



Promoting Wellness and Recovery

John R. Kasich, *Governor*
Tracy J. Plouck, *Director*

Residential State Supplement Legislative Review

September 24, 2013

Today's Agenda

- I. Welcome & Introductions
- II. Workgroup Purpose, Scope & Timeline
- III. RSS Program Description
- IV. Adult Care Facility (ACF) Disparity Issues
- V. Brainstorm & Discussion



RSS Legislative Review Workgroup Format



- Time-Limited & Deliverable-Focused
- Members Represent Key Stakeholder Organizations
- Open to the Public

II. Purpose of RSS Legislative Review

- *SFY 2014-15 Budget:*

“The Department of Mental Health and Addiction Services shall, with the input of stakeholders and impacted state agencies, conduct a review of the state and federal rules and statutes governing the Residential State Supplement Program and report on potential improvements to be made in governing the program not later than January 1, 2014.”
- Time-limited collaborative review of rules & statutes governing RSS, while also examining the policies regarding allowable fees for ACF operators



Principles for Review

- Sustain Housing that Supports Community Living in Integrated Settings
- Support Quality Care to Increase Positive Consumer Outcomes
- Reduce Disparities among ACF Residents
- Plan within Scarcity of State Resources
- Facilitate Systemic Collaboration



Scope of RSS Legislative Review

- RSS Program
 - Eligibility Criteria
 - Rules & Statutes
 - Current Operations
- ACF Disparity Issues
 - Allowable Fees
 - Disparities Among Residents (RSS and non-RSS)
 - Disparities Among Residents with RSS (SSI and Social Security or SSDI)

Community Stakeholder Participation

- 1) Workgroup Sessions*
- 2) Community Forums*
- 3) Regional Consumer Surveys*



RSS Legislative Review Timeline

Date	Type of Meeting/Work Activity	Description
9/24/13	1 st Workgroup Meeting	Background & Scope for Workgroup, Brainstorm
10/2/13	2 nd Workgroup Meeting	Identify RSS Program Challenges and Allowable Fees for ACF Operators
Week of 10/7/13	Consumer Surveys	Regional Phone Surveys with RSS Consumers & ACF Residents
10/9/13	3 rd Workgroup Meeting	Frame Issues for Community Forums
10/16/13	1 st Community Forum	Heartland Behavioral Healthcare
10/22/13	2 nd Community Forum	Summit Behavioral Healthcare
10/25/13	3 rd Community Forum	Cuyahoga County ADAMHS Board
10/30/13	4 th Workgroup Meeting	Discuss Community Forum Feedback
11/13/13	5 th Workgroup Meeting	Review Draft Recommendations
11/20/13	Workgroup Feedback Due	Workgroup Response to Draft Recommendations Due
1/1/14	Recommendations Due to Legislature	

III. RSS Program Description

What is the RSS Program?

The purpose of RSS is to provide cash assistance to medicaid-eligible aged, blind, or disabled adults who have increased needs due to a medical condition which is not severe enough to require institutionalization. The RSS cash payment is used together with the individual's personal income to help prevent premature or unnecessary institutionalization, and to deinstitutionalize those aged, blind, or disabled adults who have been inappropriately placed in long term care facilities and who can return to the community through alternative living arrangements.

III. RSS Program Description

What is the RSS Program?



- Financial assistance for adults with low incomes
- Have disabilities and/or are at least age 60, but do not require LTC at NF
- Accommodations, Supervision & Personal Care Services at Community Residences

History of RSS

- Began in 1980
- Multiple Agency Involvement – ODHS, ODA, ODH, ODMH
- Licensure Issues
- Ongoing Disparities Among RSS Consumers & ACF Residents
- Slots System and Significant Waiting Lists
- Lack of Coordination Among Local Boards/Providers and ACF Operators
- FY 2012: Responsibility for Administering RSS and Licensing ACF's Transferred from ODA to ODMH; now OhioMHAS

OhioMHAS Changes to RSS

- Open Enrollment
- No Waiting List
- Increased Consumer Choice
- Eliminated Level of Care (LOC) Determination
- Improved Tracking & Reporting Capabilities



