

ODDS Transportation Worker Guide Authorizing Community Transportation

Community Transportation includes support for transportation that allows individuals to gain access to non-medical Community First Choice (K Plan) or Waiver funded services, including locations where K Plan or Waiver services or supports are provided. This guide applies to individuals enrolled in SE49, 149, 150 and 151.

I. Definitions:

“Community”

Per OARs: [411-340-0010 \(27\)](#); [411-330-0020\(20\)](#); [411-308-0020\(18\)](#); [411-300-0110\(19\)](#)

“Community” with regards to Community Transportation is limited to the geographic area surrounding the home of an individual used by others in that same geographic area to obtain ordinary goods and services.

- a) Transportation should be to the nearest site that meets the goal or need identified within the Individual Support Plan (ISP). However, *infrequent trips outside the immediate area may also be authorized to obtain goods or services that are not available locally and are essential to the individual’s plan.*
 - i. **Example One:** *Susan, an individual receiving supports, lives in John Day and wants to go to Bend to visit the pharmacy and shop at the mall for items that are not available in John Day. In this example, transportation outside of the local community is appropriate.*
 - ii. **Example Two:** *Robert lives in Tillamook and wants to go to Hillsboro because he prefers to shop at Wal-Mart rather than the local Fred Meyer in Tillamook. In this case, transportation outside of the local community is not appropriate, as similar items are available in the immediate community and the cost of transportation to Hillsboro would consume any savings that may be realized between Fred Meyer and Wal-Mart.*
 - iii. **Example Three:** *There is a Wal-Mart only 2 miles farther than the more expensive store; in this case the extra mileage is allowable/appropriate because of the savings to the person.*
- b) Driving to two or more stores in order to take advantage of multiple store discounts or to stores beyond the geographic area solely based on an individual’s preference is generally not a cost-effective use of Department funds. However, this practice

may be approved where careful consideration and discussion with the ISP team deems this is the most appropriate and cost effective method to have the individual's needs met.

"Natural Support"

Per OARs: [411-035-0010\(22\)](#); [411-340-0010 \(72\)](#); [411-330-0020\(60\)](#); [411-308-0020\(54\)](#); [411.300-0110\(46\)](#)

"Natural Support" is identified during the person centered service planning process and utilized when available to the individual receiving services. Natural Supports are defined as resources available to individuals from their relatives, friends, significant others, neighbors, roommates and the community. Natural supports are determined to be available when an individual person is willing to voluntarily provide the identified services and the individual is willing to accept services from the natural support. If the natural support is unwilling or unable to provide the identified services, paid supports will be provided. Nothing in the natural support determination prevents the Department from paying qualified family members who are performing paid work.

II. Eligibility for Adults:

In order for an adult individual to be eligible for K-Plan community transportation funding, the following must apply^{1,2}:

- a) The individual has an assessed need for ADL/IADL/Behavioral support during transportation; or
- b) The individual has one of the following:
 - i. An assessed need for ADL/IADL/Behavioral supports at the destination (which could include paid or unpaid natural supports); or
 - ii. A need for support services at the destination and identified in the ISP, whether those supports are paid or unpaid natural supports.
- c) The transportation must be for the primary benefit of the supported individual.

III. Eligibility for Children

¹ 42 CFR 441.520§ 441.520, OARs [411-340-0110\(18\)](#); [411-330-0110\(11\)](#)

Expenditures relating to a need identified in an individual's person-centered service plan that increases an individual's independence or substitutes for human assistance, to the extent that expenditures would otherwise be made for the human assistance.

² OARs [411-340-0110\(58\)](#); [411-330-0020\(44\)](#)

- a) Ordinarily, non-medical community transportation is within the scope of activities that a parent/legally responsible individual would perform on behalf of a minor child without a disability or chronic illness of the same age and therefore community transportation would not supplant this support.
- b) Transportation may be authorized in a plan for individuals under the age of 18 when³:
 - i. Relief Care is authorized in the ISP and community transportation is authorized to transport a child while Relief Care services are provided; or
 - ii. A child’s Behavior Support Plan and ISP indicate specific interventions where the use of community transportation is needed to implement the intervention as outlined in the Behavior Support Plan.
 - 1. ***Example: Robert, a child under the age of 18 years old, is having a difficult afternoon at his afterschool program at the Boys and Girls Club. His BSP calls for Robert to leave the situation that triggers the problem behavior. His parents, who brought him to the activity, are not immediately able to pick him up. He has a PSW with him at the BGC who is able to transport Robert. The PSW goes to the BGC, picks Robert up and brings him home. This support is written into Robert’s BSP and ISP as a crisis intervention.***
 - iii. Prior approval from the ODDS funding review committee is required for instances where transportation is needed and is not authorized as part of relief care or an intervention outlined in a behaviors support plan.

