

# **Stark County Board of Developmental Disabilities**

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## **FAMILY SUPPORT SERVICES**

### **POLICY**

The Board maintains a family support services program so that individuals or family members of individuals who are county board eligible can be assisted to remain in and be supported in the family home. The purpose of the program is to make payments for all or part of the costs incurred to promote self-sufficiency and further the unity of the family by enabling the family to meet the special needs of an individual with a disability.

The Board shall set annually the budget allocation for this program and the financial assistance available per individual.

Payments may be made in the form of reimbursement for expenditures or in the form of vouchers to be used to purchase services. Payments may be made for the following services: respite care, in or out of the home; counseling, supervision, training, and education of the individual, the individual's caregivers, and members of the individual's family that aid the family in providing proper care for the individual, provide for the special needs of the family, and assist in all aspects of the individual's daily living; special diets, purchase or lease of special equipment, or modifications of the home, if such diets, equipment, or modifications are necessary to improve or facilitate the care and living environment of the individual; providing support necessary for the individual's continued skill development, including such services as development of interventions to cope with unique problems that may occur within the complexity of the family; enrollment of the individual in summer programs, provision of leisure activities, and other social skills development activities; and any other services that are consistent with the purposes of the family support program. Payment shall not be made under this program to an individual or the individual's family if the individual is living in a residential facility that is providing residential services under contract with the Ohio Department of Developmental Disabilities or a county board.

In order to be eligible for financial assistance under this program, the individual or the individual's family must reside in Stark County, and the individual must be in need of habilitation. Payments shall be adjusted for income in accordance with a payment schedule. Payments shall be made only after the Board has taken into account all other available assistance for which the individual or family is eligible.

Before incurring expenses for a service for which payment will be sought, the individual or family shall apply to the Board for a determination of eligibility and approval of the service. The service does not have to be provided in Stark County. After being determined eligible and receiving approval for the service, the individual or family may incur expenses for the service or use the vouchers received for the purchase of the service.

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To be reimbursed for expenses incurred for approved services, the individual or family shall submit to the Board a statement of the expenses incurred, accompanied by any evidence required by the Board. To redeem vouchers used to purchase approved services, the entity that provided the service shall submit to the Board evidence that the service was provided and a statement of the charges. The Board shall make reimbursements and redeem vouchers no later than forty-five days after it receives the statements and evidence required.

If the board refuses to approve a service, an appeal may be made in accordance with Board Policy 2.16 Administrative Resolution of Complaints.

The superintendent will develop procedures to implement this policy.

Sources:      Ohio Revised Code 5126.11  
                  Ohio Administrative Code 5123-2-1-02 (J)

<b>Historical Resolution Information</b>		<b>Reviewer(s):</b>
<b>Date</b>	<b>Resolution Number</b>	
1/24/15	01-07-15	Director of SSA/Investigative Services
2/27/18	02-15-18	
3/23/21	03-14-21	

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## FAMILY SUPPORT SERVICES

### PROCEDURE

- I. Everyone applying for assistance through the Family Support Services program will have his or her eligibility determined per Administrative Rule 5123:2-1-14, if it has not been determined previously.
- II. A family shall be eligible for reimbursement of family resources if it includes a family member who resides at home and has been determined eligible for Board services according to section 5126.01 of the Ohio Revised Code. "Family" as in this policy, means parent(s), brother(s), sister(s), spouse, son(s), daughter(s), grandparent(s), aunt(s), uncle(s), cousin(s), or guardian(s) of the individual with a developmental disability and includes the individual with developmental disabilities. "Family" also means a person or persons acting in a role similar to those specified in this paragraph even though no legal or blood relationship exists if the individual with developmental disabilities lives with the person(s) and is dependent upon the person to the extent that if the supports were withdrawn, another living arrangement would have to be found. The person(s) shall verify the relationship by signature.
- III. A family's request for service must be made in writing via the Family Support Service Application. The FSS program is required to respond in writing and/or verbally to that request within seven working days. If service/reimbursement is denied, the reason for denial must be in a written response to the family, and shall include information relating to the family's right to appeal the denial in accordance to 5123:2-1-12 of the Administrative Code. This information shall be presented in the native language of the family or other mode of communication used by the family unless it is clearly not feasible. If the reason for denial is lack of funding, and/or the family is placed on a waiting list, the family is to be notified in writing also.
- IV. Family Support Services shall work with the family to obtain supports and services. At the family's request, the Board shall assist families in developing individual plans and strategies for family supports. Family Support Services shall be considered a component of the individual planning process in accordance with the rules adopted by the Ohio Department of Developmental Disabilities (DODD).
- V. Family Support Services may be provided in a county other than the one in which the reimbursing County Board is located. Reimbursement must always come from the county of the family with whom the individual resides. The reimbursing County Board is responsible for determining that providers meet the requirements of this rule.

