

LHA PASRR Boot Camp Webinar Series

Part 1 of 3: DOJ Agreement and My Choice Louisiana

3/1/2023

PURPOSE OF TRAINING

- Introduction to the DOJ Agreement
 - ADA and Olmstead, Setting the Stage
 - Background
 - Agreement Goals
 - Target Population
 - Agreement Components Overview
 - LDH Offices
- Components of the Agreement
 - Transition Activities
 - Community Support Services

THE ADA AND OLMSTEAD – SETTING THE STAGE

Federal Mandate to Serve Individuals with Disabilities in the Most Integrated Setting Appropriate:

- Congress enacted the ADA in 1990 as a national mandate developed to eliminate discrimination against persons with disabilities. Under Title II of the ADA, public entities are required to “administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities.” An integrated setting is one that “enables individuals with disabilities to interact with non-disabled persons to the fullest extent possible.”
- In *Olmstead v. L.C.*, the Supreme Court held that public entities are required to provide community-based services to persons with disabilities when (a) such services are appropriate; (b) the affected persons do not oppose community-based treatment; and (c) community-based services can be reasonably accommodated, taking into account the resources available to the entity and the needs of other persons with disabilities.

BACKGROUND

- In 2014, the United States Department of Justice (“DOJ”) initiated an investigation of the State of Louisiana’s mental health service system to assess compliance with Title II of the Americans with Disabilities Act (“ADA”).
- Following this investigation, in 2016, the DOJ concluded that Louisiana unnecessarily relies on nursing facilities to serve people with serious mental illness instead of serving them in the most integrated setting appropriate to their needs as required by the ADA.
- In June 2018, the State of Louisiana and LDH signed an agreement with the DOJ to help ensure compliance with the ADA, which requires that the State’s services to individuals with mental illness be provided in the most integrated setting appropriate to their needs.
- Louisiana named its program “*My Choice Louisiana*” to reflect the principles of self-determination and choice referenced in the agreement.

Link to Agreement: <https://www.justice.gov/opa/press-release/file/1068906/download>

AGREEMENT GOALS

“With this Agreement, the Parties intend to achieve the goals of serving individuals with serious mental illness in the most integrated setting appropriate to their needs, to honor the principles of self-determination and choice, and to provide quality services in integrated settings to achieve these goals.”

- 1) Divert individuals with serious mental illness away from inappropriate nursing facility placements by requiring comprehensive evaluations and services designed to enable them to live in community-based settings; and
- 2) Identify people with serious mental illness who have been admitted to nursing facilities but are able to and would like to transition to the community, and provide them with transition and discharge planning and community-based services sufficient to meet their needs.

Link to Agreement: <https://www.justice.gov/opa/press-release/file/1068906/download>

TARGET POPULATION

Target population for the DOJ Agreement includes:

- Medicaid-eligible individuals over age 18 with serious mental illness (SMI) currently residing in nursing facilities; or
- Individuals over age 18 with SMI who are referred for a Pre-Admission Screening and Resident Review (PASRR) Level II evaluation of nursing facility placement during the course of the DOJ Agreement, or have been referred within two (2) years prior to the effective date of the Agreement.

Note: Individuals with co-occurring SMI and dementia, where dementia is the primary diagnosis, are excluded. Also, people who live with SMI but are not in the Target Population may request community support services outlined within the Agreement, or be referred for to these services by a provider, family member, guardian, advocate, officer of the court or state agency staff.

AGREEMENT COMPONENTS – OVERVIEW

- Transition Coordination
 - Establish My Choice Louisiana program to allow Office of Aging and Adult Services (OAAS) and Office of Behavioral Health (OBH) Transition Coordinators to work with individuals throughout the state, helping to move them into the community.
- Community Support Services
 - Ensure network adequacy amongst the behavioral health service array, including the provision of competent/quality services by treatment providers.
- Diversion and the Pre-Admission Screening and Resident Review (PASRR) process
 - Ensure PASRR processes adhere to federal standards and, further, are effective in ensuring people with SMI are appropriately assessed and authorized for NF placement.
 - Ensure individuals are able to avoid NF placement by engaging with the appropriate level and type of services while still in the community.