RSS Program Eligibility Criteria

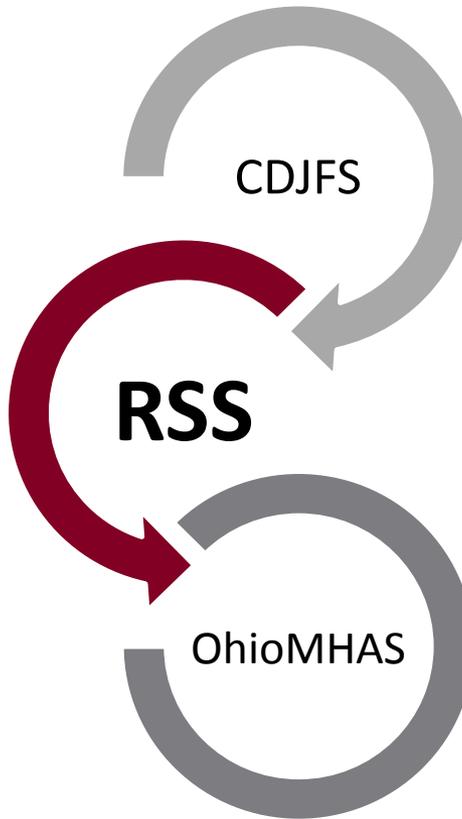
- Age 18 or older;
- Enrolled in Medicaid (not a waiver program);
- Receiving Social Security, SSI and/or SSDI; and
- Currently receiving treatment in a nursing home and planning for discharge.



Agency Roles

OhioMHAS

- Process Program Applications
- Review Non-Financial Eligibility Criteria
- Forward Referrals to CDJFS for Financial Eligibility Determination
- Subsequent Monitoring of Enrolled Consumers & Changes in Status

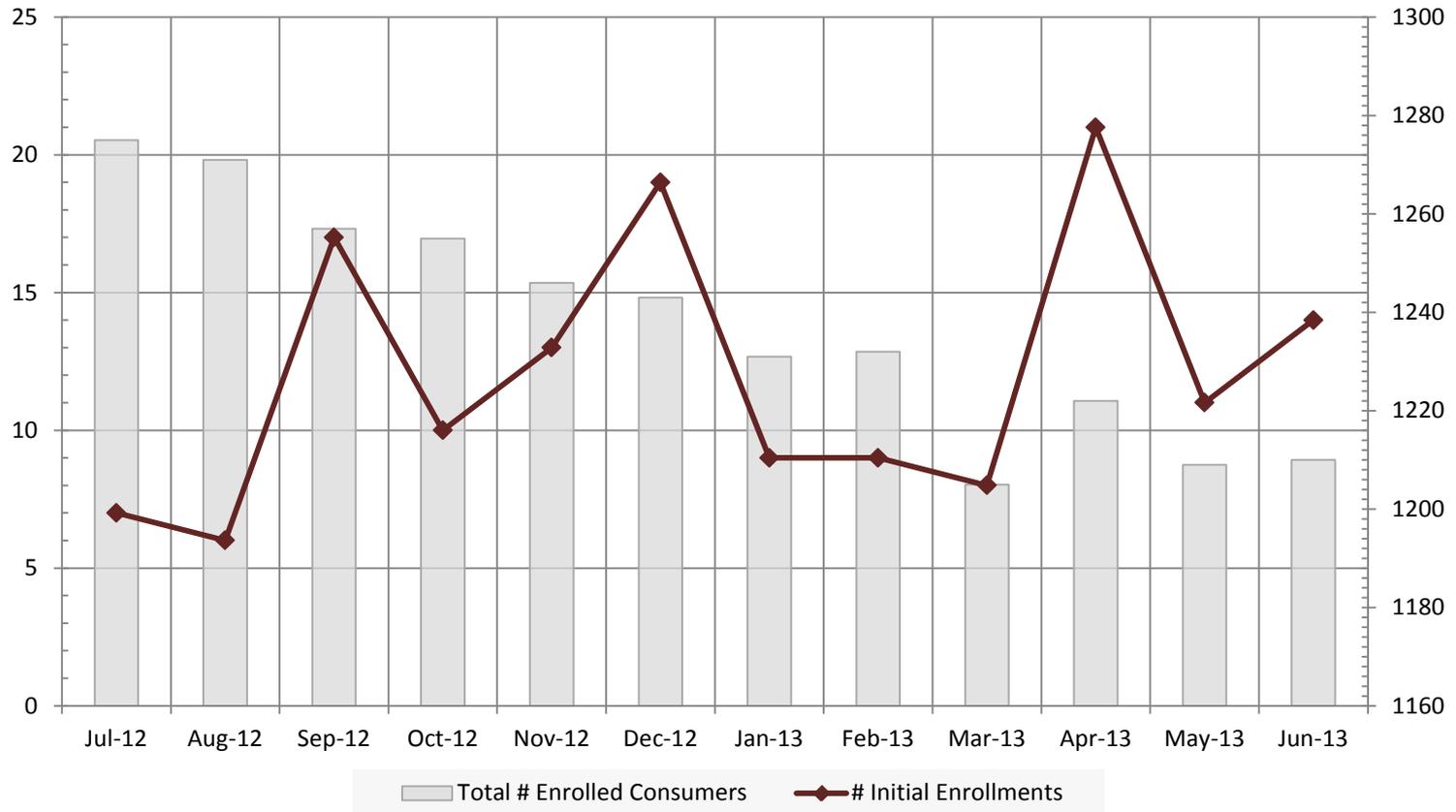


CDJFS

- Process Referrals from OhioMHAS
- Review Financial Eligibility Criteria & Determine Benefit Amount
- Updates OhioMHAS of Changes in RSS Benefits

