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# DC Downsizing and Money Follows the Person

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# Overview

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- Olmstead
- DC Census Reduction
- ICF Voluntary Reduction
- Home Choice

# Olmstead v. L.C. 1999 US Supreme Court Decision

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- ...unnecessary segregation of persons with disabilities is discrimination under the ADA and a state must provide community-based treatment to qualified individuals.

# Important DOJ Definitions

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- “Most integrated setting” is defined as “a setting that enables individuals with disabilities to interact with non-disabled persons to the fullest extent possible”
- The integration mandate applies to public entities that *administer, operate, or finance* programs or facilities that segregate individuals with disabilities

# Important DOJ Definitions

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- “Segregated settings” include but are not limited to:
  - Congregate settings populated exclusively with individuals with disabilities
  - Congregate settings characterized by regimentation of daily activities/lack of privacy and limitations to engage freely in the community and manage their own activities of daily living
  - Setting that provide for daytime activities primarily with other individuals with disabilities

The DOJ is looking for States to transition persons to the most integrated setting appropriate to their needs

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This includes:

- Properly educating each resident and/or family/ guardian on what community resources are available, and the possible benefits of community placements
- Meaningfully considering and adequately assessing individuals' ability to be served in the community

The DOJ is looking for States to transition persons to the most integrated setting appropriate to their needs

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Continued ...

- Properly educating ICF/MR staff about community placement opportunities and how to assess individuals
  
- Providing appropriate treatment and support to individuals living in ICFs/MR that will promote their eventual discharge to a community setting

The DOJ is looking for States to transition persons to the most integrated setting appropriate to their needs

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## Continued ...

- Providing routine, ongoing assessment for placement into a community setting
- Assuring that individuals are placed into institutional settings only after all community options have been considered

# Discharge Plans That Meet DOJ Expectations

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- Robust – assumes all individuals can have needs met in the community
- Clearly identifies services and supports the individual will need to be successful in the community
- Clearly identifies any and all barriers to placement in the community
- Identifies goals/objectives to eliminate these barriers
- Proof that individual/family/guardian are well informed of community options including tours

# Discharge Plans That Meet DOJ Expectations

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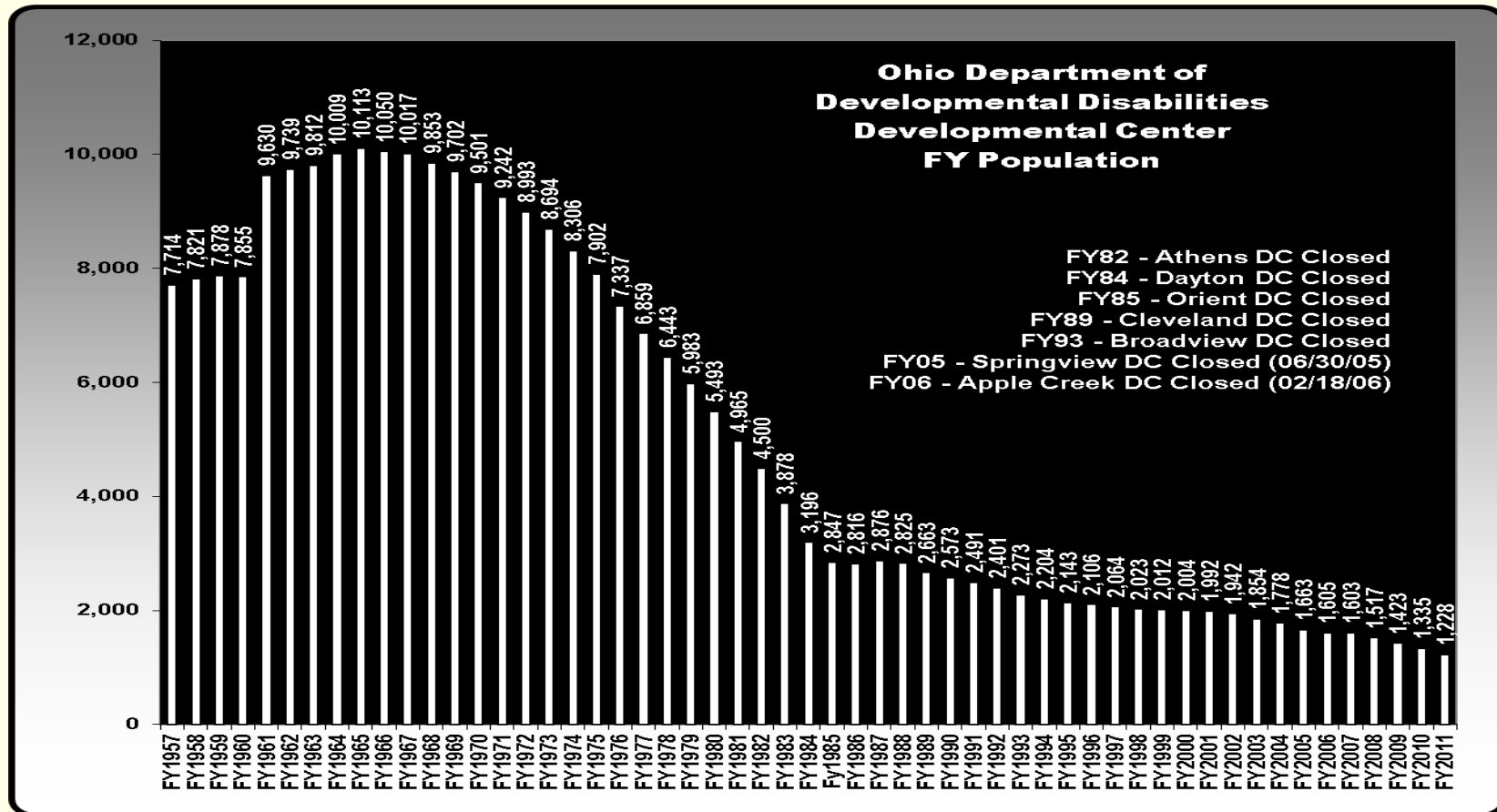
- DOJ activity in other states has also focused on opportunities for meaningful, paid work in integrated settings