Part 2 of the training series (3/8/23) will review the PASRR process

LOUISIANA DEPARTMENT OF HEALTH OFFICES

Offices within the Louisiana Department of Health (LDH) which guide implementation of the Agreement's components:

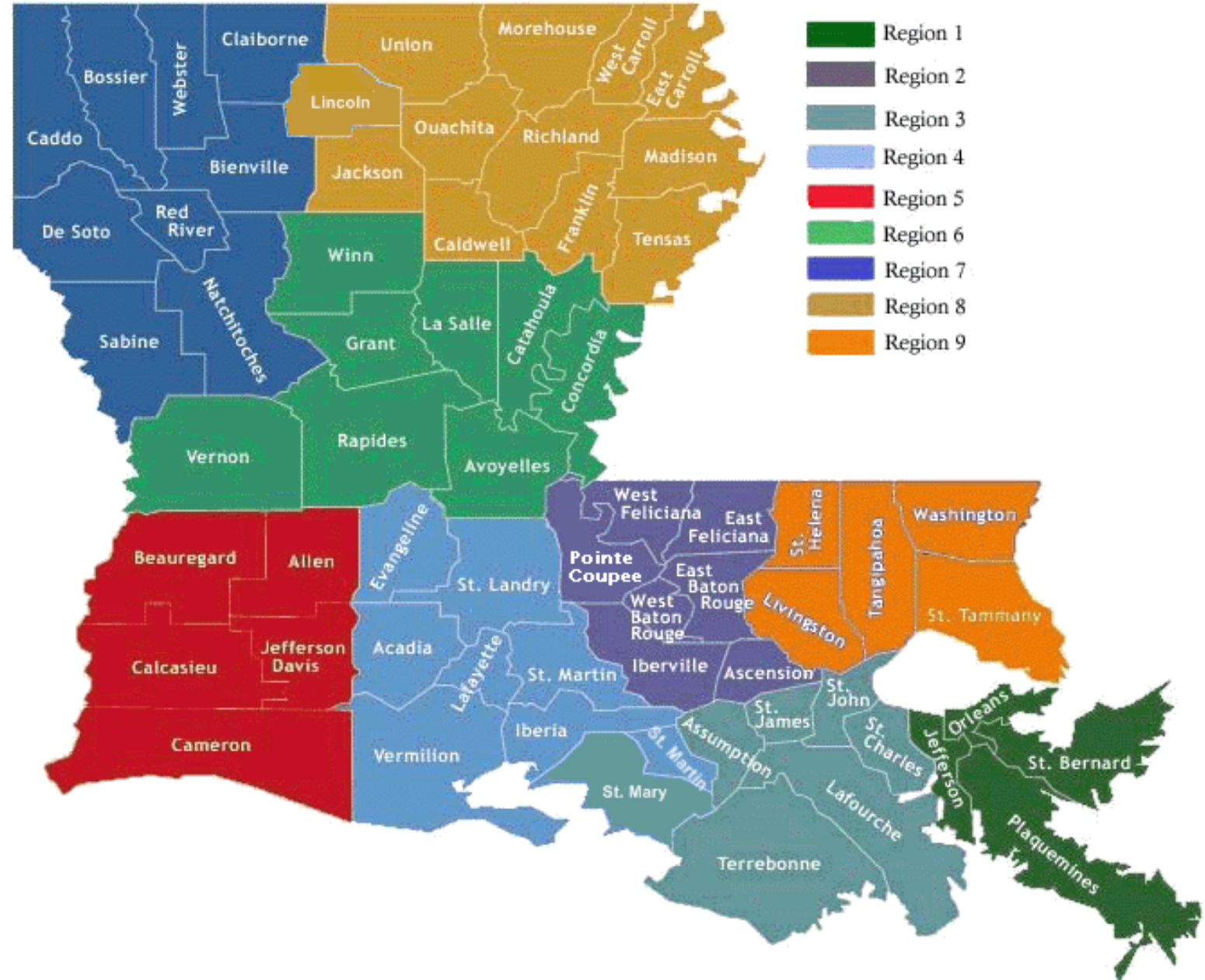
- **The Office of Aging and Adult Services (OAAS)** – OAAS was formed within the LDH as a healthcare reform initiative, bringing together all of the long-term care programs that serve older adults and people with adult-onset disabilities. OAAS has several programs to help older adults and adults with disabilities maintain independence. These programs offer services in the home or in community-based settings to those who qualify and supports may include hands-on assistance with self-care, home modification, technology and therapies.
- **The Office of Behavioral Health (OBH)** – OBH manages and delivers the services and supports necessary to improve the quality of life for citizens with mental illness and addictive disorders. OBH acts as monitors and subject matter consultants for the Medicaid Healthy Louisiana managed care plans, which manage behavioral health services. It delivers direct care through hospitalization and has oversight of behavioral health community-based treatment programs through the human services districts and authorities.

