

PROPOSAL

Jasper County Sheltered Facilities Board
And
Department of Mental Health

The Jasper County Sheltered Facilities Board, through leadership and advocacy, shall promote and support quality comprehensive community services for persons with developmental disabilities and their families in Jasper County.

1. Intent of Proposal

- a. Jasper County Sheltered Facilities Board (herein after referred to as JCSFB) recommends a pilot contractual agreement with the Department of Mental Health (hereinafter referred to as DMH) to shift administrative functions from the Joplin Regional Center to the JCSFB. This would include Case management and the management of Federal and State funding dollars. SB 40 was approved by Jasper County voters in 1976 and has since provided contracted services for persons with developmental disabilities throughout Jasper County.
- b. County Developmental Disabilities Boards across the state are set up as the locally recognized authority to dispense tax dollars to benefit citizens with developmental disabilities. JCSFB believes that this local control provides solutions for its citizens with developmental disabilities. Local government has its finger on the pulse on the individual community and can more accurately assess and address the needs of its citizens.
- c. JCSFB feels that the arrangement described in this proposal would allow for:
 - i. Local control of decisions could create greater responsiveness to service delivery concerns
 - ii. A continued separation between the advocacy for service and the provision of service
 - iii. A continued choice of multiple service providers
 - iv. Being only a region the project size is more manageable and easier to maintain and collect data

2. Division of Responsibilities

- a. **The Department of Mental Health would be responsible for the following:**
 - i. Complete all required functions for determination of eligibility
 - ii. Redetermine eligibility at ages of 5, 18, and 22 and any time there is a reason to believe that an individual may no longer meet the eligibility requirements
 - iii. Discharge individuals from DMH when appropriate
 - iv. Investigate Abuse Neglect allegations at the state and local level, while informing JCSFB of needed information regarding the outcomes of the investigation as well any requirements to be implemented by TCM and the service provider
 - v. Provide access to State sponsored trainings
 - vi. Retain the records depository
 - vii. Direct Service Provider Training as determined by DMH
 - viii. Quality Assurance to include monitoring, state certification and conducting service delivery audits of service providers
 - ix. Participate with JCSFB in the medical and financial oversight portions of the service monitoring for individuals in placement. The Regional Center RN and the

Regional Center Accounting personnel have the expertise and the access to information that service coordinators do not have.

- x. Responsible for writing the plan of care and will facilitate the necessary meetings to do so
- xi. Responsible for inspecting prospective placement facility or ISL prior to individual moving in
- xii. Responsible for tracking service monitoring trends and assist case management and agency in correcting issues
- xiii. Responsible for tracking ITS and APTS databases and providing JCSFB with information regarding any trends
- xiv. Case Management for:
 1. Persons that have a condition of such a nature that their needs cannot be met by JCSFB
 2. Bates County
- xv. Provide JCSFB served clients access to the Attorney General for their guardianship concerns
- xvi. Negotiate with CMS in the approval and allocation of the Statewide Waiver Programs while partnering with JCSFB
- xvii. Responsible for developing the State plan to secure coordinated mental retardation and developmental disabilities habilitation services
- xviii. Determine provider eligibility, maintain and update contracts and negotiate provider rates
- xix. Responsible for the Human Rights Committee and associated approval and documentation as well as any necessary provision for Behavior Resource functions
- xx. Provide oversight for OHCDs (fiscal intermediary) agreements
- xxi. Continue to advocate for DMH consumers including in the state budgeting process
- xxii. Continue to be the coordinator of the Autism project
- xxiii. Continue to be the liaison for the Elks Dental Clinic
- xxiv. Responsible for issuing Choices for Families checks, monitor documentation and provide an extra layer of monitoring to ensure that any services authorized do not exceed the maximum allowable
- xxv. Responsible for completing the standard means tests
- xxvi. Responsible for disbursing and tracking NAF's funds
- xxvii. Responsible for updating JCSFB regarding any changes in an individual's Medicaid, Waiver eligibility, and social security status
- xxviii. Allow JCSFB to utilize the current billing system and CIMOR when it is functional and provide JCSFB with technical support
- xxix. Responsible for performing all financial functions regarding interdivisional slots
- xxx. Act as Liaison between JCSFB and other state agencies or programs such as Children's Division, Show-Me Kids, Attorney General, etc.
- xxxi. Responsible to inform JCSFB about updates, changes in protocol, legislation, and other information relevant to TCM operations
- xxxii. Complete the transition process for individuals residing in a Habilitation Center to community placement
- xxxiii. Provide support to JCSFB through the transition process

b. The JCSFB would be responsible for the following:

