

Athens County Board of Developmental Disabilities

Work-plan for compliance with OAC 5123:2-9-11

Home and Community-Based Services Waivers – Free Choice of Providers

Dated 9/28/15

Demographics of Athens County:

Athens County has a population of 64,811, with a median age of 26.8 years. The estimated disabled population is 8,433 residents. The Economic characteristics of Athens County show an average income of \$22,181, with 48.2% employed, based upon the US Census Bureau data 2009-2013. The Athens County Board of Disabilities serves 49 clients on Level 1 and IO waivers through our ATCO Day Service. PersonnelPlus serves 48 clients on Level 1 and IO waivers. PassionWorks serves 3 clients on level 1 and IO waivers. There were 149 people in Adult Day Services who made waiver claims in FY 2014. One hundred clients are enrolled in adult services by the ACBDD. This translates to 67% of day services being provided by our agency. The Board is still providing school-age transportation to students attending our school and preschool located on the Board campus, and the combined total of those transported is approximately 120 people.

On May 1, 2015, the OAC 5123:2-9-11 Home and Community-Based Services Waivers – Free Choice of Providers became effective. This updated rule placed additional requirements on County Boards of DD, especially those County Boards who provide waiver services. Among the most notable changes to the rule include section (C) Notification, (D) Additional requirements that apply when a county board provides home and community-based services, and (E) Commencement of services;

Work-Plan

(C) Notification of free choice of providers, assistance with provider selection, and procedural safeguards

Action Needed for Compliance	Action taken	Person Responsible	Timeline
<p>(1) The county board shall notify each individual at the time of enrollment in a home and community-based services waiver and at least annually thereafter, of the individual’s right to choose any qualified and willing provider of home and community-based services. The notification shall specify that:</p> <p>(a) the individual may choose agency providers, independent providers, or a combination of agency providers and independent providers;</p>	<p>This is an ongoing practice in the SSA department and documentation is present in case notes.</p>	<p>SSA’s Director of SSA</p>	<p>Ongoing</p>

<p>(b) the individual may choose providers from all qualified and willing providers available statewide and is not limited to those currently providing services in a given county;</p> <p>(c) the individual may choose to receive services from a different provider at any time;</p> <p>(d) an individual choosing to receive homemaker/personal care in a licensed residential facility is choosing both the place of residence and the homemaker/personal care provider, but maintains free choice of providers for all other home and community-based services and the right to move to another setting at any time if a new homemaker/personal care provider is desired; and</p> <p>(e) the service and support administrator will assist the individual with the provider selection process if the individual requests assistance.</p>			
<p>(2) A service and support administrator shall assist an individual enrolled in a home and community-based services waiver with one or more of the following, as requested by the individual:</p> <p>(a) accessing the department’s website to conduct a search for qualified and willing providers;</p> <p>(b) Providing the individual with the department’s guide to interviewing prospective providers;</p> <p>(c) Sharing objective information with the individual about providers that includes reports of provider compliance reviews conducted in accordance with section 5123.162 or 5123.19 of the ORC, approved plans of correction submitted by providers in response to compliance reviews, number of individuals currently served, and any information about a specific group of individuals such as aging adults, children with autism, or individuals with intense medical or behavioral needs;</p> <p>(d) Utilizing the statewide, uniform format to create a profile that shall include the type of services and supports the individual required, the individual’s essential service preferences, the funding source of services, and any other information the individual chooses to share with prospective providers;</p> <p>(e) Making available to all qualified providers in the county that have expressed an interest in serving additional individuals, the individual-specific profile created in accordance with paragraph (C)(2)(d) of this rule to identify willing providers of the service;</p> <p>(f) Contacting providers on the individual’s behalf;</p> <p>(g) Developing provider interview questions that reflect the characteristics of the individual’s preferred provider; and</p> <p>(h) Scheduling and participating as needed in interviews of prospective providers. If the individual chooses to interview the county board as a prospective provider, the service and support administrator shall disclose to the individual that the service and support administrator is employed by the same agency. The service and support administrator may participate in this interview as directed by the individual.</p>	<p>This is an ongoing practice in the SSA department and documentation is present in case notes.</p>	<p>SSA’s Director of SSA</p>	<p>Ongoing</p>

