

L-Service Hour Allocation of Resources (SHARe) Exceptions

L-100 Overview

OAAS has identified 5 types of Service Hour Allocation of Resources (SHARe) exceptions for the Community Choices Waiver (CCW):

- 1) Institutional Risk (IR) CAP and Disabled or No Caregiver
- 2) Top of OAAS Resource Utilization Groups III-Home Care (RUG III/HC) Category and 15 Activities of Daily Living (ADL) Index Score
- 3) Personal Assistance Services (PAS) Conversion
- 4) Nursing Facility Transition
- 5) interRAI Home Care (iHC) Assessment Conversion

L-110 Institutional Risk (IR) CAP and Disabled or No Caregiver

OAAS may grant exceptions to the Service Hour Allocation of Resources (SHARe) if the CCW participant needs additional services to avoid entering a Nursing Facility (NF).

L-110.5 Procedures

For initials, annuals, significant status changes and/or follow-ups when participants may be in jeopardy of remaining in or entering a NF, the support coordinator (SC) will:

- Complete the interRAI Home Care (iHC) assessment/reassessment. (Refer to Section H-Assessment/Reassessment of this Manual).
- Develop the Plan of Care (POC). (Refer to Section K-POC of this Manual).
- Review the current iHC assessment and POC to determine:
 - If the participant triggered iHC Institutional Risk (IR) Clinical Assessment Protocol (CAP) **AND**
 - If the participant has no informal support (caregivers) **OR** the participant's informal support (caregiver) is disabled.

NOTE: Contact with the participant and caregivers may be necessary to make the caregiver determination.

Only FIRST TIME requests for SHARE exceptions require RO review and approval. Once initially approved by RO, the SC and SCS must review the case with each iHC assessment to ensure the participant continues to meet the exception criteria.

SC will:

- Submit the entire POC packet to SCS to review.

SCS will:

- Review the entire POC packet.
- Send the entire POC packet to RO for approval if the above SHARE exception criteria apply.

NOTE: RO will only review the POC packet for SHARE exception approval the FIRST time the participant meets the above criteria.

RO will (First Time Review Only):

- Review POC packet to determine if the SHARE Exception should be granted for this participant.
- If the exception is warranted, RO will send an email, including the approval statement below, to the SC and SCS.

SC will:

- Document the exception in the notebook section of the iHC assessment. The **iHC** notebook entry must include the following:
 - The type of SHARE Exception approved; and
 - The following language: “An adjustment to the Plan of Care (POC) has been authorized by OAAS for **Institutional Risk (IR) CAP and Disabled or No Caregiver** Exception on (INSERT INITIAL DATE of OAAS Authorization). As part of our ongoing evaluation and quality audit, we have determined that this participant’s SHARE allotment must not exceed \$XX,XXX. Plan of Care (POC) will be adjusted as necessary.”

EXAMPLE of iHC Notebook Entry:

Date: 2/05/2022--An adjustment to the plan of care (POC) has been authorized by OAAS for Institutional Risk (IR) CAP and Disabled or No Caregiver Exception on 1/30/2022. As part of our ongoing evaluation and quality audit, we have determined that this participant's SHARE allotment must not exceed \$46,090. Plan of Care (POC) will be adjusted as necessary.

- Revise the POC (flexible schedule and budget) to reflect the new budget amount for the participant, if it differs from the original request.
- Submit the entire POC packet to the SCS for approval (Refer to Section K-POC SC Supervisor Review Procedures of this Manual).

NOTE: A copy of the exception approval iHC notebook entry must be submitted with the POC to the Data Management Contractor (DMC).

For reassessments, including annuals, significant status changes and/or follow-ups when a SHARE exception is already in place/approved, the SC/SC Supervisor will:

- Review the reassessment to ensure the SHARE exception criteria continues to be met.
- Document the type of SHARE Exception approved and include the approval statement in the iHC notebook.
- Ensure the flexible schedule and budget do not exceed the maximum amount authorized.

