



Informational Packet

EFFECTIVE IMMEDIATELY: ODP Procedure for Emergency Respite

ODP Communication Number: Packet 066-12

The mission of the Office of Developmental Programs is to support Pennsylvanians with developmental disabilities to achieve greater independence, choice and opportunity in their lives.

AUDIENCE: Individuals and Families, Office of Developmental Programs (ODP) Direct Service Providers, Administrative Entity (AE) Administrators or Directors, Supports Coordination Organization (SCO) Administrators or Directors, Supports Coordinators (SCs), and Other Interested Parties

PURPOSE: This ODP communication is intended to revise and clarify the process for requesting emergency respite. This applies to the provision of respite beyond approved program capacity or the provision of respite to a waiver participant in a non-waiver funded licensed residential setting.

DISCUSSION:

Providers *must* be qualified to render waiver funded respite services by enrolling as a provider type (51). This applies even when a provider is rendering respite in a vacant bed.

Waiver funded Licensed 6400 Residential Providers may only provide respite beyond approved program capacity in emergency circumstances with ODP review and concurrence. An “emergency circumstance” is defined as a situation where:

- An individual’s health and welfare is at immediate risk.
- An individual experiences the sudden loss of his/her home (due to, for example, a fire or natural disaster). This is not intended to replace a residential provider’s responsibility to secure an alternative if there is a need for an emergency location.
- An individual loses the care of a relative/caregiver, without advance warning or planning.
- There is an imminent risk of institutionalization.

If respite is being proposed for a waiver participant in a non-waiver funded licensed residential setting as a result of an emergency, ODP review and concurrence is also required. Waiver funded Licensed 6500, 3800 and 5310 Residential Providers remain permitted to provide respite within the setting size limits established in the approved Consolidated Waiver without ODP approval.

GENERAL REQUIREMENTS/PROCESS FOR EMERGENCY RESPITE

If an AE or County Program identifies one of the above situations and confirms that there are no respite alternatives to serve the individual within approved program capacity, or other licensed waiver funded residential settings, the AE or County Program will do the following:

- Determine if a non-waiver funded licensed residential service setting is available and appropriate to provide respite. If so, the AE will request ODP review and concurrence using the *Request for the Provision of Emergency Respite Services* (form [DP 1037](#)). This form is located on www.odpconsulting.net under “Resources” then “ODP Forms”. Once review and concurrence is obtained from ODP, the AE/County program should work with the SCO to ensure that the ISP is updated and proceed with the service authorization.
- If approval has already been granted by ODP (via the [DP 1037](#) form) for respite on an emergency basis resulting in an exception to the waiver limits, the [DP 1023](#) form *need not be completed in its entirety* to provide out of home respite in a non-waiver licensed residential service setting to a waiver participant. In the section of the form requesting a description of the circumstances, the AE should note that approval was previously granted and attach that documentation (a copy of the completed [DP 1037](#) form).
- If the AE/County Program does not have a setting available as described above, and there is no waiver funded residential setting that has a vacancy within approved program capacity, the AE/County program will notify the appropriate Regional Waiver Capacity Manager (WCM) and provide the following information:
 1. The name of the person, age and MCI number
 2. The person’s current living situation
 3. A summary describing the nature of the emergency including any other funding options that are available or what natural supports are available
 4. Current program/funding type associated with the person
 5. The supports that the person will need while in respite
 6. The expected duration of the respite
 7. AE/County program will validate that a provider is willing and qualified to provide the respite service.

The Regional Waiver Capacity Manager (WCM) will review the information and do the following:

- Determine if the situation is or continues to be an emergency and that respite is required. If the situation is not an emergency, the regional WCM will advise the AE/County Program to pursue alternative supports.
- Confirm that the provider is willing and qualified to provide respite services. Check if there is a vacancy available within approved program capacity within their region or, if necessary, other neighboring regional counties where the needed respite may be provided. WCMs can provide a current list of available providers with vacancies within approved program capacity that are available for respite.
- If after exploration of the above, the Regional WCM confirms there is no appropriate vacancy within approved program capacity and the criteria is met for an emergency, the Regional WCM may concur that respite in a waiver funded licensed residential setting within the provider's licensed capacity may be provided as long as:
 1. The provider does not exceed the licensed capacity of the service location, and
 2. The use of the service location does not result in the provision of services to more than 8 people.

Obsolete Informational Packet # 094-10, titled: "ODP Emergency Procedure for approving respite in a residential setting licensed under 55 Pa. Code, Chapter 6400".