- i. Provide Case Management Services for Henry, St Clair, Cedar, Vernon, Barton, Jasper, Newton, McDonald, Dade, Lawrence and Barry counties

- ii. Maintain the same JCSFB benefit package to include LAGERS, health insurance, accrued vacation and sick leave and 10 holidays. These benefits draw highly qualified case managers into the system therefore maintaining the current quality of service delivery
- iii. Manage Federal and State funding dollars by expanding our current Funding Agreement
- iv. Accountable for the appropriate allocation of Federal, State and local funding dollars
- v. Obtain and report accurate data concerning waiting list needs, the statistical makeup of persons served, service delivery and forecast
- vi. Provide Resource Development/Specialist along with the transfer of General Revenue and Office of Administration funds to the JCSFB
- vii. Coordinate an Advisory-Council with a representative from each county served, members of the Council are persons who receive services or their family members
- viii. Assure active consumer-oriented participation throughout the system
- ix. Assume responsibility for the Utilization Review Process
- x. Maintain a case load of 30 to 35 individuals
- xi. Provide maximum opportunity for the choice of case manager within an areas team
- xii. Participate in the development or revision of the current state plan and waivers
- xiii. Provide Case Management for those NHRA individuals who qualify for Olmstead or who appear to be more appropriately placed in a community setting other than a nursing home, or who were receiving case management from JCSFB at the time of their admission to the nursing home.
- xiv. JCSFB funds will not be used outside of Jasper County.

c. Initial Contractual Issues

- i. The amount of funds that are currently authorized for all services in Regions V needs to be determined and the revenue sources identified.
- ii. The amount of caseload growth revenue for FY06 needs to be identified as it relates to Region V.
- iii. The amount of funds currently allocated to the Joplin Regional Center; Personnel Services, E & E and the Office of Administration as related to employee positions and operations needs to be determined as related to the services being replaced by the JCSFB
- iv. **Dispute resolution**
 - 1. Level of service as related to the UR Process
 - 2. Eligibility
 - 3. Mutually resolve issues in a positive manner between JCSFB and DMH

d. Areas to monitor

- i. Continuation of Federal funding levels
- ii. Continuation of State funding levels
- iii. Continuation of Local funding levels
- iv. State Medicaid Services plan

3. Flow of Resources

- a. DMH will deposit the matching funds into the Mental Health Trust Fund: JCSFB will receive 100% reimbursement from Medicaid.
- b. Additional revenues generated will be tracked by county and those funds will then be allocated through the URC process to be spent on waiting list services in the county which generated the revenue.

4. **Efficiency and Effectiveness Measures**

- a. Consumer satisfaction survey of case management will be conducted by JCSFB yearly
- b. Consumer needs survey will be completed by JCSFB yearly in conjunction with the yearly planning process
- c. JCSFB will maintain the waiting list and movement
- d. JCSFB will report on all services authorized and provided per person served
- e. JCSFB will report on funding sources utilized within the service delivery
- f. JCSFB will assure that an outside audit is conducted annually

5. **Timeline**

- a. JCSFB will assume Case management responsibilities for Jasper county by April 1st 2007
- b. JCSFB will assume Case management responsibilities for Dade, Barry and Lawrence counties all of Jasper County starting July 1st 2007
- c. JCSFB will assume Case management responsibilities for Newton and McDonald counties by October 1st 2007
- d. JCSFB will assume Case management responsibilities for Vernon, Barton, Henry, St Clair and Cedar by January 1st 2008
- e. JCSFB will assume all authorization for the service delivery and management of Federal and State funding dollars by July 1st 2007.