L-120 Top of OAAS Resource Utilization Groups III-Home Care (RUG III/HC) RUG Category and 15 Activities of Daily Living (ADL) Index Score

Office of Aging and Adult Services (OAAS) may grant exceptions to the Service Hour Allocation of Resources (SHARE) based on Regional Office (RO) and/or State Office (SO) review for Community Choices Waiver (CCW) participants that are at the top of a RUG category **AND** have an ADL Index Score of a 15 in order to avoid institutionalization.

L-120.5 Procedures

If a participant is at the top of a RUG Category AND his/her ADL Index Score is a 15 the SC can make recommendations to the SC supervisor to request an exception to the SHARe allocation for the individual's RUG Score.

If this is the first time reviewing for a Top of Rug Category AND 15 ADL Index Score exception for the participant, the flexible schedule and budget cannot exceed the maximum SHARe allocation for the participant's RUG Score without RO review and approval.

If it is NOT the first time reviewing for a Top of Rug Category AND 15 ADL Index Score exception, and when reassessed the participant's assessment **continues to meet** Top of Rug Category AND has a 15 ADL Index Score, the SC will develop the POC based on the SHARe Exception budget that was previously approved.

After completing the interRAI (iHC) assessment, the SC will submit the entire POC packet to the SC Supervisor (SCS) for review.

SCS will:

- Review the entire POC packet (Refer to Section K—POCs, SC Supervisor Review Procedures of this Manual) for the above criteria. If met, send to RO for approval.

Only FIRST TIME requests for SHARe exceptions require RO review. Once approved by RO, the SC will review to ensure the participant continues to meet the exception criteria.

RO will (First Time Review Only):

- Review POC packet to determine if the SHARe Exception should be granted for this participant and that the budget amount is appropriate.
- If the exception is warranted, RO will send an approval email to the SC and SC supervisor with the below standard approval statement.

SC will:

- Document the exception in the notebook section of the iHC. The notebook entry must include the following:
 - iHC date
 - The type of SHARe Exception and

- The following approval statement: “An adjustment to the plan of care (POC) has been authorized for **Top of Rug Category and 15 Activities of Daily Living (ADL) Index Score Exception** by OAAS on (INSERT INITIAL DATE of OAAS Authorization). As part of our ongoing evaluation and quality audit, we have determined that this participant’s SHARE allotment must not exceed \$XX, XXX. Plan of Care (POC) will be adjusted as necessary.”

EXAMPLE of iHC Notebook Entry:

Date: 5/10/2022-- An adjustment to the Plan of Care (POC) has been authorized for Top of Rug Category and 15 Activities of Daily Living (ADL) Index Score Exception by OAAS on 5/05/2022. As part of our ongoing evaluation and quality audit, we have determined that this participant’s SHARE allotment must not exceed \$46,090. Plan of Care (POC) will be adjusted as necessary.

First Time Review Only:

- Revise the POC (flexible schedule and budget) to reflect the new budget amount for the participant.
- Submit the entire POC packet to SC supervisor for approval (Refer Section K--POCs, SC Supervisor Review Procedures of this Manual).

NOTE: The SCA must also submit the RO SHARE exception approval email along with POC to the Data Management Contractor (DMC).

For reassessments, including annuals, significant status changes and/or follow-ups when a SHARE exception is already in place/approved, the SC/SC Supervisor will:

- Review the reassessment to ensure the SHARE exception criteria continues to be met.
- Document the type of SHARE Exception approved and include the approval statement in the iHC notebook.
- Ensure the flexible schedule and budget do not exceed the maximum amount authorized.

NOTE: If the participant has an approved Top of RUG/15 ADL SHARE exception and after a decline and reassessment is changed to another RUG category which is not Top of RUG but is an increase in allocation (outside of SHARE exception allocation), the participant should remain at the SHARE exception allocation. The above procedure outlined in L-120.5 will apply.

Example: Participant was approved for a Top of RUG/15 ADL of 411 Clinically Complex (\$54,585) with a SHARE exception allocation of \$65,448. Upon reassessment, participant's RUG score changed to 220 Extensive Services (\$59,058). Participant will remain with SHARE exception of \$65,448 due to decline and change to a RUG with an increased allocation.

