

**Provision of Long Term Care Options Counseling and
Long Term Care Consultation
Protocols with Step-by-Step Instructions for Lead Agency Assessors
and Case Managers/Care Coordinators
Effective October 1, 2011**

Overview

Beginning October 1, 2011 all prospective residents entering Minnesota registered housing with services settings must have the opportunity to receive Long Term Care Options Counseling prior to signing a lease or service contract with a Housing with Services establishment, with the exception of people signing lease-only arrangements in subsidized housing. All prospective residents must receive a verification of counseling. Registered housing with services settings are required to obtain a copy of this verification prior to signing the lease or service contract during all planned moves, and retain a copy of this verification in the resident's file.

Verification codes will be provided to prospective residents that receive Long Term Care Options Counseling. Codes will also be provided in the event the prospective resident declines to receive Options Counseling.

The phone-based Long Term Care Options Counseling is provided by the statewide Senior LinkAge Line® by calling 1-800-333-2433. Long Term Care Consultations (LTCC) are provided by the Lead Agencies which include counties, health plans and tribes. Verification codes will be provided by the Senior LinkAge Line® effective October 1, 2011. The Lead Agencies will eventually also generate and provide the verification code to consumers through MMIS.

These protocols are intended to provide information to Lead Agencies about implementation of this service with a step-by-step approach, and reflect typical questions posed by Lead Agency and other staff about requirements and implementation. For more information, see DHS Bulletin #11-25-06 at www.dhs.state.mn.us and click on bulletins. Additional information may also be found in the "Frequently Asked Questions" document at <http://www.mnaging.org/advisor/lcce.htm> for scenarios that have been presented to the staff for response.

Exempt Individuals:

- Consumers who are entering into or have a lease-only arrangement with a subsidized housing setting do not need to receive Long Term Care Options Counseling or a verification code (see the definition of subsidized housing below).
- Consumers renewing a lease in an existing setting on and after October 1, 2011, will not need to receive Long Term Care Options Counseling or a verification code.
- Consumers who signed a lease or contract prior to October 1, 2011 do not need to receive Long Term Care Options Counseling or a verification code.

***Special Note for subsidized housing settings. The definition of subsidized housing that the Senior LinkAge Line® has been directed to use is the following:*

The Quality Housing and Work Responsibility Act of 1998 at § 579(a)(2) (42 U.S.C. § 13664(a)(2)) defines the term federally “assisted” housing as public housing, tenant and project-based section 8, section 202 (elderly congregate housing) of the Housing Act of 1959 (before and after the enactment of the Cranston-Gonzalez National Affordable Housing Act, section 811 of the Cranston-Gonzalez National Affordable Housing Act (disabled congregate housing), sections 221(d)(3) and 236 of the National Housing Act and section 514 or 515 (rural housing) of the Housing Act of 1949. At the state level there are also projects supported by 42 USC 1437 - Sec. 1437f. These are low-income housing assistance projects that have been funded with either the Low-Income Housing Tax Credits (Internal Revenue Code Section 42) and/or the Tax-Exempt Private Activity Bonds issued and falling under the jurisdiction of Minnesota Housing and are commonly referred to as subsidized or public housing.

The exemption for lease only arrangements will apply to:

- Any registered housing with service setting that falls under the definition of one of the federal or state assisted housing programs listed above and is required to register as a housing with services provider (mandatory) or,
- A registered housing with services provider that is not required to register but chooses to do so under Minn. Stat. 144D.025 (which is optional to the provider.)
- People who have Tenant Based Section 8 Vouchers. Please make note that this exemption will apply to people who are using Section 8 vouchers (this is a federal program that provides a subsidy to an individual and not a setting) and therefore prospective residents with Tenant-based Section 8 Vouchers that are entering into lease only arrangements do not need to call for Long Term Care Options Counseling and seek verification of counseling. However, unless the setting qualifies under one of the exemptions above, the setting itself is not exempt.

Special Conditions:

Waiting Lists - Consumers on registered housing with services’ waiting lists should be encouraged to call and receive Long Term Care Options Counseling now so they can obtain their Options Counseling and verification as soon as possible.

Married couples – Married individuals should both receive counseling and verification if both people are considering a move to a registered housing with services setting.

People moving from out-of-state – Individuals moving from out-of-state to a Minnesota registered housing with services setting must call and receive counseling and verification before signing a lease or service contract.