IV. Community Transportation Rates:

- a) Reimbursable rates for transportation may include both mileage and transportation hours authorized in the ISP as follows:
 - i. Mileage Rate:⁴

³ [411-308-0120\(11\)](#); [411-300-0130\(14\)](#)

⁴Refer to the [In-Home Expenditure Guide](#) – Community Transportation. Also, this reflects the published mileage rate negotiated in the Home Care Commission’s collective bargaining agreement with SEIU Local 503, OPEU. IRS regulations state that mileage reimbursement is a reimbursement for an expense incurred as an employee. Due to this, mileage reimbursement must be connected to an hourly wage earned by the PSW at the time of travel. Paying a PSW mileage reimbursement alone may result in problems with insurance coverage and tax reporting.

OR 553:	OR 003:	OR 004:
\$.485/mile or Agency rate as established by the Department. (CIIS reimbursement is \$.50/mile)	Cost of bus pass, voucher, etc., including any processing fees applied by the vendor.	\$.485/mile for mileage only (CIIS reimbursement is \$.50/mile)

ii. Hourly Transportation Rate:

a. The ANA/CNA assesses an individual’s support needs while traveling and being transported. The time for transporting an individual is based on identified needs and must be drawn from the hours assessed by the ANA/CNA.

1. **Example:** *If an individual’s assessment indicates that the individual requires support to identify and purchase nutritious foods, the PSW, utilizing her or his own vehicle, may transport the individual to the grocery store. The PSW must be paid for the time spent driving the individual to the grocery store, the time at the grocery store as well as the time driving the individual back home. Mileage would be reimbursed from the individual’s home, to the grocery store and back home. The hours that the PSW is paid for this IADL activity must come out of the Individual’s assessed hours.*

V. Funding Review Request for Mileage Authorization Over \$500.00

If it is determined that an individual requires community transportation that exceeds \$500.00 per month, the Services Coordinator / Personal Agent (SC/PA) agent must submit a Funding Review request to the Office of Developmental Disability Services (ODDS) prior to authorizing community transportation budgets over \$500.00 per month within an individual’s plan year, regardless of the source of funding, i.e. service element.⁵

a) Funding requests must include the following:

⁵ For example, when an individual is receiving community transportation (OR004) through SE 49 and mileage through SE 53, the combined total cannot exceed \$500.00 per month.

- i. The Funding Review Request form [0514DD](#).
 - ii. Documentation that the individual meets the requirements as noted in Section II above.
 - iii. Documentation and analysis to show the requested funding provides transportation in the most cost effective manner possible.⁶
 - iv. Documentation must show the alternate, most cost-effective modes of transportation considered and why those modes do not meet the assessed need.
 - v. For children under 18, explanation of how the transportation does not fall within the scope of activities that a parent/legally responsible person would perform on behalf of a minor child.
- b) Send the 0514DD form and accompanying documents via secure email to the following email address: ODDS.fundingreview@state.or.us
- c) Once the ODDS Funding Review Committee receives the documentation detailed in the above subsection a) a Subject Matter Expert (SME) will be assigned to review the request and accompanying documents. If the SME requires additional information for a decision to be made, the SME will contact the SC/PA who submitted the exceptions request. The ODDS Funding Review Committee will then render a decision and a Funding Review Memo will be emailed to the SC/PA and their manager with the decision.

VI. Available Provider Types:

Transportation is offered through contracted transportation providers. Provider types include:⁷

- a) Community Transportation – Commercial
 - i. Bus passes (OR554)
 - ii. Taxi rides (OR003)
- b) Community Transportation – Mileage
 - i. PSW (OR004)

PSWs must be reimbursed for both mileage and transportation hours when the individual is in the vehicle. The hours used during transportation are included in the assessed needs of the individual reflected in either the Adult Needs Assessment (ANA) or Child’s Needs Assessment (CNA). As transportation hours are needed, those hours must be drawn from the hours assessed by the ANA/CNA; in other words, the hours necessary for a PSW to transport an individual are not in addition to the total assessed support hours.

⁶ Documentation includes but is not limited to: ISP, ANA/CNA, Case Management Progress Notes.