L-130 Personal Assistance Services (PAS) Conversion

In July 2010, the Office of Aging and Adult Services (OAAS) created Personal Assistance Services (PAS) and ceased Companion Services in the Elderly and Disabled Adult (EDA) Waiver program. At that time, OAAS combined the total number of Companion Services and Long Term-Personal Care Services (LT-PCS) hours to create the participant's new total hours for Personal Assistance Services (PAS), even if the amount exceeded the maximum annual SHARE allocation for his/her RUG score OR the maximum SHARE allocation in effect at that time.

If the participant's RUG Score changes, but the participant's functional needs have stayed the same or worsened, (i.e. ADL Index Score is higher) AND both RUG categories have the same budget allocation, then the participant should receive the **same number of PAS hours as the previous year**, even if the budget is over the annual SHARE allocation.

EXAMPLES of PAS Conversions:

Participant's 2009-2010 CCW Plan of Care (POC) was approved for 20 hours of Companion Services and 10 hours of Long Term-Personal Care Services (LT-PCS). Since his RUG Score remained the same and there were no significant changes, his 2010-2011 POC was approved for 30 hours of PAS (even though his budget amount exceeded the maximum annual SHARE allocation for his RUG score).

If the participant had a RUG Score of 710 & 13 ADL Index Score for the last assessment but his/her current reassessment shows RUG Score 411 & 13 ADL Index Score, then the number of previous PAS hours should stay the same (even though the budget exceeds the annual SHARE allocation).

L-130.5 Procedures

For annuals, significant status changes and/or follow-ups that were previously approved by OAAS for a SHARe Exception for a PAS Conversion, the support coordinator (SC) will:

- Complete the iHC assessment. (Refer to Assessment/Reassessment Procedures).
- Review the participant's RUG Score and determine:
 - If the participant's SHARe RUG Score remains the same as the previous iHC assessment **OR**
 - If the participant's RUG Score changes, but the participant's functional needs have stayed the same or worsened (i.e. ADL Index Score is higher) **AND** both RUG categories have the same budget allocation **AND** the participant wants the same number of PAS hours as last year (# of hours 1st approved during PAS Conversion)
 - NONE of the following is applicable:
 - The reassessment indicates that the participant's functioning level has significantly improved, **OR**
 - The participant has requested fewer PAS hours/services.
 - The participant's level of informal, natural, or other community supports has significantly increased.

SC will:

- Develop the new POC based on the **same** number of PAS hours previously approved, even if the amount exceeds the maximum annual SHARe allocation for his/her RUG score **OR** the current maximum SHARe allocation.

NOTE: If the participant wants to reduce number of PAS hours and receive other CCW services, the participant is no longer approved for PAS Conversion. The POC must not exceed the annual SHARe allocation for his/her RUG group.

- Document this exception in the iHC notebook. The notebook entry must include the following:
 - iHC date;
 - The type of SHARe Exception; and

- The following statement: “An adjustment to the plan of care (POC) has been authorized for Personal Assistance Service (PAS) Conversion Exception by OAAS on (INSERT INTIAL DATE of OAAS Authorization). As part of our ongoing evaluation and quality audit, we have determined that this participant’s SHARe allotment must not exceed \$XX,XXX/XX hours of PAS per week. Plan of Care (POC) will be adjusted as necessary.”

iHC Notebook Entry EXAMPLE:

Date: 7/20/2022 - An adjustment to the plan of care (POC) has been authorized for Personal Assistance Services (PAS) Conversion Exception by OAAS on 07/11/2013. As part of our ongoing evaluation and quality audit, we have determined that this participant’s SHARe allotment must not exceed 40 hours of PAS per week. Plan of Care (POC) will be adjusted as necessary.

If the reassessment indicates improvement (including increases in informal, natural or other community supports) **OR** participant requests fewer PAS hours/services, the SC will:

- Develop the POC based on the new iHC assessment.
- Submit entire POC packet to SCS for review.

SCS will:

- Review the entire POC packet (Refer to Section K-POCs, SC Supervisor Review Procedures of this Manual).

NOTE: A copy of the exception approval iHC notebook entry must be submitted with the POC to the Data Management Contractor (DMC).