FY 2013 RSS Program Enrollment

Residential State Supplement Program FY 2013

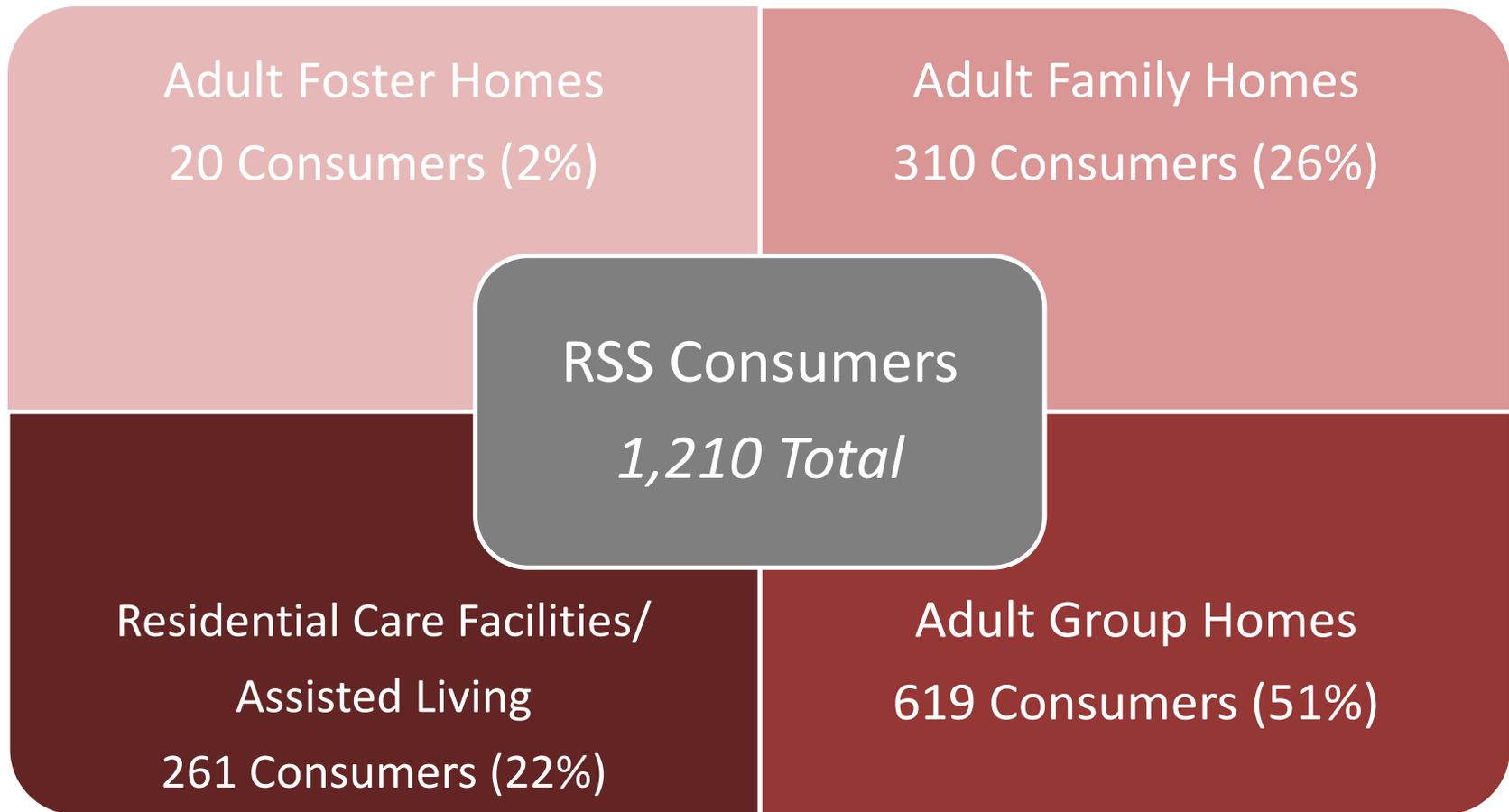


Where Do RSS Consumers Live?

