

# Wood County Board of Developmental Disabilities

## PROCEDURE

Procedure #: 02-ALL-ALL-0587 (CR)  
Effective Date: 09-01-00  
Person Responsible: Service Coordinator/Intake and Eligibility

Subject: Residential Services Waiting List  
Last Revision: 12-07-17

Approvals/Date:

Brian Uby 12/13/17  
Superintendent, WCBDD Date

Chandi R. Kipert 12/13/17  
Department Director Date

The following definitions will apply:

**Emergency** - Emergency status means an individual is facing a situation that creates for the individual a risk of substantial self-harm or substantial harm to others if action is not taken within thirty calendar days. Emergency status may result from, but is not limited to:

1. Loss of present residence for any reason, including legal action
2. Loss of present caretaker for any reason, including serious illness of the caretaker, change in the caretaker's status, or inability of the caretaker to perform effectively for the individual
3. Abuse, neglect, or exploitation of the individual
4. Health and safety conditions that pose a serious risk to the individual or others of immediate harm or death
5. Change in emotional or physical condition of the individual that necessitates substantial accommodation that cannot be reasonably provided by the individual's existing caretaker

**Waiting List** - If a county board determines that available resources are not sufficient to meet the needs of all individuals who request home and community-based services, the board shall establish a waiting list for the services.

**Current Need** - The individual needs and would use the services within twelve months if offered to the individual.

**Alternative Services** - The various programs, services, and supports regardless of funding source that exist as part of the DD Service System and other service systems. These include services provided by the County Board, services funded by the County Board through providers, services provided and funded outside the DD system and services provided at the State Level.

**Date of Request** - The earliest date and time of any written or other documented request for home and community-based.

**Priority** - Individuals may be identified as a priority per OAC 5123:2-1-08 (D) on a HCBS waiver waiting list in the following situations:

1. Refinancing of supported living and family support services. An individual who is eligible for home and community-based services and meets both of the following requirements:
  - A. The individual is eighteen years of age or older; and
  - B. The individual receives supported living or family support services.
2. Refinancing of adult services. An individual who is eligible for home and community-based services and meets both of the following requirements:
  - A. The individual resides in the individual's own home or the home of the individual's family and will continue to reside in that home after enrollment in home and community-based services; and
  - B. The individual receives adult services directly from the county board or from another provider with funding from the county 5123:2-1-08 4 board.
3. Aging caregiver or intensive needs. An individual who is eligible for home and community-based services and meets either of the following requirements:
  - A. The individual does not receive residential services or supported living, either needs services in the individual's current living arrangement or will need services in a new living arrangement, and has a primary caregiver who is sixty years of age or older; or
  - B. The individual has at least one of the following service needs that is unusual in scope or intensity:
    - I. Severe behavioral problems for which a behavioral support strategy is needed;
    - II. A mental health diagnosis for which medication has been prescribed;
    - III. A medical condition that leaves the individual dependent on life-support medical technology;
    - IV. A condition affecting multiple body systems for which a combination of specialized medical, psychological, educational, or habilitation services is needed; or
    - V. A condition the county board determines to be comparable in severity to any condition described in paragraphs (D)(10)(c)(ii)(a) to (D)(10)(c)(ii)(d) of this rule and places the individual at significant risk of institutionalization.
4. Resident of intermediate care facility for individuals with intellectual disabilities. An individual who is eligible for home and community-based services and resides in an intermediate care facility for individuals with developmental disabilities.
5. Resident of nursing facility. An individual who is eligible for home and community-based services and resides in a nursing facility.

1. The Board will maintain four (4) residential services Waiting Lists: ICF/IID, Supported Living, Individual Options Waiver, Level One Waiver and Self Empowered Life Funding (SELF) Waiver. Any person on a Waiting List would accept residential services if offered within twelve months from request date.

The Board will identify individuals in Emergency Status defined as - any situation that creates for an individual a risk of substantial self-harm or substantial harm to others if action is not taken within thirty days. An emergency may include the following: a) Loss of present residence for any reason, including legal action; b) Loss of present care taker for any reason; including serious illness of the care taker change in care taker's status, or inability of the care taker to perform effectively for the individual; c) Abuse, neglect, or exploitation of the individual; d) Health and safety conditions that pose a serious risk to the individual or others of immediate harm or death; e) Change in

