



MENTAL RETARDATION BULLETIN

COMMONWEALTH OF PENNSYLVANIA • DEPARTMENT OF PUBLIC WELFARE

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SUBJECT

**CRITERIA FOR APPROVAL OF
NEW INTERMEDIATE CARE FACILITIES
FOR PEOPLE WITH MENTAL RETARDATION**

BY


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SCOPE

County Mental Health\Mental Retardation Administrators
Community Home Directors
Family Living Home Directors
Non-state Operated Intermediate Care Facility for People with
Mental Retardation (ICF/MR) Directors

PURPOSE

The purpose of this bulletin is to specify the Department of Public Welfare's criteria for the review of proposals for establishing non-state operated intermediate care facilities for people with mental retardation (ICFs/MR).

BACKGROUND

Non-state intermediate care facilities for people with mental retardation provide 24-hour residential care in settings operated by county or private entities which meet federal and state requirements for licensing and certification. They serve from four to approximately 300 people, who receive developmental and habilitative services to address a wide range of disabilities and conditions. State and federal funding for ICFs/MR is provided through Title XIX of the federal medicaid program.

Pennsylvania's system of providing supports and services to people with mental retardation was developed through a process involving the system's stakeholders, including people with mental retardation, their families and advocates, providers and state and local government officials. As a result, the Department of Public Welfare's position on services, including those provided in ICFs/MR, is that they must be provided in a manner which affords people receiving services maximum opportunity for personal choice, control, privacy, community participation and other freedoms typically enjoyed by people without disabilities.

REFER COMMENTS AND QUESTIONS TO:

Appropriate Regional Mental Retardation Program Manager.

STATEMENT OF POLICY:

Section 6000.821. Criteria for approval of new intermediate care facilities for people with mental retardation (ICFs/MR).

(a) The department's Office of Mental Retardation will review proposals for ICFs/MR, as part of the certificate of need process, through an interdepartmental cooperative agreement with the Department of Health. The department will only support and approve medicaid funding for ICFs/MR which meet the following criteria:

- (1) Projects to convert community homes to ICFs/MR must be budget neutral and approved in writing by the county mental health/mental retardation program and the Office of Mental Retardation.
- (2) All in-state referrals of individuals to ICFs/MR must be approved by the county MH/MR program in the individual's county of residence in accordance with its responsibilities under 55 Pa. Code, CH. 6201 titled "County Mental Retardation Services".
- (3) The ICF/MR must coordinate case management services with the appropriate county MH/MR program. Case management must include cooperative planning to prevent prolonged institutional placement and to prepare the person for return to life at home in the community.
- (4) Community-integrated day services must be provided off the grounds of the ICF/MR, unless medically contraindicated by a physician.
- (5) Non-state ICFs/MR must be reimbursed in accordance with 55 Pa. Code CH. 6211 titled "Allowable Cost Reimbursement for Non-State Operated Intermediate Care Facilities for People with Mental Retardation", and Medicare principals HIM-15.

(b) The Office of Mental Retardation does not currently support the development of any new ICF/MR proposals. The office will consider the following factors in determining whether to grant an exception this policy:

- (1) New residential settings must be designed so that the building fits into the residential neighborhood and is limited to four people. Sites must be dispersed within the community to foster social integration and participation with neighbors in the general population.

- (2) Services in an ICF/MR must be demonstrated to be the most programmatic and cost effective alternative for people with mental retardation who require an ICF/MR level of care.

OBSOLETE BULLETIN

Mental Retardation Bulletin Number 99-87-20, issued November 27, 1987, titled "Criteria for DPW Approval of ICF/MR Proposals"