⁷ Cf [In-Home Expenditure Guidelines](#)

- ii. Agency provider (OR004)
- c) Community Transportation – DD Provider
 - i. Agency transportation when a per-ride rate is in place (OR553)

VII. Authorization:

The SC/PA must authorize community transportation in the ISP before the service can be used.

- a) Documentation to support the authorization for transportation must include but not be limited to:
 - i. Information that documents how the transportation service relates to the assessed ADL/IADL/Behavioral support need either during transportation or how ADL/IADL/Behavioral supports are required at the destination.⁸
 - ii. Information that demonstrates the mode of transportation chosen is the most cost effective means possible.
 - a. **Example:** *While many communities have access to public busing systems, rural communities or communities where public busing is not available past the common hours of business experience transportation gaps. Therefore, whereas taxis in general are not the most cost effective means of transportation, in the circumstances where taxis are the only means for an individual to access a K-Plan or waiver service, the funding of a taxi would be approved.*
 - iii. Information regarding the Natural Supports available either during transportation or at the destination.
- b) Community Transportation may be authorized to meet the following service and support needs:
 - i. To and from a location that is meeting an individual’s support need, such as the grocery store, bank, or Laundromat, when ADL/IADL/Behavioral supports are needed at the location in order to complete the necessary activity.
 - a. **Exception:** *In general, the location should be to the nearest site that meets the need, however, infrequent trips outside of the immediate area may be reimbursable if the ISP team is able to determine that traveling outside of the immediate area infrequently is the most cost-effective solution and is identified in the ISP.*
 - ii. To and from the pharmacy to fill a prescription⁹

⁸ Documentation includes but is not limited to: ISP, ANA/CNA, Case Management Progress Notes.

⁹ This instance is not considered medical transportation and can therefore be approved through community transportation supports

- iii. To and from a location where an individual is participating in Day Support Activities, when the site and/or goal is clearly written in the ISP. This does not include transportation during a day support activity. The cost of transportation during a DSA activity is included in the DSA budget.
 - a. **Example:** *Robert wants to attend The Valley Day Support Center, a facility-based day support provider five days a week. His ISP team has identified this in his ISP as a desired activity. Robert receives a monthly bus pass to take the community bus to and from The Valley Day Support Center.*
- iv. To and from a destination where supports and services related to an individual's assessed needs are provided by Natural Supports and if the Natural Supports were no longer available K plan or waiver services would provide funded supports.
- v. To and from a location where the individual is utilizing ODDS employment services.¹⁰
- vi. To allow a provider agency that serves an individual's transportation needs to use the Individual's family vehicle.¹¹
- vii. During transit related to an assessed ADL/IADL/Behavioral support need
- viii. Other – Per ODDS prior approval

c) Community Transportation may not be authorized for the following services or supports:

- i. To and from locations that do not meet needs identified in the ISP and are not meeting ADL/IADL/Behavioral support needs or other K plan or waiver funded services.
- ii. To and from appointments to a physician, hospital, clinic, or other medical service provider. Medical transportation costs are not reimbursed through community transportation.¹²
- iii. To compensate the service provider for travel to or from the service provider's home when the supported individual is not in the car during the accrual of mileage.
- iv. Routine vehicle maintenance, repair, insurance, or fuel.
- v. Ambulance services.
- vi. Purchase of an individual or family vehicle.

¹⁰ Individuals enrolled in brokerage support services do not have access to DD53 non-medical transportation funding and therefore may only utilize Community Transportation through the K-Plan for transportation to and from an employment service.

¹¹ In this case, the agency providing qualified transportation services to the client has made an agreement with the individual's family to use the family vehicle and to reimburse the family for the mileage allotment claimed through ODDS. This situation is allowed when the ISP team has agreed to this business arrangement. ODDS considers this a private business-to-family arrangement that is not within the scope of ODDS approval.

¹² It is expected that the individual's health insurance will cover medical transportation needs.