- emotional or physical condition of the individual that necessitates substantial accommodation that cannot be reasonably provided by the individual's existing care taker. Emergency Status IS NOT a waiting list.
2. Names will be added to the appropriate waiting list(s) in the order in which the requests (including original requests) for services were made. Individuals may be placed on more than one waiting list. Individuals, the individual's guardian, and the individual's family (as applicable) will be informed in writing by the Service Coordinator/Intake and Eligibility of *alternative services* when placed on a waiting list. *Alternative Services* means the various programs, services, and supports regardless of funding source that exist as part of the DD service system and other service systems. These include services provided by the County Board, services funded by the County Board through providers, services provided and funded outside the DD system and services provided at the State level. Notice will also include position, place, or rank, due process/appeal rights both with the Board and Medicaid and include information that OAC 5123:2-1-08 requirements do not apply with respect to individuals requesting admission to an ICF/IID. Documentation of this notice will be placed in the waiting list file and the individual's service and support file when applicable.
  3. Once an individual is on a list and his/her status changes due to medical or behavioral issues, changes will be made without a change in his/her date of request.
  4. An individual eligible in one county who wishes to relocate to Wood County is automatically eligible. If a re-evaluation of eligibility is performed, the individual will receive services or be placed on a waiting list for services during the re-evaluation. If requesting HCBS services, the original date of request will be utilized. If requesting ICF/IID or non-Medicaid services, the date of request will be that of the request made to Wood County.
  5. Individuals who have previously requested HCBS waiver enrollment, have been informed of the amount, scope, duration, and fiscal limits of the Level I Waiver and elect to be enrolled on the Level I Waiver shall be placed on the Level I Waiver waiting list (if necessary) with same date/time of request that was prior to having any knowledge of the Level I Waiver.
  6. All individuals enrolled on an IO or LV1 waiver may request to be enrolled on the Self Empowered Life Funding (SELF) Waiver provided their needs can be appropriately met on the SELF Waiver.
  7. Referrals for residential services will be made by the individual's IP Team when applicable, with documentation of such in the individual's IP. Referrals for individuals who do not have an IP Team will be made by the individual, their parent/guardian or Service Coordinator and must include verification of eligibility.
  8. Referrals will include a minimum of the referral form including date and time of request, a service needs assessment and any other valid information/assessments as they are available.
  9. Children subject to determination by ORC 121.38 are to be served through Medicaid component ORC 5111.871 as an emergency.
  10. The following Medicaid eligible individuals will NOT be placed on waiting lists and shall receive necessary services within 90 days of the determination of need and as documented on the IP, a) Individual enrolled on a waiver with ICF/IID level of care and assessed to be in need for waiver covered services; and b) Individuals transferring from one waiver to another. Such individuals may be transferred and it will happen in accordance with Ohio Department of Developmental Disabilities Rules. Service Coordinators or families will inform the Board of Medicaid eligibility.
  11. Emergency and Priority List Referrals will include the referral, a Service Needs Assessment and a letter stating the rationale for placement in emergency status. Emergency Referrals will be copied to the Director of Service and Support Administration. The Review Committee will make determination of Emergency and Priority Status in consultation with the Director of Service and Support Administration.
  12. Individuals will be placed on the appropriate waiting list based on the individual's request and their service needs assessment which will identify current need and determine whether criteria for that category is met. A letter stating placement status including date and time of request on a waiting list, specifying which lists, informing the individual of Alternative Services, and informing the individual of their due process and appeal rights will be sent to the individual or guardian/next of kin (as applicable). Documentation of this notice will be placed in the waiting list file and the individual's central file. The Grievance/Due Process procedure 02-ALL-ALL-0206 for the Wood County Board of DD shall accompany this notice. Where there is a dispute regarding date of request, the individual or person with legal authority to act on behalf of the individual may appeal using this due process procedure.
  13. Due Process shall be provided, a) in accordance with OAC 5101:6-1 to 5101:6-9 for Medicaid funded programs, b) in accordance with ORC 5123-2-1-12 for non-Medicaid funded programs and shall be available to any individual aggrieved by an action of the Board related to a) approval, denial, withholding, reduction, suspension or termination of a service funded by the Medicaid Program, b) the establishment or maintenance of, placement or failure to offer services in accordance with or removal from a waiting list.
  14. Annually individuals on all Waiting lists, their guardian, or family (where applicable) will be contacted in writing by the Service Coordinator/Intake and Eligibility to inform them of: a) alternative services; b) their current positions (position, place, or rank); c) to reassess need (review their interest in service, status of need, preferences of service); d) inform of due process/appeal rights both with the Board and Medicaid; and e) inform that OAC 5123:2-1-08 requirements do not apply with respect to individuals requesting admission to an ICF/IID. For individuals with active Individual Service Plans (ISP), the assigned Service Coordinator will also review this information at the annual ISP meeting. The Wood County Board of DD Service and Support Administration will also assist individuals with referrals for other service and support providers. Documentation of all notices will be placed in the waiting list file and the individual file.
  15. It is the responsibility of the individual/guardian/family and the IP Team to provide updated information regarding status changes including a current address which would affect service needs or consideration.
  16. The information contained on the waiting lists is confidential. Only an individual's name, the category of services requested, the individual's rank on the waiting list, date of request, and any priority circumstances are to be released to the individual.

17. Removal of names from the waiting list may occur only in the following situations:

- A. Services have been provided
- B. Individual or Guardian request to have their names removed
- C. It is determined that an individual is not eligible for county board services
- D. It is determined that the individual needs a different category of service other than the one for which they are waiting for.
- E. The individual is deceased
- F. When documented attempts to reach an individual by phone, mail, or visits fail and the individual unable to be located.

When a service is offered but refused, the individual's name will not be removed from a waiting list. However, this may result in their status changing from Emergency or Priority. In this case, the refusal for service must be due to health/safety issue for the individual's name to remain on a list(s). Refusal to accept alternative services that are offered to reduce/eliminate the risk of harm may indicate that the situation is not an emergency and be cause to change from Emergency Status. All removals from the lists will be documented as to date of removal, original date of request per category, and reason for removal along with notification of Due Process/Complaint Resolution rights. The Service Coordinator/Intake and Eligibility Specialist will send notification of Medicaid Due Process rights to an individual or their guardian requesting removal from an HCBS waiver waiting list.

18. Individuals will be considered for services based upon descending order of referral dates from the Waiting List. For HCBS waiver services, individuals will be directed to the Wood County Board of DD Provider Pool as a means of ensuring free choice of provider.

19. If it appears that the service needs of the individual may be able to be met then visits to the facility/service area, as well as a placement assessment will be arranged by the individual's Service Coordinator/designee with the appropriate Residential Provider personnel in order to obtain further information prior to a placement meeting.

20. The Wood County Board of DD Service and Support Administration will maintain a Residential Services placement team consisting of Director of SSA, SSA Supervisor and Service Coordinator Intake/Eligibility Specialist. This team will meet with Residential providers to discuss openings and potential moves as necessary.

References: OAC 5101:6-1 to 5101:6-9; OAC 5123:2-1-02; OAC 5123:2-1-08; ORC 121.38; ORC 5123-2-1-12; ORC 5126.042

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