

OPWDD Region 1

2018 Family Support Services Family Reimbursement Program Guidelines

PURPOSE:

The Family Reimbursement Program is intended to assist the family caring for their family member with a developmental disability. The funds are designated to assist with increased expenses directly related to the disability and thereby enhance family stability and preserve family unity. The Goods and Services provided will have a significant, definable, positive impact on the individual/family directly relating to health, safety, emotional well-being and normalization of life, as well as, accessibility to needed services and the personal growth and development of the individual. **Priority will be given to those goods and services which directly address health and safety issues.**

ELIGIBILITY:

Families (**biological, adoptive, or extended**) are eligible if they have a family member with a developmental disability **who lives at home. A family is defined as more than one person.** An individual living alone is not considered a family, and therefore not eligible for family reimbursement. An individual living in foster care is not eligible for family reimbursement. Acceptable documentation to verify that eligibility has been determined with OPWDD is required.

FUNDING LIMITS:

Each eligible individual may apply for up to \$1500 in reimbursement per calendar year. Please note that although an individual may be eligible for up to \$1500 per year, this is not guaranteed. If funding is exhausted, requests may not be filled. Individuals can access any of the Family Reimbursement Programs that provide funding in their county of residence. Each Family Reimbursement Program Provider sets a funding cap, which will identify the maximum amount that is available to an individual per year with that provider. A process is in place with the OPWDD Regional Office for consideration of unique requests that are in excess of the annual cap.

Funding for Family Reimbursement runs on calendar year (January 1st – December 31st). Applications cannot be accepted to reimburse for an item purchased or service rendered in a previous calendar year, or for an upcoming calendar year.

Families must re-apply for funds every year. Approval in one year does NOT mean you will automatically be approved in the following years, although we will make every effort per agency discretion to meet your family's needs to the fullest extent of our resources.

PROGRAM REQUIREMENTS:

The request must be related to the individual's developmental disability. Items or resources to address other medical or physical limitations can be considered as long as it relates to the developmental disability.

Program of Last Resort:

Family Reimbursement is not intended for goods and services covered through other funding sources, e.g., county, state, federal or private sources, etc. Family Reimbursement Dollars are

100% state dollars and funding of last resort to be accessed only after all other sources of funding have been eliminated/exhausted.

Supports available through natural or community resources, and normally funded through other mechanisms, may be allowed on a short-term basis as a result of a crisis or because the individual or family is in great need of specialized assistance. Some examples of these include: Housing or Rent Subsidy, Utilities, Food Subsidy, Clothing Subsidy, Durable Medical Goods

Individuals enrolled in Self-Direction:

Must explore if the item/service can be covered under the Other Than Personal Services (OTPS) category. If seeking an item/service other than respite, Family Reimbursement can be explored/covered. If seeking respite reimbursement, they must utilize Family Reimbursed Respite (FRR) first before requesting Family Reimbursement dollars- it will be at the Family Reimbursement agency's discretion to determine how much is approved after FRR is exhausted. A copy of the individual's self-direction budget must be provided with the application.

Applications:

Application and respite verification forms must be completed in full, to include all necessary supporting documentation, with original signatures, and be submitted to the agency from whom you are requesting reimbursement. If the application is not completed in full, it will not be processed. The application must clearly state how the request is directly related to the individual's developmental disability.

Original receipts must be submitted in order to receive reimbursement for goods and services. How receipts are submitted and filed will be according to the agency from whom you are receiving reimbursement. Receipts from the previous fiscal year can be reviewed and funded at the agency's discretion if funding from that year is still available and accessible. A receipt must have the name of the vendor (store, recreation program etc.) on it and be dated. A hand-written receipt must be signed and will be verified by the reimbursement agency. Grocery receipts should be stapled to the diet/goods and services forms. Do NOT highlight purchases on receipts as this may degrade what is written on the tape. All respite forms and receipts are to be submitted within 90 days. Anything submitted more than 90 days after purchase/occurrence will be up to the discretion of the reimbursement agency.

Clinical Justification:

Requests for medical or clinical services, diets, adaptive equipment etc., REQUIRE submission of a physician's order and/or a clinical rationale/justification letter from an appropriate physician or clinician. There must be documentation that the medical/clinical services will be provided by an appropriately licensed or certified practitioner.

Pro Rating:

Reimbursement for items that will be shared by others in the household must directly relate to the needs of an individual with a developmental disability and may be pro-rated based on the number of family members in the household.

Items not covered include:

Taxes, fines, shipping fees, the outright purchase of homes, vehicles, luxury items. Goods and Services, such as educational and health-related services, covered through other funding mechanisms (e.g., state or federal sources, Medicaid, or insurances)

PROCESS:

Families can obtain a Family Reimbursement application from their Medicaid Service Coordinator or the Family Reimbursement provider agency. Individuals can access any of the Family Reimbursement Programs that provide funding in their county of residence.

Applications may be submitted to any of the Family Reimbursement Program provider agencies by individuals, families, case managers or advocates.

Requests will be reviewed by a Committee which includes: individuals, advocates, and families. The Committee will meet as needed to review applications. It is the Family Reimbursement Program provider's responsibility to maintain records, and ensure that the request meets all eligibility requirements. Each program coordinator is responsible to track all reimbursements and provide this information to the DDRO on the reimbursement report form shortly after each committee meeting.