(3) The county board shall document the alternative home and community-based services settings that were considered by each individual and ensure that each individual service plan reflects the setting options chosen by the individual.	This is an ongoing practice in the SSA department and documentation is present in case notes.	SSA's Director of SSA	Ongoing
(4) The county board shall document that each individual has been offered free choice among all qualified and willing providers of home and community-based services.	This is an ongoing practice in the SSA department and documentation is present in case notes.	SSA's Director of SSA	Ongoing
(5) If a county board receives a complaint from an individual regarding the free choice of provider process, the county board shall respond to the individual within thirty (30) days and provide the department with a copy of the individual's complaint and the county board's response. The department shall review the complaint and the county board's response and take actions it determines necessary to ensure that each individual has been afforded free choice among all qualified and willing providers of home and community-based services.	This is an ongoing practice in the SSA department and documentation is present in case notes.	SSA's Director of SSA	Ongoing

(D) Additional requirements that apply when a county board provides home and community-based services. So long as a county board is a provider of home and community-based services, the county board shall:

Action Needed for Compliance	Action Taken	Person Responsible	Timeline
(1) Ensure administrative separation between county board staff doing assessments and service planning and county board staff delivering direct services.	SSA's are located in one half of the Transportation Garage. We are currently working with our County Commissioners to review alternative sites for their offices. The SSA's are not in the same Collective Bargaining Agreement with Transportation.	Superintendent Director of Transportation Director of Service and Support	12/31/2019
(2) Establish and implement annual benchmarks for recruitment of sufficient providers of adult day support, integrated employment, non-medical transportation, supported employment-community, supported employment-enclave, and vocational habilitation. Benchmarks are subject to the approval by the department. The county board shall report progress on achieving benchmarks to the department twice per year in accordance with the schedule and format established by the department. (a) Initial plans due to the department by October 1, 2015 – with first set of benchmarks to be achieved by December 31, 2016. (b) Reports due to DODD by June 30, 2016 and December 31, 2016	We have not yet begun to recruit new options for non-medical transportation, but have new ideas to support this option. We had a meeting with all providers and they expressed a need for more vehicles. We are exploring the option of providing mini-grants to local Community Providers, for a total of \$200,000 for local community providers	Superintendent Director of Transportation	12/31/2019

	<p>to purchase wheelchair accessible vehicles, location options and programmatic enhancements. We are also considering subsidizing Athens On Demand, which provides transportation in the evenings. This may allow them to expand options for weekends. Athens County has eight private Community Providers of Adult Services, whom we meet with quarterly. They have assured us that they have capacity to serve all of our existing clientele.</p>		
<p>(3) Establish and implement annual benchmarks for reducing the number of individuals for whom the county board provides adult day support, integrated employment, non-medical transportation, supported employment-community, supported employment-enclave, and vocational habilitation. Benchmarks are subject to approval by the department. The county board shall report progress on achieving benchmarks to the department twice per year in accordance with the schedule and format established by the department.</p> <p>(a) Initial plans due to the department by September 1, 2015 – with first set of benchmarks to be achieved by December 31, 2016.</p> <p>(b) Reports due to DODD by June 30, 2016 and December 31, 2016</p>	<p>A. Effective immediately, ACBDD will not accept new individuals for transportation. If an individual decides to change transportation from the board to another provider, they will not be permitted to transfer to the County Board's transportation. Individuals whose daily transportation schedules can be served by a certified transportation provider will be encouraged to consider the private provider instead of the County Board. The Athens County Board of DD will reduce our transporting of individuals who receive waiver-funded transportation from 51.49% to 46% within one year. We will further reduce by 6% per year for the following three years.</p> <p>B. We will reduce our Day Service waiver clients by 13 people in the first year, which is a reduction of 9.25%. <u>Thirteen of our clients are dual enrolled in our day service and a community provider service. We will work through our SSA department to encourage the transfer to</u></p>	<p>Superintendent Director of Transportation Director of Adult Services</p>	<p>12/31/2016</p>

	<p><u>the other provider. Our goal of providing mini grants in D.2. will provide extra resources, allowing community providers to enhance their program and their ability to recruit our thirteen dual-enrolled individuals to move exclusively to their program.</u> During the subsequent years, we will continue to reduce by 9.25%.</p>		
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(E) Commencement of services:

<p>The county board shall adopt written procedures to ensure that home and community-based services begin in accordance with the date established in the individual service plan. The procedures shall include a requirement for the county board to monitor the service commencement process and implement corrective measures if services do not begin as indicated.</p>	<p>The Board Procedures are up to date and monitoring takes place in the SSA department.</p>	<p>Director of Service and Support SSA's Superintendent</p>	<p>Complete</p>
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(G) Due process and appeal rights:

<p>(3) The county board shall inform the individual, in writing and in a manner the individual can understand, of the individual's right to request a hearing in accordance with division 5101:6 of OAC.</p>	<p>The Board has Policy and Procedure that outlines this process.</p>	<p>Director of Service and Support SSA's</p>	<p>Complete</p>
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