



COMMISSIONER
Jon Weizenbaum

February 25, 2015

To: Home and Community-based Services Providers
State Supported Living Centers
Local Authorities

Subject: Information Letter No. 15-19
Replaces Information Letter 12-77
Home and Community-based Service Program Enrollment Process for Individuals
Transitioning from a State Supported Living Center

The purpose of this letter is to clarify instructions regarding the level of need (LON) 6 assignment process for individuals leaving state supported living centers (SSLC) and enrolling in the Home and Community-based Services (HCS) program. This letter replaces information letter No. 12-77 which did not require the Local Authority (LA) to comply with Texas Administrative Code (TAC), Title 40 §Section 9.158(k)(2)(A)-(C) (see #3 below). For your convenience revised instructions are bolded:

- 1) The SSLC must continue to follow requirements set forth in the Department of Aging and Disability Services (DADS) rules at 40 TAC, Chapter 2, Subchapter F, Division 4 (relating to Moving from a State Facility to an Alternative Living Arrangement) in identifying individuals who will enroll in the HCS program, including:
 - a. notifying the designated LA of the individual's referral to community transition in accordance with DADS rule at 40 TAC Section 2.275(a) and 2.276(a)(1); and
 - b. developing a community living discharge plan and coordinating the transition with the HCS service planning team in accordance with 40 TAC Section 2.278.
- 2) **For individuals moving from the SSLC to the HCS program, the SSLC must:**
 - a. **submit a copy of the most recent Inventory for Client and Agency Planning (ICAP) booklet and computer scoring sheets to the DADS Continuity of Services Coordinator; and**
 - b. **if the SSLC is requesting an LON 9 for the individual, provide PE/UR with documentation supporting the LON 9 as described in DADS rule at 40 TAC Section 9.163(i) and requirements listed at www.dads.state.tx.us/providers/guidelines/lon/index.html.**
- 3) The LA must follow DADS rule at 40 TAC Section 9.158(k)(1), (3) and (4), (l)-(m), and (p)-(s) when enrolling an individual moving from a SSLC into the HCS program. The LA is required to comply with 40 TAC Section 9.158(k)(2)(A,C).

- 4) **If the individual leaving the SSLC is not recommended for a LON 9, DADS assigns the individual an LON 6.**
- 5) If the individual is recommended for an LON 9, DADS reviews documentation submitted by the SSLC for the recommended LON 9 in accordance with 40 TAC Section 9.164(b)(2).
 - If DADS approves the recommended LON 9, DADS notifies the LA of the decision, and the LA enters the Intellectual Disabilities/Related Conditions (ID/RC) Purpose Code (PC) 2 into the Client Assignment and Registration (CARE) system. DADS reviews the LON 9 after 180 days of the individual's enrollment into the HCS program in accordance with 40 TAC Section 9.164(a). If DADS determines the individual no longer meets the criteria for an LON 9, DADS assigns the individual an LON 6. The LON 6 is valid for the remaining portion of the individual's first 12 months of enrollment in the HCS program.
 - If DADS does not approve the recommended LON 9, DADS assigns the individual an LON 6. The LON 6 is valid for the individual's first 12 months of enrollment in the HCS program.
- 6) For an individual who moved from a SSLC and was assigned an LON 6 by DADS as described above, the HCS provider must complete a new ICAP no later than 60 days before the LON 6 expires. If the LON indicated by the new ICAP is higher than the LON authorized before the SSLC transition, the provider must submit to DADS PE/UR documentation supporting the recommended LON in accordance with 40 TAC Section 9.164(c) and requirements listed at www.dads.state.tx.us/providers/guidelines/lon/index.html.
- 7) At the time the documentation supporting the recommended LON is submitted to DADS, the HCS program provider will:
 - a. enter in the CARE system screen C23 an ID/RC Assessment PC 3 using the ICAP data from the most recently administered ICAP; and
 - b. maintain the original hard copy of the ID/RC Assessment in the individual's record.
- 8) DADS reviews the packet submitted by the HCS provider for consideration of the recommended LON assignment in accordance with 40 TAC Section 9.164. DADS may conduct a face-to-face visit with the individual as part of this review to verify the ICAP assessment and make a determination regarding the recommended LON.

The HCS provider may, at any time, submit an LON packet requesting a different LON than what DADS has assigned in accordance with 40 TAC Section 9.165.

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If you have any questions about the information in this letter, please contact the PE/UR message line at (512) 438-5055.

Sincerely,

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