

#### **IV. Legal Residence Determination**

Responsibility: Access Points/Central Accounting

Polk County will not pay for services if it is not financially responsible to do so. Effective July 1, 2013, residency is the basis for determining which county is responsible for paying for services for an eligible individual. Since the legal definition of county of residence is not as simple as "where the individual resides", the term "legal residence" will be used in this manual. Legal residence is defined as "the county in this state in which, at the time a person applies for or receives services, the person is living and has established an ongoing presence with the declared good faith intention of living in the county for a permanent or indefinite period of time. The county of residence of a person who is a homeless person is the county where the homeless person usually sleeps. A person maintains residency in the county in which the person last resided while the person is present in another county receiving services in a hospital, a correctional facility, a halfway house for community-based correction or substance-related treatment, a nursing facility, an intermediate care facility for persons with an intellectual disability, or a residential care facility, or for the purpose of attending a college or university."

At the time an application is taken from a client for services in Polk County, the access point staff will obtain a signed release from the client or the client's guardian, authorizing release of information to Polk County for the purpose of verifying legal residence. If it appears that the client has legal residence other than Polk County, a release of information will also be signed for the other county.

As part of the CPC application process, the access point staff will collect and enter into Polk MIS the individual's current street address, including Residence Type. If the Residence Type does not have an asterisk (\*) at the front of it, enter as the County of Residence the same county in which the address is physically located. Use mapquest.com or google.com to determine if the address is in Polk County if the Zip Code is 50046, 50047, 50054, 50061, 50111, 50124, 50156, 50161, 50169, 50226, 50228, 50237, 50243, 50244, 50265, 50320, 50323, or 50325. The County dropdown will include only the counties included in the Zip Code when you tab off of the Zip Code field. Select the county where the address is physically located. If the Residence Type does have an asterisk (\*) at the front of it, collect and enter into Polk MIS previous street addresses until there is one where the Residence Type does not have an asterisk (\*). This will be the County of Residence for all subsequent addresses, until there is another address where the Residence Type does not have an asterisk (\*).

##### **Residence Type Definitions:**

- *\*Attending college or university* means the individual is living in a particular county solely for the purpose of attending college or a university and does not intend to remain
- *\*Correctional facility* includes jail, prison, and work release programs
- *\*Group Foster Care/PMIC* includes congregate foster care facilities and facilities licensed as Psychiatric Medical Institutions for Children.
- *\*Halfway house for corrections of substance abuse treatment* includes any place in the community with overnight accommodations where the individual is under the jurisdiction of the Department of Corrections or is receiving substance abuse treatment or follow-up support
- *\*Hospital – State MHI* includes the Mental Health Institutes at Cherokee, Clarinda, Independence, and Mt. Pleasant
- *\*Hospital – State Resource Center* includes the State Resource Centers at Glenwood and Woodward
- *\*Hospital in Community* include any private or public community-based hospital
- *\*ICF/ID* includes facilities licensed as Intermediate Care Facilities for Persons with Intellectual Disabilities

- *\*ICF/PMI* includes facilities licensed as Intermediate Care Facilities for Persons with Persistent Mental Illness
- *\*Nursing Facility (ICF/SNF)* includes facilities licensed to provide Intermediate Care and Skilled Care
- *\*RCF* includes facilities licensed as Residential Care Facilities
- *\*RCF/ID* includes facilities licensed as Residential Care Facilities for Persons with Intellectual Disabilities
- *\*RCF/PMI* includes facilities licensed as Residential Care Facilities for Persons with Mental Illness
- *Foster Care/Family Life Home* includes families approved by the Department of Human Services to care for a dependent individual
- *Homeless/Shelter/Street* means that the individual does not have permanent housing. The county of residence is the county where the homeless person usually sleeps.
- *Other* includes any non-facility living arrangement that does not fit another category.
- *Private Residence; Lives Alone* includes apartments, houses, trailers, and any other housing options where the individual does not have anyone else living with him/her
- *Private Residence; Lives with Relatives* includes apartments, houses, trailers, and any other housing options where the individual lives with others related to him/her. This may include spouses, children, parents, siblings, etc.
- *Private Residence; Lives with Unrelated Persons* includes apartments, houses, trailers, and any other housing options where the individual lives with others who are not related to him/her. This may include live-in boyfriends/girlfriends, friends, landlords, etc.
- *Supervised Site; Lease-Based; <24-hour* are non-licensed sites where staff is present but not all the time. This would include Mainstream Apartments.
- *Supervised Site; Lease-Based; 24-hour* are non-licensed sites where staff is present 24 hours/day. This would include most ID Waiver sites, Habilitation-funded 24-hour sites that aren't licensed as RCF/ID or RCF/PMI. Also would include assisted living facilities.

For new CPC applications or when the new street address of an existing client has a different County of Residence and the Residence Type does not have an asterisk (\*), go to the Client Demographics menu item in Polk MIS, click on Legal Settlement. When the next screen appears, click on the Next button. When the next screen appears, click on the Submit button. This process will be automated when changes are made to Polk MIS.

