

PROGRAM: State Funded Services

BOARD #: 6-12

SUBJECT: State Fund Services Program

DATE OF INITIAL BOARD APPROVAL: 10/25/2016

DATE REVISED:

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PURPOSE

To describe the services and supports provided through the State Fund program, the methods used to provide the services, the eligibility criteria for the services, and the oversight and management of the program.

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POLICY

The State Fund Services program is designed to:

- Be a funding source from the state that supports the following programs: **State Supported Living Services** and Omnibus Budget Reconciliation Act - **OBRA**.
- Provide short term services and supports to individuals who have a developmental disability, but are unable to access waiver services at the present time.
- Reduce, delay or prevent the need for premature, unwanted institutionalization.
- Promote choice and decision making.
- The program’s goals are to reduce and relieve stress and increase independence.

1.0 ADMINISTRATION

- 1.1 **State Fund Coordinator.** Mesa Developmental Services (MDS) has designated a State Fund Coordinator to serve as the contact for the overall implementation and coordination of State Fund Services. The Coordinator works closely with case managers and eligible individuals to assist them, as they request, in determining the individual's needs and in finding and obtaining the necessary services and supports to meet those needs.
- 1.2 **Case Manager.** Case Management services are designed to enhance and increase the independence, self-sufficiency, and productivity of individuals by assisting with coordination of services that meet individuals' needs, including the identification and coordination of natural supports, community resources and state and federally funded services that are available.
- 1.3 **State Fund Council.** The State Fund Council is responsible for providing guidance and advice to the State Fund Services Program. The local State Fund Council is **not** responsible, nor encouraged, to become involved in decisions regarding individuals, including allocations. The council's involvement should be broader and address issues which impact all individuals in general. In fulfilling its role, the State Fund Council:
- Provides direction and assistance to MDS in the development of an annual plan for the best use of State funds, which is presented to the MDS Board of Directors for review and approval;
 - Monitors :
 - The effectiveness of public awareness strategies and the diversity of families accessing the program,
 - The effectiveness of services and supports,
 - Individual satisfaction, and
 - The State Fund Services program as a whole.
 - Is aware of local community resources available to support individuals.
 - Makes recommendations regarding the survey process.
- a. *Composition of the Council*—The Council is composed of professionals, interested citizens, family members of persons with developmental disabilities, and persons with developmental disabilities who reside within Mesa County. The Council's membership can never be fewer than five persons, and the majority of the Council members must be members of eligible families. The Chairperson of the council must be an eligible family member. The Board of Directors will approve all new members to the council. The State Fund Council and the FSS Council are one in the same. MDS employees support the council, but cannot be voting members.

- b. *Orientation and Training of the Council*—MDS and the State Fund Coordinator provide an orientation and training session for all new Council members.
- c. *Tenure of Members of the Council*—The Council establishes its own criteria for tenure of new members, selection of members, the structure of the Council, and, in conjunction with the Chief Executive Officer (CEO), the procedures to be used to resolve disputes between the Council and the agency. This policy is to be updated yearly.
- d. Any disputes between council and Community Centered Board (CCB) will be resolved in a professional manner between the State Fund Coordinator, Chair of the Council, and the MDS/ Strive CEO and vice-president.
- e. Minutes shall be taken at each meeting and approved by the State Fund Council

2.0 PROGRAMS AND SERVICES AVAILABLE
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2.1 **State Fund Supported Living Services (SLS)** Provides short-term services and supports to individuals based upon the intensity of need and the ongoing level of services and supports necessary to meet the individual’s needs. The individual receives State Funds when they are unable to access waiver services due to ineligibility.

Services parameters include the following:

- All services provided will follow the state guidelines for the Supported Living Services (SLS) Waiver.
- The individual level of need will be determined prior to accessing services. If an individual is in crisis, the State Fund Coordinator and the vice-president or CEO of MDS/Strive may determine and approve services using an initial needs score prior to the formal assessment being administered.
- All individuals active within the State Fund program will provide information to develop a Service Plan. The service plan is a written plan designed to aid the individual in identifying the individual’s strengths and needs and the necessary services and supports to assist the individual in maintaining their independence. The plan is reviewed annually.
- The individual must access services as identified in his/her service plan. Expense forms, which document how the funds provided were utilized, must be submitted if services are not directly billed to the agency by a service provider.

- Selection of service providers is based upon the choice, needs, and preferences of the individual.
- The individual must apply on an annual basis for Medicaid and Supplemental Security Income (SSI) and provide documentation of this. If either is in the appeals process, the individual must comply with requests and follow-up as requested by Department of Human Services (DHS) or Social Security Administration. Services will be provided for no longer than 3 years without meeting state guidelines for the SLS waiver.
- The individual will follow financial requirements of Long Term Care (LTC) Medicaid. The individual will have a total 3 year grace period, to allow for creating trusts, spending down funds or disputing family trusts.
- The individual must demonstrate functional eligibility for SLS on an annual basis. Functional eligibility will be determined through the 100.2 assessment, which assesses the activities of daily living (ADL).