Additionally, the **Office of Citizens with Developmental Disabilities (OCDD)** provides consultation and service linkage for those individuals transitioning who have a co-occurring intellectual/developmental disability (ID/DD).



TRANSITION: MY CHOICE LOUISIANA

MY CHOICE REGIONS BY PARISH



MY CHOICE LOUISIANA

The program, called My Choice Louisiana, is comprised of a series of activities designed to help people to move or "transition" from an institution into the community with the appropriate supports. These settings include:

- Home with Family or other supports
- The individual's own home or apartment as established prior to NF admission
- The individual's own apartment as established through the transition process
- Congregate settings, whenever appropriate to the individual's needs and desires

This process includes the provision of *in reach* to individuals residing in nursing facilities as conducted by Peer In Reach Specialists (PIRS), gauging their interest in moving into the community as well as *transition* activities conducted by Transition Coordinators

IN REACH

Currently seven (7) Peer In Reach Specialists have been hired to work on the My Choice Louisiana program and are based in each of the nine Regions of the State. OBH is currently working to hire PIRS in Region 1 and Region 4.

PIRS are individuals with a lived behavioral health experience.

- Peer In Reach Specialists meet with individuals residing in Nursing Homes who have been identified as being part of the DOJ Target Population; in this role, they:
 - Explain the My Choice Louisiana program
 - Answer questions related to an individual's ability to move into the community
 - Elicit feedback from a person regarding their desire to move into the community
 - Link to the Transition Coordination program if interested in transitioning
- PIRS also provide support and advocacy to transitioning individuals and the My Choice Transition Coordinators throughout the transition process.

TRANSITION COORDINATION

A total of 26 Transition Coordinators have been hired to work on the My Choice Louisiana program. Ten (10) are employed by OBH and sixteen (16) by OAAS. The Transition Coordinators are based in each of the nine OAAS Regions of the State.

- LDH My Choice Louisiana Transition Coordinators act as lead facilitator prior to transition into the community; in this role, they:
 - Perform face-to-face person centered transition assessments with members of the target population
 - Develop individualized transition plans
 - Convene transition teams comprised of Managed Care Organizations, providers (HCBS, behavioral health, housing), and any other organization or entity critical to the individual's transition into the community
 - Link to Community Case Management
 - Provide follow up for 365 days post transition
- Community Case Managers, operating through the MCOs, act as lead facilitators post transition, providing follow up and support for at least 365 days post transition.