Jeff Hammons, Board President

Alecia J Nissen, Executive Director

Appendix A: Missouri State Statutes

Cooperation with other groups.

630.060. The department shall seek and encourage cooperation and active participation of communities, counties, organizations, agencies, private and not-for-profit corporations and individuals in the effort to establish and maintain quality programs and services for persons affected by mental disorders, developmental disabilities or alcohol or drug abuse. The department shall develop programs of public information and education for this purpose.

Responsibilities, powers, functions and duties of division.

633.010. 1. The division of mental retardation and developmental disabilities, created by the omnibus reorganization act of 1974, section 9, appendix B, RSMo, shall be a division of the department. The division shall have the responsibility of insuring that mental retardation and developmental disabilities prevention, evaluation, care, habilitation and rehabilitation services are accessible, wherever possible. The division shall have and exercise supervision of division residential facilities, day programs and other specialized services operated by the department, and oversight over facilities, programs and services funded or licensed by the department.

2. The powers, functions and duties of the division shall include the following:

- (1) Provision of funds for the planning and implementation of accessible programs to serve persons affected by mental retardation or developmental disabilities;
- (2) Review of mental retardation and developmental disabilities plans submitted to receive state and federal funds allocated by the department;
- (3) Provision of technical assistance and training to community-based programs to assist in the planning and implementation of quality services;
- (4) Assurance of program quality in compliance with such appropriate standards as may be established by the department;
- (5) Sponsorship and encouragement of research into the causes, effects, prevention, habilitation and rehabilitation of mental retardation and developmental disabilities;
- (6) Provision of public information relating to mental retardation and developmental disabilities and their habilitation;
- (7) Cooperation with nonstate governmental agencies and the private sector in establishing, conducting, integrating and coordinating mental retardation and developmental disabilities programs and projects;
- (8) Cooperation with other state agencies to encourage appropriate health facilities to serve, without discrimination, persons who are mentally retarded or developmentally disabled who require medical care and to provide them with adequate and appropriate services;
- (9) Participation in developing and implementing a statewide plan to alleviate problems relating to mental retardation and developmental disabilities and to overcome the barriers to their solutions;

(10) Encouragement of coordination of division services with other divisions of the department and other state agencies;

(11) Encouragement of the utilization, support, assistance and dedication of volunteers to assist persons affected by mental retardation and developmental disabilities to be accepted and integrated into normal community activities;

(12) Evaluation, or the requirement of the evaluation, including the collection of appropriate necessary information, of mental retardation or developmental disabilities programs to determine their cost-and-benefit effectiveness;

(13) Participation in developing standards for residential facilities, day programs and specialized services operated, funded or licensed by the department for persons affected by mental retardation or developmental disabilities.

Services to be provided.

633.025. The division may provide habilitation and such related services directly or through contracts with an appropriate residential facility, day program or specialized service licensed and funded by the department.

Department to develop state plan, contents.

633.030. 1. The department shall prepare a state plan to secure coordinated mental retardation and developmental disabilities habilitation services accessible to persons in need of them in defined geographic areas, which plan shall be reviewed and revised annually.

2. The state plan shall include, but not be limited to, the following:

(1) A needs-assessment of the state to determine underserved, unserved and inappropriately served populations and areas;

(2) Statements of short-term and long-term goals for meeting the needs of currently served, underserved, unserved or inappropriately served populations and areas of the state;

(3) An inventory of existing private and public residential facilities, day programs and other service providers offering mental retardation or developmental disability evaluation and habilitation services;

(4) Evaluations of the effects of habilitation programs;

(5) Descriptions of the following:

(a) Methods for assuring active consumer-oriented citizen participation throughout the system;

(b) Strategies and procedures for encouraging, coordinating and integrating community-based services, wherever practicable, to avoid duplication by private, not-for-profit and public state and community-based providers of services;

(c) Methods for monitoring the quality of evaluation and habilitation services funded by the state;

(d) Rules which set standards for construction, staffing, operations and programs, as appropriate, for any public or private entity to meet for receiving state licensing, certification or funding; and

(e) Plans for addressing the particular mental retardation and developmental disability service needs of each region, including special strategies for rural and urban unserved, underserved or inappropriately served populations in areas of the state.