2.2 OBRA (Omnibus Budget Reconciliation Act)

OBRA Specialized Services will follow the Federal Code of Regulations. OBRA funding provides services and supports to individuals with developmental disabilities who reside in skilled-care facilities. The supports are based upon the needs of the individual and are intended to facilitate connecting with the community and maintaining natural supports.

Services parameters include the following:

1. Services cannot duplicate what the skilled-care facility is required to provide, so staff cannot assist with care, supervision or any service that an individual receives by virtue of being a resident at the home.
2. The services must be related specifically to the intellectual or developmental disability.
3. The funding is structured so the individual is able to leave the skilled-care facility a minimum of twice per week. Transportation to and from the services should be paid for through OBSS funding.

3.0 ACCESSING THE PROGRAM

- 3.1 **Eligibility.** Any adult (18 and older) who has been determined eligible for services through MDS by virtue of having a developmental disability and who resides within Mesa County is eligible for State Fund Services. (See policies #6-1 and #6-11 for determination of developmental disability of adults and children.)

- Prioritization will be done through a standardized score guide, the Supports Intensity Scale (SIS) to determine the level of need for each individual. The higher the SIS level, the higher their priority for funding.
- Eligibility for state fund does not guarantee the availability of services and supports under the program. Availability of service depends on availability of funding through the Division for Intellectual/Developmental Disabilities and prioritization of needs and resources of the family.

3.2 **Allowable Services and Supports.** Within the State Fund Program, a wide variety of services and supports may be provided by and through State Fund. Delivery of services and supports are individual-directed and controlled within the parameters of the State Fund Plan.

- a. Allowable services will mirror services within the Supported Living Services (SLS) Waiver program.
- b. Payment for services will be made directly to provider agencies whenever possible. The method of payment/reimbursement and the need for receipts will be established according to MDS procedures prior to funds being provided for the purchase of individual services and supports.
- c. MDS will continue funding for the remainder of the allotment period for services and supports committed to by MDS in the State Fund Plan for eligible individuals who move to another area within the state of Colorado during the allotment period. MDS will not provide any funds to support individuals who move out of state.

3.3 **Exclusions.** Costs which are normally incurred for individuals without a developmental disability are generally not allowable under the State Fund program, including but not limited to normal budgeted expenses such as food, rent, and utilities; services which take the place of day programs or public education; and routine childcare. Other items that are generally excluded from State Fund include items covered by other funding sources or that can be obtained at no charge.

4.0 ALLOCATION PROCESS

All decisions regarding allocations are made by the State Fund Allocations Committee (SFAC). Individuals are allocated funds based upon a standardized score guide to determine the individuals level of need. The criteria-based prioritization process considers the different needs and resources of the individual. The SFAC is composed of not less than five members and has at a minimum the following members:

- The MDS State Fund Coordinator;
- A minimum of two case management representatives from the State Fund allocation caseloads;

- Community members that have experience with individuals with intellectual and developmental disabilities.

Because the SFAC makes decisions regarding distribution of available funds, no person who has a family member receiving funds may serve on the Allocations Committee.

The SFAC has broad responsibilities for advising on the fiscal operations of State Fund. Among the duties and responsibilities designated by the agency to the SFAC are:

- To determine and approve the amounts to be made available to individuals for the allotment period;
- To semi-annually review all individuals eligible for state fund;
- To base the funding amount on the individual's disability/overall needs of the individual;
- To have funding provide composition and stability to the individuals;
- To provide access to support networks and resources;
- To prioritize all individuals for services and supports in regard to the immediacy of their needs or the potential for crisis.

Individuals selected to receive State Fund will receive formal notification of their selection, including a description of the types of services and supports available.

Individuals not selected to receive State Fund receive formal notification and an invitation to apply again for funding in the next allocation period.

All allocations for services are given in single allocations, considered one time basis and reflected within the service plan. All funding periods will not exceed 6 months.

An emergency fund has been established to assist individuals should a crisis situation arise that requires additional funding.

- 4.1 **Waiting List**. Because of limited resources, it is not possible to provide every individual with services through State Fund. A waiting list will be maintained for all individuals who are not being served. Individuals on the waiting list will be reviewed semi-annually. Based on the prioritization criteria, individuals may be selected to receive an allocation for the next 6 month period. Should vacancies become available at other times during the year, the SFAC may select individuals from the waiting list in accordance to SIS score and need.