MY CHOICE BY THE NUMBERS

In Reach Status update

- 3,693 In-Reach contacts made in person
- 300 In-Reach contacts made virtually
- 1130 people have expressed interest in moving
 - 621 indicated they were undecided
 - 2089 indicated not interested right now
 - 861 unable to make decision

Transition Status update

- 461 individuals have been transitioned through the My Choice Louisiana program.
 - 203 (44%) are still being followed post transitioned
 - 189 (41%) have been successfully closed
 - 69 (15%) have either been
 - re-institutionalized (31/6%)
 - died post-transition (38/8%)



COMMUNITY SERVICES

COMMUNITY SUPPORT SERVICES

LDH/OBH is evaluating the service system to ensure adequacy of services both in quality, scope, and type of services provided. This includes the following:

- Community Case Management*
- Behavioral Health Personal Care Services*
- Individualized Placement and Support (IPS)*
- Peer Support
- Louisiana Crisis Response System

*service eligibility limited to DOJ Target Population

CRISIS SERVICES

- OBH has undertaken a variety of activities intended to ensure the development of a comprehensive array of Medicaid-funded crisis services for individuals throughout Louisiana, leading to the development of the Louisiana Crisis Response System.
- This is a modern, innovative, and coordinated statewide crisis response system that utilizes person centered processes, provides timely access to services along a continuum of services, and aims to divert people from unnecessary institutional levels of care
- All services are time limited and available to individuals:
 - 21 years of age and older
 - Who are linked to a Managed Care Organization
 - Who are experiencing emotional distress
 - Who are not already on an involuntary commitment

Service descriptions and providers are listed on the subsequent pages

Mobile Crisis Response (MCR)

An initial community-based, mobile crisis response intended to provide relief, resolution and intervention to individuals where they are located through crisis supports and services during the first phase of a crisis in the community.

SERVICE IS LIVE	SERVICE IMPLEMENTATION IN PROCESS OR NO PROVIDER SELECTED
Region 1. Resources for Human Development	Region 5 (no provider selected)
Region 2. Recovery Innovations, International	Region 6
Region 3. Start Corporation Region 4. Ness Healthcare	Region 8
Region 7. Merakey Region 9. Ness Healthcare	
Region 10. Resources for Human Development	

Behavioral Health Crisis Centers (BHCC)

Facility based services that operates twenty-four (24) hours a day, seven (7) days a week, as a walk-in center providing short-term behavioral health crisis intervention.

SERVICE IS LIVE	NO PROVIDER SELECTED
Region 1. Merakey Region 2. Recovery Innovations, International	Region 5
Region 3. Start Corporation Region 4. Ness Healthcare	Region 6
Region 7. Merakey Region 9. Ness Healthcare	Region 8
Region 10. Jefferson Parishes Human Services Authority	

Community Brief Crisis Support (CBCS)

An ongoing crisis intervention response rendered for up to fifteen (15) days and designed to provide relief, resolution and intervention through maintaining the member at home / in the community, de-escalating behavioral health needs, referring for treatment needs, and coordinating with local providers.

SERVICE IS LIVE	SERVICE IMPLEMENTATION IN PROCESS OR NO PROVIDER SELECTED
Region 1. Resources for Human Development	Region 5 (no provider selected)
Region 2. Recovery Innovations, International	Region 6
Region 3. Start Corporation Region 4. Ness Healthcare	Region 8
Region 7. Merakey Region 9. Ness Healthcare	
Region 10. Resources for Human Development	

Crisis Stabilization (CS)

Short-term bed-based crisis treatment and support services for members who have received a lower level of crisis services and are at risk of hospitalization or institutionalization.

SERVICE IS LIVE	PROVIDER SELECTED / SERVICE IMPLEMENTATION IN PROCESS	NO PROVIDER SELECTED
Region 2. Recovery Innovations (RI)	Region 3. Start Corporation	Regions 1, 4, 5, 6, 7, 8, 9
	Region 10. JPHSA	

LA-CRS TRAINING APPLICATION

- Additional information about the LA-CRS, including where providers are located and how to access services can be found at <https://ldh.la.gov/crisis>
- LSU has issued the latest Applications for Training (RFA)
 - Applications accepted on **ROLLING BASIS** for regions & services needed
 - RFA available at <https://laevidencetopractice.com/crisis-infographic/mhcr-rfa/>



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For additional information about the *My Choice Louisiana* program, visit LDH's website at: <https://ldh.la.gov/MyChoice>

THANK YOU

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