- **OhioMHAS Licensed Facilities**
 - Adult Foster Homes (1 – 2 Residents)
 - Adult Care Facilities (ACF's)
 - Adult Family Homes (3 – 5 Residents)
 - Adult Group Homes (6 – 16 Residents)
- **ODH Licensed Facilities**
 - Residential Care Facilities/Assisted Living (17+ Residents)



RSS Consumers' Residence Types



OhioMHAS Licensed Beds

Licensed ACF's (Adult Family & Group) & Adult Foster Homes

5,325
Total
Beds

Residents Not Enrolled in RSS

4,376
Beds

82% of
Total Beds

Residents Enrolled in RSS

949 Beds

18% of Total
Licensed Beds

Applicable Rules & Statutes

RSS Program

- **Social Security Act, Sec. 1616. [42 U.S.C. 1382e]**
 - *Optional State Supplementation*
- **Social Security Act, Sec. 1618 [42 U.S.C. 1382g]**
 - *Cost of Living Adjustments (COLA)*
- **Ohio Revised Code Sections 5119.69 and 5119.691**
 - *OhioMHAS; RSS*
- **Ohio Administrative Code Chapter 5122-36**
 - *OhioMHAS; RSS*
- **Ohio Administrative Code Chapter 5101:1-17**
 - *Ohio Department of Medicaid; RSS*
- **Ohio Administrative Code Chapter 3701-17**
 - *Ohio Department of Health; Residential Care Facilities/Assisted Living*
- **Ohio Administrative Code Rule 5101:3-3-06**
 - *Protective LOC Criteria*

Applicable Rules & Statutes

ACF/AFoH Licensure

- **Ohio Administrative Code Chapter 5122-33**
 - *Licensure of Adult Care Facilities (includes Adult Family & Group Homes)*
- **Ohio Administrative Code Chapter 5122-35**
 - *Licensure of Adult Foster Homes*



Allowable Fees

Living Arrangement Type	Monthly Allowable Fee
Adult Family Home	\$774
Adult Foster Home	\$774
Adult Group Home	\$877
Residential Care Facility	\$877

**Please note the above allowable fees include Accommodations, Supervision, and Personal Care Services as required by Ohio Administrative Code Chapter 5122-36. Home operators may charge ancillary fees permitting they are listed in the Resident Agreement and agreed to by the resident and/or legal guardian.*



IV. ACF Disparity Issues

Two Types of Disparity Among ACF Residents

- 1) Among RSS & non-RSS Residents
- 2) Among Residents with RSS (between SSI Recipients and Social Security or SSDI)



Disparity Among RSS & Non-RSS Residents

- Reside in Same Home, Have Similar Service Needs, Different Financial Resources
- Enrolled Per Eligibility Criteria of Administering Agency



Disparity Among Residents with RSS

Comparison of RSS Residents' Personal Spending & Operators' Allowable Fee By Income Type

Example for Adult Group Home Resident (Current Allowable Fee is \$877)			Example for Adult Group Home Resident (Hypothetical Allowable Fee is \$1,000)		
	Unearned Income Type			Unearned Income Type	
	Social Security and/or SSDI	SSI		Social Security and/or SSDI	SSI
Financial Need Standard (Allowable Fee + \$50 Personal Needs Allowance)	\$927			\$1,050	
Actual Income Amount	\$600	\$710		\$600	\$710
COLA Disregard	\$20	\$417		\$20	\$417
Income Amount per CRISE	\$580	\$293		\$580	\$293
RSS Benefit Amount	\$347	\$634		\$470	\$757
Actual Total Monthly Benefit Amount (Unearned Income + RSS)	\$927	\$1,344		\$1,050	\$1,467
Resident's Personal Spending Amount	\$50	\$467		\$50	\$467
Allowable Fee Received by Operator	\$877			\$1,000	

ACF/AFoH Incentive Program

- Improve behavioral & physical health outcomes for all ACF/AFoH residents by incentivizing utilization of community resources, while increasing revenue for home operators
- Modest financial incentive to ACF/AFoH operators who facilitate the linkage of residents with local mental health and/or alcohol and other drug (AoD) providers according to their service needs.
- All participating operators must be licensed by OhioMHAS and in good standing with Office of Licensure & Certification

ACF/AFoH Incentive Program

Qualifying MH and AOD Services & Supports

- Case Management (ACT, CPST, AOD)
- Consumer-Operated Services (COS)
- Counseling/Psychotherapy
- Diagnosis & Assessment
- Health Home Services
- Medication Management
- Medication-Assisted Treatment (MAT)
- Non-Medicaid Services
- Partial Hospitalization/Day Treatment



V. Brainstorm & Discussion

- ❖ One hour to brainstorm
- ❖ Divide into teams
- ❖ Report to workgroup