The Legal Residence Technician in the Polk County Central Accounting Office will respond to any request for legal residence determination within ten working days.

- a) Requests for additional information will be sent to the access point, usually through Polk MIS e-mail. The access point must respond to any requests for additional information within ten working days.
- b) The results of the legal residence determination will be entered in Polk MIS and will remain there until such time as sufficient information is received to change it. Each month, an End Date will be entered into Polk MIS records where there have been no services paid in seven months, the CPC Application Review Date is > six month old, and there is not a service enrollment event in Polk MIS.
- c) Confirmations of Polk County legal residence will be e-mailed to the access point through Polk MIS. Notification that the client has legal residence in another Iowa county or is a state case will be e-mailed to the access point and also to Polk County Health Services.
- d) All documents relevant to legal residence will be filed in the Mental Health Client File in the Central Accounting Unit of the Polk County Auditor's Office.

If a client is residing in, but does not have legal residence in Polk County, the following steps are to be taken.

- a) Upon notification that the client has legal residence in another county, the assigned access point staff will notify, in writing, the appropriate party in the other county and request a written response accepting or denying legal residence.
- b) Upon notification that the client appears to be a state case, the assigned access point staff will complete and submit the necessary forms for application for state case status, if County funding will be needed for services.

If the client will be receiving any other services covered by the State Payment Program, the access point must submit an application to Kay Hiatt (khiatt@dhs.state.ia.us) and send a copy to Karen Walters Crammond at k.walters-crammond@pchsia.org. To do this, send an email to both and request that Kay Reply to All in Tumbleweed. In the subject line of the email enter "SPP Application for F. LastName", where F. is the first letter of the individual's first name and LastName is the last name of the individual. The application consists of a report from Polk MIS, the SPP Profile. Before submitting the SPP Profile, check Client Demographics/Insurance to see if there is an SPP Insurance Record entered for the client. If there is one but the Policy Number has something other than "Applied" or an SRS/SPP number, or if the Begin Date is over two months in the past and the Policy Number does not have an SRS/SPP number in it, contact Karen Walters Crammond by emailing k.walters-crammond@pchsia.org or by calling 243-0867. If there is not an SPP Insurance record, enter one using the following information:

Insurance Type: pick State Payment Program

Insurance Company Name: enter "SPP for [your agency name/abbreviation]"

Policy Number: enter "Applied [date application submitted]"

Begin Date: enter the 1<sup>st</sup> day of the month that services need to be paid or the first day of the current month, whichever is earlier

End Date: leave blank

Also, before submitting the SPP Profile, enter a Request for Plan Change for the appropriate SPP plan with a Plan Begin Date the same as the Insurance Begin Date entered above, and complete the Cost Summary Page, using the services, rates, units, etc. that you anticipate will be needed. For service code, try to use only the service codes that have four numbers and one letter. If requesting SPP Advanced 2 or 3, be sure to complete the ICAP or LOCUS.

Timing is important, so SPP applications shall be made immediately after determining that the individual might be a state case. Applications cannot be made effective more than 60 calendar days prior to their submission.

To generate the SPP Profile from Polk MIS, click on Reports in the Main Menu. Select SPP Profile from the dropdown. Identify any parameters and click View Report. A bar will appear on the screen and eventually the report will appear below the bar. Click the icon on the bar that looks like a diskette with an arrow and pick PDF from the dropdown. When the File Download prompt appears, select Save and save the file to your desktop or hard drive with a name that has meaning, e.g., SPP App for J Doe. Then send a regular email to Kay Hiatt and Karen Walters Crammond, as instructed above, and attach the saved file.

Copies of all responses received by the access point relating to legal residence in other counties or state cases are to be sent to the Legal Residence Technician.

- a) Confirmation that another county or the state has accepted the client will be filed in the Mental Health Client file in the Central Accounting Unit of the Polk County Auditor's Office and a copy sent to Polk County Health Services.
- b) Denials by other counties or the state, along with the original legal residence information, will be sent to the Polk County Attorney's Office - Civil Bureau and e-mailed to Polk County Health Services.
  - 1) The County Attorney's Office will review the information and may request additional information from the access point staff.
  - 2) The County Attorney's Office will decide on the next step and instruct the relevant parties what to do.

If legal residence cannot be determined prior to the need to authorize services, the assigned access point shall contact the Director of Case Management at PCHS. In cases under review where clients are already receiving services, the access point staff will immediately notify all providers of any change in legal residence.

Whenever an individual moves to another county, and the Residence Type does not begin with an asterisk (\*), the case manager, service coordinator, treatment provider, or Integrated Service Agency will update the client address, including the new County of Residence. They shall contact the CPC Administrator in the new county and explain to the client that another county will be responsible for paying for their services. Services may change, depending on the other county's management plan. The case manager, service coordinator, treatment provider, or Integrated Service Agency shall work with the new county providers to ensure a smooth transition. A Request for Plan Change to "Another County in Iowa" shall be entered into Polk MIS with a Begin Date that is the same date as the client's move or the first day of the following month, as negotiated with the new county.