



DEPARTMENT OF
HUMAN SERVICES

Discontinuation of Residential Care

Mike Saindon | Program Administrator, Aging and Adult Services Division

Stephen M. Horn | HCBS Policy Lead, Disability Services Division

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I. Background

- Residential Care Services are unlicensed with insufficient oversight and enforcement for people eligible for institutional level of care.
- Due to the lack of licensure there are lack of health, safety and rights standards, and safeguards.
- Center for Medicare and Medicaid Services (CMS) approved Brain Injury (BI), and Community Access for Disability Inclusion (CADI) waiver amendments May 8, 2017 and Elderly Waivers (EW) waiver amendments Feb. 8, 2017 to discontinue residential care services.
- Affects approximately 192 people on BI, CADI and EW.

II. Key Dates

- Residential care service discontinues June 30, 2018
- No new authorization after July 1, 2017 for a person who was not receiving residential care on June 30, 2017
- July 1, 2017 to June 30, 2018
 - Service transition planning

III. DHS Next Steps

- Send a letter to people affected by this change
- Communicate tools and information for case managers / care coordinators to develop transition plans and revise service plans
- Communicate transition options and information for service providers to identify and implement their transition plan(s)

IV. Authorizations Exception Requests

- From July 1, 2017 to June 30, 2018, exception requests may be approved by DHS when a person meets BOTH of the following requirements:
 - is discharged from an institutional setting (e.g. nursing facility, hospital, ICF/DD, IMD), or a short-term crisis or stabilization program
 - received the residential care service immediately before he or she entered the institutional setting, short-term crisis or stabilization program.
- Submit exceptions to DSD.ResponseCenter@state.mn.us with the following subject line:
 - “Residential care service – new authorization exception request”
- If the person is on EW and enrolled in a managed care organization (MCO), submit exception requests directly to the MCO.

V. Case Manager / Care Coordinator Responsibilities

- Transition planning
 - [Person-Centered, Informed Choice and Transition Protocol](#)
 - [My Move Plan Summary \(DHS-3936\)](#)
- 30 days prior to ending residential care and transition to other services, a person must receive either:
 - Notice of Action (DHS-2828)
 - Denial, Termination or Reduction (DTR) Notice of Action for EW participants enrolled in a managed care organization

VI. Transition Options for People and Waiver Provider

- Other HCBS waiver services
- Cost neutral foster care moratorium exception (person specific)
- Customized Living
 - Size Limit exception amendment for BI and CADI waivers
 - If provider chooses this option, they must meet all customized living provider requirements, including the federal HCBS settings rule requirements. Customized living providers must complete a HCBS Provider Attestation
 - To request HCBS Provider Attestation info, email HCBS.Settings@state.mn.us with a subject link of, “Residential Care - Sign-in number for attestation needed.”
 - Include your provider name, the setting address, city, state, ZIP code, and phone number.

Additional information

- For more information about the discontinuation of residential care please review
 - <http://www.dhs.state.mn.us/dhs-288436#>

VIII. Questions