Individuals Who Have Received a Long Term Care Consultation Assessment:

- Consumers on EW, CAC, CADI, BI or AC with a Case Manager or Care Coordinator: Each person on a waiver program listed will need to obtain a verification code prior to signing or executing a lease or service contract with a registered housing with services setting, unless they are exempt as described in 1-3 above. Verification codes will be provided to the consumer by the Senior LinkAge Line® effective October 1, 2011. Lead Agency staff will need to provide first and last name of consumer, date of birth and full address so the verification code can be mailed by Senior LinkAge Line® staff to the consumer. When the feature to issue a code is built into MMIS, a case manager or care coordinator will be able to generate a code from MMIS for consumers on a waiver. If a person contacts the Senior LinkAge Line® directly, and the staff discover the person has a case manager or care coordinator, Senior LinkAge Line® staff will issue the verification code to the person, and contact the case manager or care coordinator listed in MMIS.
- Consumers who have received an assessment from a Long Term Care Consultant but who do not enter a waiver or AC program: Each consumer assessed by a Lead Agency staff, who is not yet eligible for or does not intend to apply for a waiver will need to have a verification code prior to signing or executing a lease or service contract with a registered housing with services setting. Verification codes will be provided to the Lead Agency staff by the Senior LinkAge Line® effective October 1, 2011. When the feature to issue a code is built into MMIS, the Lead Agency staff will be able to generate a code for assessed consumers. Lead Agency staff will need to provide first and last name of consumer, date of birth and full address so the code can be mailed by SLL staff to the consumer.
- Consumers under the age of 65 admitted into a nursing facility for longer than 40 days who received a face-to-face Long Term Care Consultation assessment do not need to receive Long Term Care Options Counseling provided by the Senior LinkAge Line®. Each person however, will need to obtain a verification code prior to signing or executing a lease or service contract with a registered housing with services setting and the assessor can contact the Senior LinkAge Line® for a verification code until these features are built into MMIS.
- Consumers who have received a face-to-face Long Term Care Consultation either through a county or other agency referral will not need to seek Long-term Care Options Counseling provided by the Senior LinkAge Line®. Each person however, will need to obtain a

verification code prior to signing or executing a lease or service contract with a registered housing with services setting and the assessor can contact the Senior LinkAge Line® for a verification code until these features are built into MMIS. Codes will be mailed to the consumer by Senior LinkAge Line®.

Step-by-Step Process for Lead Agencies

Prospective Residents Entering Minnesota Registered Housing with Services

Process for prospective resident who has not previously been assessed by a Lead Agency nor received Long Term Care Options Counseling from Senior LinkAge Line® and who is not exempt as indicated previously

Step 1: Prospective resident is referred to the Lead Agency for a functional assessment, known as the Long Term Care Consultation (LTCC) assessment. The referral is not the result of the individual contacting Senior LinkAge Line® or as a result of Long Term Care Options Counseling, after which a verification number would have already been generated by the Senior LinkAge Line®

Step 2: Assessor sets up an appointment with the prospective resident for the Long Term Care Consultation assessment.

Step 3: Prospective resident receives face-to-face functional assessment from assessor. Prior to receiving or during the assessment, assessor will have obtained a release of information from the consumer to share personally identifying information. This will allow for sharing information with the Senior LinkAge Line® staff, a communication needed until assessors can generate a verification code from MMIS directly.

Step 4: Activity Type 02 (Face to Face), 04 (Relocation/Transition Assessment), 06 (Reassessment) or 08 (CAC/CADI/BI Reassess 65th bday) is performed. The assessed individual will receive a verification code prior to signing or executing a lease or service contract with a registered housing with services setting.

Step 5: Until changes are made to the Medicaid Management Information System (MMIS), assessors will call the Senior LinkAge Line® (1-800-333-2433) during business hours to receive a verification code for the assessed prospective resident. (Senior LinkAge Line® business hours are 8:00-4:30 Monday through Friday; closed on state recognized holidays)

Step 6: Using the release of information obtained before or during the LTCC assessment, the following information will need to be provided by the assessor to the Senior LinkAge Line® staff in order to have the code generated:

- a. Prospective resident first and last name

- b. Prospective resident address
- c. Prospective resident date of birth
- d. Assessor's first and last name/county of the assessor

Step 7: Senior LinkAge Line® will generate the verification code and provide to the assessor. Assessor will share the generated verification code with the prospective resident.

Step 8: Senior LinkAge Line® mails a paper copy of the verification code to the prospective resident via U.S. Postal mail.

Step 9: Senior LinkAge Line® records the verification code. This ensures a verification code can be provided to a prospective resident in the event another copy is needed.

Step 10: Prospective resident provides the registered housing with services a copy of the verification code in whatever manner they choose (verbally or by showing mailed copy).

Step 11: Registered housing with services follows it established business procedures for contract documentation and retains a copy for their record or file prior to signing or executing a lease with the resident.**

** Resident record or file may be defined by the setting. (e.g. paper, electronic or other file as determined by the registered housing with services setting)

Step-by-Step Process for Lead Agencies

Process for prospective residents who have a case manager or care coordinator

If prospective resident is currently open to EW, AC, CAC, CADI or BI, the Lead Agency should follow the steps above until the Medicaid Management Information System (MMIS) modifications have been completed.