

**DEPARTMENT OF HUMAN SERVICES  
State Capital  
Bismarck, ND 58505**

**DDD-PI-096  
Amended PI-08-19**

To: Regional DD Program Administrators

From: JoAnne Hoesel

Date: December 17, 2008

Subject: Funding Allocation Transition Policy for Individually Authorized Services

In order to transition to a funding management method that provides greater access to individually authorized services and to provide portability of funding to individuals that may wish to access those services, the following changes to the allocation process will be effective December 15, 2008:

A. The following provisions replace Section III.F of DDD-PI-070 (ISLA Manual)

1. Funding mechanism-state level portability fund

- a. A state level managed portability fund will be available to assure initial access to and choice of ISLA services for all eligible individuals making that choice.
- b. As with the Deinstitutionalization Fund, funds managed at the state level as a portability fund may be accessed for individuals referred for ISLA currently living in group residential facilities, individuals not currently in residential services, or individuals transitioning from FCO III to adult services when regional allocations are exhausted.

2. ISLA Eligibility/Rate Setting

- a. Individuals authorized to receive ISLA must be eligible for ISLA services according to the provisions of NDAC 75-04-07.

- b. The proposed rate will be evaluated with comparison to the average rate for the PAR level of the client, the rate of the group residential facility the individual is vacating (if applicable), and the cost effectiveness provisions of NDAC 75-04-07. If the proposed rate is not comparable to those measures, a risk assessment may be submitted for consideration in support of the proposed rate.
- c. If the eligible individual has assigned staffing enhancements in their current group residential program, that resource will be considered in determining cost effectiveness of the ISLA rate. If the subsequent ISLA rate exceeds the current group residential program based on that consideration, the staffing enhancement will follow from the group residential program budget to the portability fund.
- d. Availability of ISLA services is dependent on the availability of a provider willing to provide the service within applicable rate limitations.
- e. All provisions of NDAC 75-04-07 are applicable to individuals provided ISLA under this or any other funding mechanism.

### 3. Allocation Administration

- a. Any changes to existing ISLA rates must be funded with existing regional allocations.
- b. For any individual entering ISLA under this funding provision, an increase in the rate subsequent to initial placement must be funded from regional allocations. The net amount of a decrease in a rate will be credited to the regional allocation.
- c. For the remainder of the 2007-09 biennium, the existing regional allocation must be used first to fund new ISLA placements. If exhausted, subsequent approved placements will be financed from portability funds. Beginning with the 2009-11 biennium, regional allocations will equal the cost basis for ISLA and all new approved ISLA placements will access the portability fund and regional allocation will be used to manage changes in existing ISLA authorizations.
- d. At the end of the biennium, the rate for individuals placed using portability funding will become part of the region's ISLA allocation cost basis for the next biennium.

- e. If an individual leaves ISLA services during the course of the biennium, that daily rate will revert to the portability fund.

4. Other budget provisions

- a. Group home beds vacated as a result of this provision may be downsized. However, budget adjustments will be applied according to current budget instructions.
- b. Group homes will not be re-licensed for less than 4 beds.

B. Family Support Services/Self Directed Supports

- 1. For individuals with an 'Active Case Plan that includes Family Support Services (In-Home Support, Family Care Option, Family Care Option III) or Self-Directed Supports (In-Home Support, Disability Related Supports, Extended Services), individual authorizations will be based on need not availability of funds.
- 2. Regional FSS and SDS Lotus Notes Databases will be changed to reflect an allocation of zero. The FFP factor within the database will be changed so the negative balance for each program will show total funds (general and federal).

C. Waiver slot management

- 1. Beginning April 1, 2009, total waiver participants during a waiver year will be capped. Once the cap has been reached, no new screenings to traditional MR/DD waiver services including individually authorized services will be allowed. However, individuals currently screened and counted within the waiver cap any time during the year may access individually authorized services if otherwise eligible for the service.
- 2. Prior to screening anyone for the waiver not already counted in the cap during the current year, approval must be obtained from the DD Division which will determine availability of a waiver slot.
- 3. Waiver slots for new enrollees will be assigned on a first come, first served basis.
- 4. A set number of waiver slots will be reserved for Infant Development Services and Emergencies. In the event the waiver cap is reached during the year, individuals may be referred to the DD Division to determine if the person meets the criteria for use of a waiver slot and if a reserved slot is available.