

ATTACHMENT A-FRONT PAGE

PA DISTRICT OF FISCAL RESPONSIBILITY WORKSHEET

CLIENT NAME: _____ CIN#: _____

CASE NUMBER: _____ WORKER: _____ DATE: _____

1. A. Was the individual recently released from a hospital or other medical facility? OR

B. Was the individual in a hospital or other medical facility immediately prior to (or during) a period of uninterrupted (*) receipt of assistance prior to this application?

Yes to either A. or B. : _____ When: (_____) No: _____

If Yes, what was the individual's address and county of legal residence at the time of entry into the hospital or other medical facility?

2. A. Is/was the individual in a formal or licensed non-medical residential facility and in need of assistance? OR

B. Was the individual in a formal or licensed residential care facility during a period of uninterrupted (*) receipt of assistance prior to this application.

If Yes A. or B. : _____ When: (_____) No: _____

If yes, who referred the individual or was involved in the placement of the person in the residential care facility?

3. Did the individual temporarily enter this county for a specific purpose (school, rehabilitation, training, other)? Yes: _____ No: _____

If yes, for what purpose? _____

Does the individual intend to return home after completing that purpose?

Yes _____ No _____

If Yes, what is the individual's county of legal residence?

4. a. If PA benefits were received in another county within the past 2 calendar months, why was the case closed? _____

Should PA have been continued by former district?

Yes: _____ No: _____

* Uninterrupted means no break in assistance of 30 days or more.

THE WHERE FOUND DISTRICT MUST NOT DENY AN APPLICATION SOLELY BECAUSE ANOTHER DISTRICT IS BELIEVED TO BE RESPONSIBLE FOR THE INDIVIDUAL. ASSISTANCE MUST BE PROVIDED TO AN OTHERWISE ELIGIBLE PERSON.

SEE REVERSE

DFR RULES (APPLY IN THE ORDER PRESENTED)

- 1. **Medical Facility Rule:** An individual who leaves his/her home district and goes into a medical facility in a different district, (or who goes into a Title XIX OMH/OMRDD facility located in the home district or in another district), and is in need of assistance while in the facility or immediately thereafter, is the fiscal responsibility of the from-district.

(To distinguish between a residential treatment facility that IS a medical facility and one that is not, look at who pays the bill. If Medicaid pays for some treatment while the individual is in the facility, but not the room and board, then that is NOT a medical facility. For example, a Congregate Care Level II substance abuse residential treatment facility is NOT a medical facility.)

- 2. **Placement Rule:** The applicant/recipient is the fiscal responsibility of the district of legal residence if:
 - the applicant/recipient is in a formal or licensed residential care facility;
 - AND,
 - a social services district, either the original district or any other district, was directly or indirectly involved in placing the eligible person. Social services district involvement means involvement by any county agency or official governmental entity of any county including courts, mental health, probation departments, etc.

ONCE A DISTRICT'S RESPONSIBILITY IS ESTABLISHED UNDER EITHER THE MEDICAL RULE (#1) OR THE PLACEMENT RULE (#2), THAT RESPONSIBILITY CONTINUES NO MATTER HOW MANY MOVES BETWEEN COUNTIES HAS OCCURRED SINCE THE RELEASE FROM THE MEDICAL OR RESIDENTIAL FACILITY (UNLESS THE INDIVIDUAL HAS A BREAK IN NEED OF AT LEAST 30 DAYS) IF NEITHER #1 NOR #2 APPLY, CONSIDER ONE OF THE FOLLOWING.

- 3. **Temporary Absence:** An individual who is a legal resident of one county entered a new district for a specific purpose and intends to return to the county of legal residence after the purpose is completed.
- 4. **Transition Rule:** Former district is responsible for the recipient who moves for the month of the move and the month following IF the recipient remains eligible for PA.

SPECIAL SITUATIONS

EMERGENCY NEEDS: When the individual has an emergency need in the where-found district, the where-found district is fiscally responsible for meeting that need. This is true unless the individual was placed into emergency housing by another district in NYS. Then, the district responsible for the placement is also responsible for the emergency needs.

DOMESTIC VIOLENCE RESIDENTIAL PROGRAM: Any individual who enters a domestic violence shelter in one county from another district in NYS is the fiscal responsibility of the from district if the individual is in receipt of PA or is found eligible for PA/Title XX overclaim.

The district of fiscal responsibility (DFR) is _____.
 If other than this district, has the DFR:
 _____ agreed to accept responsibility? _____ denied responsibility?
 Person contacted in the DFR: _____ Date: _____
 Title: _____ Telephone Number: _____

Q.1. Is a minor who is discharged from Foster Care ever the continuing responsibility of the district whose Commissioner held custody?

A. Yes. The placement rule applies to foster children except when the child is discharged to the parent(s), a sibling, aunt, uncle or legal guardian.

For example, a foster child from county A is placed into a foster care setting in county B. The child is then released from foster care and goes into a transitional living arrangement, still in county B. In this example, county A continues to be responsible for this child under the placement rule until there is a break in the need for assistance that lasts at least 30 days.