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VI. FSS Payments may be made for the following services:

- A. Respite care, in or out of the home;
- B. Counseling, supervision, training and education of the individual, the individual's caregivers, and members of the individual's family that aid the family in providing proper care for the individual, provide for the special needs of the family, and assist in all aspects of the individual's daily living;
- C. Special diets, purchase or lease of special equipment or modifications of the home, if such diets, equipment, or modifications are necessary to improve or facilitate the care and living environment of the individual;
- D. Provide support necessary for the individual's continued skill development, including such services as development of interventions to cope with unique problems that may occur within the complexity of the family, enrollment of the individual in special summer programs, provision of appropriate leisure activities, and other social skills development activities, and;
- E. Any other services that are consistent with the purposes specified in the purpose section of this Policy.

VII. To be assured of reimbursement, the family shall obtain the estimated cost and prior approval of the expenditure from the Board before agreeing to services or signing a contract with a provider.

VIII. To ensure good fiscal practices that meet the County Auditor requirements or procedures, it is necessary to get estimates and bids for some services prior to reimbursement being approved, e.g. home modifications. In general, however, the Board will not enact policies/procedures that restrict families' choices of providers. While reimbursement may be granted to a family following receipt of and/or payment for services without prior approval, normal practice is that the family should obtain approval for reimbursement before the cost is incurred. Services provided/received without prior approval may not be eligible for reimbursement.

IX. Upon approval of the request for Family Support Services, the Board shall give the family a voucher in the amount approved. The family shall present the voucher and the family's share of the cost for a service reflected above to a pre-approved provider when the service has been received or at such time as mutually agreed. The provider shall redeem the voucher through the North East Ohio Network (NEON). NEON shall redeem the voucher within forty-five (45) days after the provider submits it.

X. The Board is required to have a voucher system acceptable to the County Auditor, which shall be the means by which a provider of service is guaranteed payments for the Board's (FSS) portion of the cost of an approved service, in the amount authorized by the FSS program. The Board has chosen to use NEON, a Council of

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Governments (COG), to process payment requests and expedite the payment process.

- XI. For those requesting or needing respite services, a family may request a list of agencies providing certified respite care from the Board before deciding on a provider, or the family may recommend a provider to the Board. It is the intention of this policy to permit, especially in the case of respite care, neighbors, or family members living outside of the family home to provide services to the individual with the developmental disabilities as long as the neighbor or family member has signed the necessary assurances for family selected provider. When using a family selected provider, the family shall sign an assurance assuming responsibility for the health and safety needs of the individual with a disability, and that no liability shall be incurred by the Board. Family selected providers may serve as many families as select them. This applies to out-of-home respite also. Families are encouraged to select people with whom they are familiar. Family members living inside the home of the individual with developmental disabilities will not be approved as respite providers for that individual. Also, a parent who is not living in the same home as the individual is not eligible for reimbursement of respite services. The family may select a County Board employee to provide respite care for their family member with a disability. Notwithstanding, if this occurs, the procedures outlined in Board Policy 2.15 (Ethics Council) will be followed. Based upon no conflict of interest being found, the Board employee is permitted to be a family selected private respite care provider.
- XII. The co-payment schedule for a family shall be based on the family's taxable income as verified by signature. Income shall be based on the federal taxable income (after applicable deductions). The individual and/or family shall be responsible for reporting any changes in income. The Board may consider extenuating circumstances in the determination of co-payment. The Board through the FSS Administration will request updates on family income at least annually. The percentage of family support service a family pays shall be determined according to the following income schedule:

**Income Schedule**

Income	Percentage of Contribution
\$27,258 or less	0%
\$27,259 - \$37,759	10%
\$37,760 - 48,260	30%
\$48,261 - \$62,261	50%
\$62,262 - \$79,762	75%
\$79,763 and over	100%

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Family taxable income means the sum total of all family members' income after applicable deductions, exclusive of the individual with the developmental disability in the household. The family's taxable income must be certified by the signature of the primary caregiver/family member. Families who elect not to certify their income by signature may not be denied FSS solely on that refusal. Rather, that family could still access FSS, but the rate of co-payment, to be determined by the Board, may be at the 100% level.

- XIII. Family Support Services does not apply to family support services that are funded under the state Medicaid Plan as either Home or Community-Based Services or Habilitation Center Services.
- XIV. Agreements are permitted to allow variations of this provision to meet the needs of the families. For example, the county in which the service was provided would reimburse the family instead of the county in which the family resides. Services may be received outside of Ohio, and providers do not have to be Ohio residents
- XV. The Board may contract with another agency to administer all or a portion of the Family Support Services program. The Board shall ensure that any contract agency administering the Family Support Services program adheres to the administrative rules governing the program.
- XVI. The Board may elect to contract out for all FSS services it provides. The North East Ohio Network (NEON), a Council of Governments established and permitted by Ohio Revised Code (ORC) 5126.13 and Chapter 167 of the ORC has provided support to the Board's FSS program. The Board shall supervise the Family Support Service program if it contracts some or all of the program out and shall be responsible for the following:
  - A. The approval of services and costs prior to the provision of services;
  - B. The enforcement of ceilings on reimbursement to a family based on income;
  - C. The request process for respite card.
- XVII. The Board annually assesses the FSS program and reviews the number of individuals and families served given the state allocation received. The Board may also allocate local funds to supplement the state dollars received to operate the program.