



MENTAL RETARDATION BULLETIN

COMMONWEALTH OF PENNSYLVANIA • DEPARTMENT OF PUBLIC WELFARE

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SUBJECT:

COUNTY RESPONSIBILITIES FOR WAIVER
FUNDED HABILITATION IN A PRIVATE HOME

BY:


Steven M. Eldelman
Deputy Secretary for Mental Retardation

SCOPE:

County Mental Health/Mental Retardation Administrators

PURPOSE:

The purpose of this bulletin is to transmit information about the responsibilities of the County Mental Health and Mental Retardation Programs related to Medicaid 2176 waiver funded habilitation provided for individuals living in a private home.

BACKGROUND:

Habilitation refers to a range of service functions funded under the Medicaid 2176 waiver which are needed by an individual with mental retardation to live in his or her home and community.

The Office of Mental Retardation has encouraged habilitation which serves to enhance the opportunity for individuals to live outside of licensed settings, in a person's private home. Habilitation will continue to be offered in private homes as individuals and their families are able to make informed choices about where and with whom they live.

The County Mental Health and Mental Retardation Program has a key role in the management of habilitation in private homes under the waiver. County responsibilities are defined in existing regulation under the MH/MR Act of 1966 and in the Department's approved 2176 waiver proposal. Further clarification is provided in this bulletin to ensure that individual health, safety, and well-being are protected, and that program quality is maintained in accordance with Federal and State requirements.

COMMENTS AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO:

Appropriate Regional Mental Retardation Program Manager

The County Program responsibilities contained in this policy are consistent with responsibilities for other services authorized by the County Mental Health and Mental Retardation Program. The policy requiring County Program certification of persons who provide habilitation in private homes is necessary to ensure that only qualified persons render habilitation services in accordance with State assurances to the Health Care Financing Administration.

DISCUSSION:

This bulletin applies to habilitation services authorized by the County Mental Health and Mental Retardation Program and provided in a person's private home as part of the approved 2176 Waiver Renewal, pursuant to Mental Retardation Bulletin 00-90-21, issued May 16, 1990. For the purposes of this bulletin, a person's private home means a residence which is not a home licensed to provide residential services for persons with mental retardation.

The County Mental Health and Mental Retardation Program is responsible for authorizing habilitation for individuals living in a private home pursuant to the individual's program plan. The County Mental Health and Mental Retardation Program is responsible for ensuring that only the following types of habilitation provided in a private home are claimed for Federal financial participation under the waiver.

- (1) Care and supervision up to 24 hours per day.
- (2) Support, training, and intervention in the areas of self-care, sensory/motor development, daily living skills, communication, behavioral assessment and related development, community living and socialization. Included are training costs, supervisory staff and purchased personnel providing services in these areas.
- (3) Supplies and equipment such as workbooks and developmental supplies; program planning, management and assessment material; and adaptive appliances, devices and equipment.

The County Mental Health and Mental Retardation Program is responsible for certifying that individual providers of habilitation meet appropriate qualifications prior to the County Program's authorization of habilitation in a private home. The County Program is responsible for certifying that the individual providing habilitation services in a private home:

- (1) Is at least 18 years of age.
- (2) Has completed necessary pre-service orientation and ongoing in-service education/training based on the individual program plan.
- (3) Agrees to carry out responsibilities to provide habilitation services based on the individual program plan pursuant to a written agreement.

The County Program is responsible for ensuring that its certification of individual habilitation providers is completed using form MR-42, titled "Individual Habilitation Certificate," which is attached to this bulletin and available on request to the Regional Office of Mental Retardation.

Both the individual certified to provide habilitation and the County Mental Health and Mental Retardation Program are responsible for maintaining a copy of the current certification in their respective records.

The County Mental Health and Mental Retardation Program is responsible for ensuring that:

- (1) Habilitation services provided for individuals in a private home are located, coordinated and monitored by the individual's case manager in accordance with Department regulations and policy on case management services.
- (2) All providers of habilitation services are advised of the provider's responsibilities to comply with procedures under Mental Retardation Bulletin #6000-SS-04, titled, "Preventing, Managing and Reporting Unusual Incidents and Deaths," issued August 1, 1988.
- (3) Each individual providing habilitation for children is in compliance with the Child Protective Service Law.

The County Mental Health and Mental Retardation Program is responsible for ensuring that expenditures for habilitation in private homes are in accordance with special program instructions by the Department. Habilitation services and supports authorized by the County pursuant to the conditions of this policy are reimbursable by the Department at 100% of cost from the County's approved waiver allocation.

The County Mental Health and Mental Retardation Program is responsible for ensuring that the following ineligible services and supports are excluded from State and Federal financial participation as a habilitation cost:

- (1) Room and board costs.
- (2) Durable medical equipment.
- (3) Any service or activity which is approved to benefit the public at large, other individual recipients, staff, or family and not unique to the individual as specified in the individual program plan.
- (4) Any service or support which is not authorized in the individual program plan.

The Office of Mental Retardation will not require an audit of Medical Assistance eligible funded habilitation services paid by the County to a person providing habilitation services in a private home, although the County is free to authorize such an audit if it wishes.