# Internal Olmstead Plan Focus

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- DODD has adopted our own Internal Olmstead Plan focusing on:
  - census reduction in the developmental centers
  - education of families and guardians
  - partnering with private providers and County Boards of DD
  - voluntary reduction of 200 private ICF/MR beds

# Historical DC Population FY1957 – FY2011



# Developmental Center FY12 and FY13 Census Reduction Breakdown

	Budgeted Capacity (06/30/11)	State Funded Reduction/FY12	State Funded Reduction/FY13	State Funded Total Reduction (FY12-13)	Adjusted Budgeted Capacity (06/30/13)
Cambridge	103	6	6	12	91
Columbus	105	7	7	14	91
Gallipolis	192	16	16	32	160
Montgomery	101	4	4	8	93
Mount Vernon	160	24	24	48	112
Northwest	126	9	9	18	108
Southwest	105	9	9	18	87
Tiffin	128	15	15	30	98
Warrensville	106	8	8	16	90
Youngstown	108	9	0	9	99
	<b>1234</b>	<b>107</b>	<b>98</b>	<b>205</b>	<b>1029</b>
Note: Does not reflect county board funded beds; Does not reflect licensed and certified capacity					
Consolidated: 03/14/11; Updated 03/18/11-06/17/11					

# What you need to know about individuals coming out of the DCs ...

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- All discharges will be voluntary
- Some can easily move directly to a waiver
- Some will require services through a private ICF/MR
- DCs will be identifying individuals who wish to move together

# Education

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- DCs will be working hard at educating families and staff about alternative placements:
  - Provider Fairs
  - Tours
  - Family Mentors/Buddies
  - Regional listings
  - Parent/family survey

# Successful Placements

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- DCs will be working hard to assure successful placements:
  - Follow-up for a minimum of one year
  - Pre-placement training and on-going consultation, if needed
  - Analysis of data compiled as part of follow-up

# Prevention of Long-Term Admissions

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- DCs will be working hard to prevent long-term admissions:
  - Serve as a Regional Resource Center to families, community providers and county boards
  - Limit voluntary admissions to 180 days or less
  - SIS Project/Admissions Review Panel
  - Work with Probate Judges

# DC Census Reduction

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## Regional Resource Tracking

- Technical Assistance
- Risk Assessment
- Written Assessments
- Staff Training
- Competency and Psych Evaluations
- General Consultations

# DC Census Reduction

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- Reducing by 205 beds over the biennium
- Same options as in previous years:
  - Move directly from a DC to waiver
  - An individual can move out of an ICF, in order to allow an individual from a DC to move in
  - The individual moving from the ICF would be eligible for the waiver (waiting list does not apply in this case)

# DC Census Reduction

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## Funding Options

### Option 1

- State pays \$37,000 toward match. County Board keeps \$37,000 in allocation after individual disenrolls

### Option 2

- State pays full match based on actual costs until individual disenrolls

Please note that the CB Superintendent must pick an option before an approval letter is returned. Once an option is chosen, the CB cannot change their options based on each individual's circumstance.

# DC Census Reduction

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- Planning and enrollment process remains the same for IO waivers
- Individuals are eligible for up to \$2000 in start up expenses via Home Choice/MFP (for CB's that are enrolled as providers of Home Choice)

# DC Census Reduction

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- Up to \$40,000 per person for capital housing needs (capital rules apply) for DC or ICF individuals involved in census reduction
- Rate enhancements:
  - ICF/MR rate enhancement-pending
  - IO/Level 1 Waivers - Effective 12/1/11, an additional \$0.52/unit of routine HPC (only) for individuals leaving a DC and moving directly to waiver, available up to one year and only permitted to be paid for services rendered through 6/30/13

# Voluntary ICF Conversion

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- Can be public or private
- Can be full or partial conversion
- ICF beds are surrendered and “go away”
- County Board involvement in the administration of state-funded waivers
- Eligible for \$2,000 Home Choice start-up funds
- Capital assistance for housing development available on a situation-specific, first-come first-served basis

# Voluntary ICF Conversion

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- One funding option pending - state pays match on actual waiver costs until disenrollment. County Board will keep the state match for the previous 12 months of billed services in future allocation



# Questions and Answers