

Protocol for Vacancies in a Three and above Person Home

10/1/10

The Office of Adults with Cognitive and Physical Disability Services (OACPDS) has a significant number of homes with three persons and above, funded by Section 21 of the Home and Community Based Waiver Program. When vacancies occur in these homes it becomes very challenging for individuals, guardians, providers, and the Department.

These challenges include:

- Identifying a roommate with funding under Section 21 whose needs can be met within the present home.
- Having a reasonable prediction that the match of people living together will be successful.

The Department must provide a fair process that is also financially responsible to the individuals served so that resources can be used for people who are on the waiting list for services.

The following process for dealing with vacancies in a three person home and above will be proposed in rule for Section 21 in order to provide a process that clearly identifies a methodology that is understandable, and is implemented fairly:

- When an individual is discharged from a home permanently the provider will immediately inform the Regional Office of OACPDS. Within three working days a new staffing pattern will be provided with appropriate staffing reductions reflected. Within three working days following receipt of the new staffing pattern, a confirmation of the new SAS will be provided for the home from the Regional Office **reflecting the vacancy rate.**
- Beginning on the day of the opening a 120 day **timeframe** will be provided for a roommate to be identified. Several steps will be taken by the agency and the OACPDS regional office to assist in filling this vacancy. Within five working days a description of the home must be sent by the provider to the Resource Coordinator for distribution. (It is our intention to pursue the ability to post vacancies on a common web based site). In situations where the vacancy is unanticipated (crisis situation resulting in discharge/unexpected death) and may occur on a weekend/ holiday/ shutdown day the sixty day period will begin five working days from the date of the vacancy. It is the responsibility of the provider to determine the appropriateness of a referral based on their intake process as well as other factors such as health and safety of all people living in the home, projection of compatibility, etc.
- Following the 90 days if a candidate has not been identified to fill the vacancy several things will happen:
 1. The provider will provide written documentation of the referrals received and the reason that the referral was not accepted i.e. persons extensive medical needs could not be met or that the individual choose

another location. This documentation will be submitted to the Resource Coordinator for review by the Regional Management Team.

2. The regional team will be reviewing to assure that the provider has worked diligently to secure an admission to the home. If the Regional Office has concerns regarding the referral process this will be communicated in writing to the organization.
- Following the total of 120 days if no person had been identified the following will occur:
 1. If the agency had received a written notice identifying concerns regarding the referral process the agency will resubmit information indicating its work to fill the vacancy over the last 30 days to the Resource Coordinator.
 2. If the Regional Management Team continues to have concerns regarding the decisions made by the provider in not filling the vacancy the Regional Office will give a 30 day notice that the home will be reviewed for appropriate level of staffing.
 3. If the agency is seen to have made reasonable attempts to fill the vacancy the staffing pattern will be maintained and the agency will provide updates to the Resource Coordinator quarterly. Developmental Services reserves the right to give a thirty day notice to go to the median following review of the quarterly reports.

OACPDS will not consider the reduction of the number of people of a home for at least a year following a vacancy. Request for reduction of homes will be reviewed by the Team Leaders and Program Manager on a case by case basis.