L-140 Nursing Facility Transition

The Office of Aging and Adult Services (OAAS) may grant a one-time SHARe Exception to allow a CCW participant to transition from a NF to the community when it is determined that:

- The participant's Service Hour Allocation of Resources (SHARe) allotment is not sufficient to cover the costs of any of the following non-recurring services:
 - Environmental Accessibility Adaptations (EAAs) (not including the costs of EAA basic or complex assessments)
 - Assistive Devices and Medical Supplies
 - Nursing Evaluations
 - Skilled Maintenance Therapy (SMT) Evaluations
- The participant is currently residing in a Nursing Facility (NF) OR has transitioned from a NF within the last **365 calendar days; AND**
- The Participant is enrolled in My Place Louisiana (MFP) or My Choice Louisiana (MCL).

When this criteria is met, OAAS may grant a **one-time** SHARe exception to cover only the services identified above for the participant to successfully transition into the community. Nursing Facility Transition SHARe exceptions can only be authorized/accessed once for any individual.

L-140.5 Procedures

SC will:

- Perform all necessary steps to determine the total POC cost including both non-recurring and recurring services;
- Determine if the participant's SHARe allotment is sufficient to support successful transition without compromising the participant's health and welfare; and
- Submit a request for the **one-time** SHARe exception with all necessary documentation to RO.
 - The SC's request will include:
 - Participant's first and last name;
 - Last 4 digits of the participant's Social Security Number;

- Date that the participant transitioned from the nursing facility (if applicable);
- Date of the last iHC assessment; and
- Explanation as to why the one-time SHARe exception is needed.

NOTE: The request must be made prior to requesting MFP (Money Follows the Person/My Place) or My Choice Louisiana funds.

The SC will:

- Respond to RO questions and requests for additional information.
- Send the Transition Coordinator (TC) a copy of the participant's POC (if requested/needed by the TC).

RO will:

- Prepare and send a recommendation to the TC.
- Assist the TC with any questions or requests for additional information.

TC will:

- Submit the **one-time** SHARe Exception request to the Service Review Panel (SRP) with the following documents:
 - TC's written recommendation;
 - POC Budget;
 - EAA bids (if applicable);
 - Documentation of non-recurring equipment, medical supplies, etc. (if applicable); and
 - Nurse/SMT service recommendations (if applicable).
- Respond to SRP's follow up questions or requests for more information, as applicable;
- Notify RO and the SC of SRP's final outcome/decision regarding the request.

SRP will:

- Review all submitted documentation on a case-by-case basis in order to determine if the participant's circumstances warrant a **one-time** SHARe exception;
- Make a final determination based on the documentation/information presented;
- Communicate the final decision to the RO in accordance with established SRP procedures.

Upon final notification of the SRP approval, the SC will document this exception in the iHC notebook. The notebook entry must include the following:

- iHC date,
- The type of SHARe Exception; and
- The following statement: "An adjustment to the Plan of Care (POC) has been authorized for Nursing Facility Transition SHARe Exception by OAAS on (INSERT INTIAL DATE of OAAS Authorization). As part of our ongoing evaluation and quality audit, we have determined that this participant has met the criteria to receive the one-time NF Transition Exception for the SHARe allocation to be increased by \$_____” (include the costs of needed non-recurring services during the first 365 calendar days post transitioning from the NF).

SC will:

- Revise the POC, Flexible Schedule and Budget to reflect the amount needed to cover the one-time SHARe exception.

NOTE: If EAA services are requested, the cost of the EAA Assessor Basic and Complex Assessments AND any EAA Administrative fees, if any, will NOT be included in the total SHARe Exception amount (i.e. amount of the approved one-time SHARe Exception). These costs must be paid out of the participant's approved budget.

- Submit the entire POC packet to the SC Supervisor for approval (Refer to Section K-POC, SC Supervisor Review Procedures of this Manual).

NOTE: A copy of the exception approval iHC notebook entry must be submitted with the POC to the Data Management Contractor (DMC).

L-150 InterRAI Home Care (iHC) Assessment Conversion

In December 2021, the Office of Aging and Adult Services (OAAS) transitioned from the use of the Minimum Data Set-Home Care assessment to the interRAI Home Care (iHC) assessment. With the transition to the iHC and an updated OAAS Resource Utilization Groups III-Home Care (RUG III/HC) Category, some cases with no measureable improvement (change) in functioning or health status may experience a change in RUG score that results in a reduction of the allocated budget amount due to the iHC's algorithm.