3. In preparing the state plan, the department shall take into consideration its regional plans.

Regional centers to secure services.

633.105. The regional centers shall be the entry and exit points in each region responsible for securing comprehensive mental retardation and developmental disability services for clients of the department. The center shall carry out this responsibility either through contracts purchasing the required services or through the direct provision of the services if community-based services are not available, economical or as effective for the provision of the services.

Entities to be used by regional centers.

633.115. The regional center shall secure services for its clients in the least restrictive environment consistent with individualized habilitation plans. As a result of its comprehensive evaluation, the regional center shall utilize the following entities to secure services:

(1) Agencies serving persons not diagnosed as mentally retarded or developmentally disabled in which the client would be eligible to receive available services or in which the services could be made available to the client through the purchase of assistive or supportive services;

(2) Agencies serving mentally retarded or developmentally disabled persons in which the client would be eligible to receive available services or in which services could be made available to the client through the purchase of assistive or supportive services;

(3) The regional center on a day-program basis;

(4) The regional center for short-term residential services, not to exceed six months, unless expressly authorized for a longer period by the division director;

(5) A residential facility licensed through the department placement program, but not operated by the department;

(6) A mental retardation facility operated by the department for clients who are developmentally disabled or mentally retarded.

Short title.

67.330. It is hereby declared the policy of the general assembly of the state of Missouri that all forms of contractual and cooperative services that promote the economy and efficiency of operations of local government should be encouraged. Sections 67.330 to 67.390 may be cited as "State-Local Technical Services Act".

Assistance to political subdivisions encouraged.

67.340. All state agencies, within the limits of appropriations for this purpose, are encouraged to assist political subdivisions of the state with information, technical assistance and material aid in the performance of services leading to improvement and economical performance of the service by the political subdivisions of the state.

Use of state data processing equipment by political subdivisions.

67.350. Political subdivisions of the state are authorized to enter into agreement with the office of administration, within the limits of the appropriations of said office for this purpose; and are authorized to utilize the services of the state agency and are authorized to transport records as required to place their records into state data processing machinery and are authorized to delegate such responsibilities as required to the state agency performing the function for the political subdivision. The state agency shall give a receipt for records and materials delivered to it and shall assure the security of the records so handled or stored.

Political subdivisions, use of state procurement service authorized.

67.360. The political subdivisions of the state of Missouri are authorized to utilize such services as may be provided by the state division of purchasing, within the limits of the appropriation of that state agency for this purpose. The governing bodies of the state's political subdivisions may require all offices and individuals of their political subdivision to conform to the requirements, as promulgated by the governing body of the political subdivision involved in the purchasing agreement entered into with the state agency. Governing bodies of all political subdivisions of the state are hereby authorized to enter into agreements with the state agency covering the purchase of materials, supplies and equipment meeting their legal needs and are authorized to delegate to the state agency such functions relating to the purchases as shall be covered by the cooperative agreement with the state agency.

State agencies may contract with political subdivisions.

67.370. 1. It is hereby declared to be the policy of the general assembly that other state agencies, within the limits of their appropriations for this purpose, shall offer technical assistance, in matters related to their duties, to the state's political subdivisions and enter into contractual arrangements with the political subdivisions of the state of Missouri to this end.

2. Political subdivisions of the state are authorized to enter into contractual agreements or cooperative arrangements with the various state agencies offering to provide technical assistance and services provided in subsection 1 of this section. The governing bodies of the state's political subdivisions are authorized to enter into agreements with state agencies and all officers and employees of the political subdivision are to be governed by the provisions of the contractual arrangement as entered into by the governing bodies of this political subdivision of the state.