Q.2. Does either the Medical rule or the Placement rule apply when a person goes into a hospital or facility in their home county then decides to move to another county?

A.2. If the facility is not a Title XIX OMH/OMRDD operated or certified facility, then neither rule applies. The medical rule and the placement rule apply only when an individual goes into a hospital or treatment facility in another county. For example, someone who is hospitalized in his home county decides to move to another county so that relatives can help with his care. In such a situation, the transition rule could apply (if the individual is on assistance) or the temporary absence rule could apply. The medical rule would NOT apply.

Q.3. Why is there a difference in the way the medical rule is applied depending on whether the facility is Title XIX OMH/OMRDD or another kind of medical facility?

A. When an individual goes into a Title XIX OMH/OMRDD facility, the individual is considered to have gone into a facility out of district even if the Title XIX facility is located in the district of residence. So, for example, an Albany County resident who goes into a psychiatric center located in Albany County, and who is discharged to the home of a relative in another county, is the fiscal responsibility of Albany County. This is true unless the need for assistance and care was not immediate (within 30 days of discharge).

Q.4. Emergency needs are the responsibility of the "where-found" district. Are there any exceptions to that rule?

A. The "where-found" district is responsible for meeting emergency needs. This is true even when the recipient is the fiscal responsibility of a different district under the placement or the medical rule. The recipient may now be a legal resident of the where found district and cannot reasonably be expected to return to the fiscally responsible district to have the emergency met. The "where-found" district is the one most able to control the costs related to meeting the emergency need.

However, a district that meets an individual's emergency shelter need by placing that person into emergency housing in another district remains responsible for that individual's emergency needs.

- Q.5. Sometimes a "where-found" district will find itself a dumping ground for people being released from programs in another county. For example, at the time of entry into a substance abuse program, the individual is a resident of county A. The treatment program is in county B. The treatment program's "discharge plan" calls for the person being released to a homeless shelter in county C. Why should county C be responsible for these emergency needs?
- A. A discharge plan should not result in someone being released into a homeless shelter without the input of the district of fiscal responsibility and the district to which the person will be released. Districts that find this happening should attempt to work out the problem with the facility. If that fails, the State Department of Social Services and OASAS may need to discuss the discharge planning process with the facility.
- Q.6. What if a person is sanctioned for non-cooperation? Is a period of ineligibility due to a sanction considered a break in assistance?
- A. Yes. Any break in assistance that is at least 30 days in duration, even if the reason is a sanction for non-cooperation, will terminate the responsibility of the former district under the medical rule or the placement rule.
- Q.7. If we know that the transition rule applies, does that mean that no other rule can apply?
- A. An individual may be moving from one district to another but that does not mean that the transition rule applies. Rather, upon investigation, the district may find that the medical rule applies and the individual may remain the fiscal responsible of another district.
- Q.8. A client moved from county A to county B in June and was placed into a formal residential care setting in county C the following month, July. Is county B responsible under the placement rule or is county A responsible since the placement occurred during the transition period?
- A. County A is responsible only through the end of July because that is within the transition period. County B has ongoing responsibility under the placement rule (starting August 1).
- Q.9. Is it ever appropriate to deny an otherwise eligible applicant because the household needs are met by another district during the transition month(s)?

- A. No. It is not appropriate to deny an application because another district is providing benefits in the month of the move between districts or in the following month. The purpose of the transition rule is to insure that an eligible household will receive uninterrupted benefits when moving between districts. Naturally, the case in the new district will not have a PA authorization that overlaps the authorization period in the former district.
- Q.10. An individual may be the fiscal responsibility of a district of legal residence that is involved either directly or indirectly in the placement. Consider a situation in which a person who is a legal resident of County A, is arrested for driving while intoxicated by the Sheriff of County B and the court in County B offers the individual an alternative to incarceration - a residential treatment program in County C. Because County B was responsible for the placement, is County B the fiscally responsible district?
- A. No. County A, the district of legal residence at the time of the placement is the DFR. The officials of County B are considered to be acting on behalf of County A.
- Q.11. Is there a limit on the period of time that a district will be fiscally responsible for an individual under the medical rule or the placement rule?
- A. No. Until there is a break in the individual's eligibility, the original district retains responsibility under the medical rule or the placement rule. This is true no matter how much time has passed since the individual last resided in the original district or how many times the individual moves.
- Q.12. What if an applicant has never been on public assistance in our county before going into another county. How can our county be considered responsible for that person's public assistance needs if the person only becomes needy after going into the other county?
- A. The only DFR rule that does not apply to applicants is the transition rule. That rule is for recipients and only if the recipient remains eligible for assistance after the move. All other DFR rules apply to both applicants and to recipients.
- Q.13. How is legal residence defined?
- A. A person is a legal resident of whatever county that he or she says, as long as the facts (the person's actions and circumstances) are not inconsistent with this expressed intent.