A Community Choices Waiver (CCW) participant may be eligible to receive a SHARE exception to remain at the same budget amount allocated by the last MDS-HC assessment if there was no improvement in ADL coding (coded the same or has increased) or if the participant has a current diagnosis of hemiparesis which was coded on the MDS-HC and cannot be coded on the iHC.

L-140.5 Procedures

For the CCW participant's first iHC assessment since the transition from the MDS-HC to the iHC, the Support Coordinator (SC) will review the iHC assessment to determine if the participant has had a change in RUG score and a reduction in their allocated budget.

The SC will review the iHC to determine if the participant meets any of the following criteria:

- There was no measureable improvement (change) in functioning, condition or diagnoses;
- All of the late loss ADLs (Bed mobility, Eating, Toileting {including Toilet Transfer for the iHC} and Transferring, remain (coded) the same or have increased (more need) on the iHC assessment; **AND**
- There is a change in the participant's RUG score that results in a reduction in the allocated budget amount.

OR

- The participant has a current diagnosis of hemiparesis;
- The diagnosis of hemiparesis is coded on their last MDS-HC assessment;
- There is no measureable improvement (change) in functioning AND the late loss ADLs are coded the same or have increased (more need) on the iHC assessment; **AND**
- There is a change in the participant's RUG score due to the absence of hemiparesis coding on the iHC, which results in a reduction in the allocated budget amount.

After completing the interRAI (iHC) assessment, the SC will submit the iHC and last MDS-HC assessments along with documentation that the criteria is met, to the SC Supervisor (SCS) for review.

Support Coordinator Supervisor (SCS) will:

- Review the both assessments and documentation for the above criteria.
- Send to RO for approval if the above criteria are met.

NOTE: Only FIRST TIME requests for the iHC Conversion SHARe exception require RO review. Once approved by RO, the SC and SCS must review to ensure the participant continues to meet the exception criteria.

RO will (First Time Review Only):

- Review both assessments and submitted documentation to determine if the SHARe Exception should be granted for this participant and that the requested budget amount is appropriate.
- If the exception is warranted, RO will send an approval email to the SC and SC supervisor with the below standard approval statement.

SC will:

- Document the exception in the notebook section of the iHC. The notebook entry must include the following:
 - iHC date;
 - Last MDS-HC date;

- Type of SHARe Exception;
- List of criteria that is met; and
- The following statement: “An adjustment to the Plan of Care (POC) has been authorized for **an iHC Conversion SHARe Exception** by OAAS on (INSERT INITIAL DATE of OAAS Authorization). As part of our ongoing evaluation and quality audit, we have determined that this participant’s SHARe allotment must not exceed {insert the participant’s prior MDS-HC based budget allocation amount} \$XX,XXX. The POC will be adjusted as necessary.”

EXAMPLE of iHC Notebook Entry:

Date: 2/10/2022-- An adjustment to the Plan of Care (POC) has been authorized for an iHC Conversion SHARe Exception by OAAS on 2/05/2022. As part of our ongoing evaluation and quality audit, we have determined that this participant’s SHARe allotment must not exceed \$32,154. The POC will be adjusted as necessary.

- Complete the POC (including the flexible schedule and budget) to reflect the last MDS-HC based budget amount for the participant.
- Submit the entire POC packet to SC supervisor for approval. (Refer Section K--POCs, SC Supervisor Review Procedures of this Manual).

Once approvable, the SCS will:

Approve/submit the entire POC packet including the RO SHARe exception approval email to the Data Management Contractor (DMC).

For reassessments, including annuals, significant status changes and/or follow-ups when a SHARe exception is already in place/approved, the SC/SC Supervisor will:

- Review the reassessment to ensure the SHARe exception criteria continues to be met.
- Document the type of SHARe Exception approved and include the approval statement in the iHC notebook.
- Ensure the flexible schedule and budget do not exceed the maximum amount authorized.

NOTE: If the participant wants to reduce services (budget), the participant is no longer approved for an iHC Conversion exception. The POC must not exceed the annual SHARe allocation for his/her RUG group.