- vii. Community transportation cannot be authorized for purely diversion purposes (i.e. driving in the country side for purely recreational purposes).
- viii. Mileage for a vehicle owned by the individual.
- ix. Mileage that is not for the sole benefit of the individual
- x. Vacation costs for transportation, food, shelter, and entertainment that are normally incurred by a person on vacation, regardless of disability, and are not strictly required by the individual’s need for personal assistance in all home and community-based settings.¹³
 - a. **Exception:** *Community transportation is available for transportation from the location where the individual is staying while on vacation (e.g. hotel/motel) to a grocery store or other location which requires ADL/IADL/Behavioral supports or other waiver funded supports.*

Current Transportation Contracting Matrix		
Service Element	Type/Purpose	Contract Element
49: In-Home	Community (Linked to ADL/IADL/Behavioral Need)	Plan of Care
49: In-Home	Employment	SE 53 – Vocational Transportation
50: Residential	Community	Included in monthly Service Payment
50: Residential	Employment	SE 53 – Vocational Transportation
51: Supported Living	Community	Included in monthly Service Payment
51: Supported Living	Employment	SE 53 – Vocational Transportation
58: Adult Foster Care	Community	Included in monthly Service Payment
58: Adult Foster Care	Employment	SE 53 – Vocational Transportation
149: Support Brokerages	Community/Employment (Linked to ADL/IADL/Behavioral Need)	Plan of Care
150: Children’s Family Support	Community	General Fund
151: Children’s In-Home Support	Community (Linked to relief care or behavioral need)	Plan of Care
54: Employment	Employment	SE 53 – Vocational Transportation
142: Children’s Residential	Community	Included in monthly Service Payment
145: CIIS	Community	Plan of Care – Reimbursement is at .50 /Mile

¹³ See [OAR 411-330-0060\(6\)\(c\)\(I\)](#)

VIII. Volunteer Transportation

Some areas may have transportation resources often referred to as “volunteer transportation” which may be able to cover transportation needs unrelated to K-Plan or waived services and the individuals ISP. These organizations often request a donation from the individuals they serve. DHS cannot fund these supports or donations, but the SC/PA should document these providers as a natural support available to meet the individual’s general transportation needs in the individual’s ISP.

IX. Frequently Asked Questions

Q. For situations where the individual can travel independently, and does not need supports at the destinations in the community (i.e. no supports at work, no supports when going to community businesses of their choice), but they do need ADL/IADL/Behavioral supports at home when they return from work or other community outings, can we pay for transportation one-way (i.e. from the community back home), or is this not what was intended by the rule?

A. No, the intent is to provide transportation to individuals who have an assessed ADL/IADL/Behavioral need either during transit or at the destination in the community. (Refer to the Authorization Section VII(b) and (c) in this worker guide – Pages 5-8).

Q. Sharing rides: We have many group homes and other foster providers with individuals who share rides to the same or different employment sites. We also have multiple group home residential agencies that transport more than one or two individuals from the same home site in the same car or van on the same days or different days during the week to the same vocational sites or different sites along the travel route. What about these that already have accepted CPAs? These were all authorized in the past, some years ago, and some were authorized at different months or start dates. Will these be allowed to continue?

A. If CPAs were authorized years ago and the routes/mileage have changed for FC Providers who have a 53 CPA- they should do a new budget tool and we should look at a new CPA. If this is a provider organization that has an approved budget but several things have changed we can look at adjustments there as well if needed. If the CPA is still accurate, they will continue to be authorized.

Q. If individuals rideshare from the same site and to the same site each day, do the budget miles or totals, have to be divided amongst them? That is divided by 2, 3, 4, and so on?

A. PSWs: Divide the total miles among the riders.

a. **Example:** The mileage from home to work is 10 miles. Two riders are in the vehicle. The miles are then divided as 5 / 5. IF there are multiple destinations during the same trip and departing from the same location: Say Rider Two must go an extra 5 miles to work, then the divided miles would be: 5 Miles for Rider One, 5 Miles for Rider Two And an additional 5 Miles for Rider Two to account for Rider Two's need to go 5 miles beyond the first destination.

Q. What about individuals who get sick or who don't want to go to work one or a few times week? If they were ridesharing, can the provider bill a higher or full rate for the other rider(s)?

A. DD53 CPAs are paid out monthly, not daily. So they would get the full amount for the month per the rate indicated by the approved CPA. Currently, the payment system does not adjust for the occasional absences that occur in a month.

Q. Can a provider agency use the family vehicle of an individual to transport the individual to approved locations, bill ODDS for the approved miles and reimburse the family up to the contract monthly limit?

A. Yes, neither Oregon Administrative Rules nor ODDS policy prohibits a provider agency from entering into a private agreement with the family of a supported individual to use the family vehicle to transport the individual, claim the approved mileage and then pay the family for the mileage used. ODDS views this as a business operations action that is not within the scope of ODDS oversight.