 (Central Office): Approve all initial plans that involve live-in services in the **hours** segment.*
 - Tier 3: Approve all ongoing plans that involve live-in services in the **hours** segment if the total number of hours change from the previous plan.*
 - Tier 3: Approve all initial and ongoing **plan** segments that involve authorization of hours that are lower than what was authorized in the hours segment.*
 - Tier 2 and 1 (Managers/Lead Workers, and Case Managers): Approve all initial and ongoing plan segments that are equal in hours in the hours segment.*

Resources

- OARs:
 - [411-027](#) Payment Limitations
 - [411-030](#) In-Home Services
- Policy Transmittal: [APD-PT-15-025](#)

- Contacts:
 - DOL.Questions@dhsoha.state.or.us (preferred method)
 - Chris Ellis - christopher.m.ellis@dhsoha.state.or.us
 - Mat Rapoza - mathew.g.rapoza@dhsoha.state.or.us
 - Christine Maciel - christine.c.maciell@dhsoha.state.or.us
 - Kelsey Weigel - kelsey.c.weigel@dhsoha.state.or.us
 - Suzy Quinlan - suzy.quinlan@dhsoha.state.or.us
 - Darwin Frankenhoff - darwin.j.frankenhoff@dhsoha.state.or.us

Upcoming Conference Calls

- We have reserved 3 conference call times for staff to ask questions. These conference calls are not mandatory. We will answer questions that have been emailed in, as well as answer questions live as time permits.
- August 5th from 1:00-2:00
- August 19th from 1:00-2:00
- September 2nd from 1:00-2:00
- Call-in: 866-390-1828
 - Participant Code: 1369328