The Family Reimbursement Program provider will notify families/MSCs of the status of the application. If the application is not able to be funded through one agency, the family/MSC may resubmit the application to another Family Reimbursement Program Provider. MSCs will be able to provide a complete list of all Family Reimbursement Program provider agencies.

This is a reimbursement program and therefore it is the family's responsibility to purchase the items/services needed and then submit the required documentation to be reviewed for reimbursement.

Pre-approval/Direct pay to vendor:

Pre-approval for a specific item/service will be up to the discretion of the reimbursement agency; if approved, reimbursement will be provided once the service/item is verified by the reimbursement agency and the receipt has been submitted.

In some instances, the applicant may ask the Family Reimbursement provider agency to pay the vendor directly for the good(s) or service(s). In that case, the request must include justification with an explanation why the family cannot pay for the service or item first. Verification of the household income and the number of persons living in the home must be included. This documentation of income may vary from DSS, SSI, SSD, or Pay Stub etc. Once the income information has been received it will then be compared against the Federal Lower Level Income Guidelines listed below, to ensure that their family meets the income guidelines warranting Family Reimbursement to pay the vendor directly. Please note that the information in the table below is subject to change as the Federal Poverty Guidelines are updated. Final decision to pay the vendor directly will be up to the discretion of the reimbursement agency.

For any item/good that is reimbursed or paid to the vendor directly, it is the expectation that the family/individual maintains the item in their possession and uses the item as originally intended in the application for the life of the item or an amount of time that is reasonable and appropriate. If the item is returned, sold, or is no longer in the family/individual's possession it is the family's responsibility to notify the agency that funded the item and make arrangements to reimburse the agency for the cost of that item as appropriate.

2017 Federal Poverty Guidelines (138%)

Family of One	Family of Two	Family of Three	Family of Four	Family of Five	Family of Six	Family of Seven	Family of Eight
\$16,643	\$22,412	\$28,180	\$33,948	\$39,717	\$45,485	\$51,254	\$57,022

RECONSIDERATION PROCESS:

Each agency must have a written reconsideration process in place if the applicant disagrees with the decision made. The process must include one or more steps beyond the Family Reimbursement Committee's review. The reconsideration decision review should include someone from the agency administration level.

FAMILY REIMBURSEMENT DISCLAIMER:

Family Reimbursement is intended to provide financial assistance to families for goods and services which support them in sustaining a home life for a family member with a developmental disability. Agencies processing reimbursements have a responsibility to ensure goods/services are necessary and appropriate and are supported by the required documentation. Therefore, agencies providing reimbursement are required to establish a system for monitoring and verifying receipt of goods and services and are subject to audits to ensure proper documentation and appropriate need and usage of the program. Agencies reserve the right to verify, intercede and question any transactions.

If a claim for goods and services is discovered to be fraudulent by anyone involved in the reimbursement process, the agency to which that reimbursement application was submitted must be notified (if not the discovering entity) and will investigate the request in question and all documentation provided with the reimbursement request. The agency will also notify the DDRO Family Support Services Coordinator and will provide a written summary of the investigation once completed.

If a fraudulent claim is confirmed, the individual/family will be required to pay the amount of reimbursement back to the agency (if the services were already reimbursed) and will be suspended from any future reimbursement for goods and services for a period of time determined by the agency and DDRO. The recipient of the reimbursement may also be subject to legal actions as determined by the agency and DDRO.

ITEM SPECIFIC GUIDELINES

These are overall guidelines to follow for specific items/services; this is not an all-inclusive list and any additional items/services can be considered by the agency/DDRO on a case by case basis.

Adaptive Equipment & Environmental Modifications

- 1) Supportive documentation is provided from an appropriate physician or clinician (OT, PT, Speech Pathologist) stating that the specific item requested is needed and would be beneficial for the individual.
- 2) Funding is not the responsibility of another provider such as State Education or an Early Intervention Program.
- 3) Item is NOT covered by another funding source such as another Family Reimbursement Program, health insurance, HCBS waiver and/or Medicaid. Documentation of denial is required.

Camp

All camp requests can be considered; the camp does not need to be specific to children with developmental disabilities. The application must explain how the camp is meeting a need or providing support related to the child's developmental disability.

Clothing

Requests for the extra cost of specialized clothing or extra clothing which may be adaptive in nature or necessary for the health and safety due to the individual's developmental disability can be considered. If health and safety are an issue, request will require documentation to verify.

Crisis Situations

Each person may utilize funding for expenses such as rent/mortgage, utilities and pest control on a one time only basis.

In order to access funding in this category, there must be a clear description of how this request for reimbursement addresses an *immediate, short term crisis* that impacts the *health and safety* of the individual. Family Reimbursement is not intended to cover chronic, ongoing crisis situations.

The application must also reflect this need by indicating yes to the question in section 4 of the application. Each program coordinator is responsible to track all reimbursements in this category, and provide this information to the DDRO on the reimbursement report form.

For rent/mortgage and utility reimbursement: The individual/family cannot be more than 2 months behind, and for rental reimbursement the individual must have documentation by the landlord indicating they are at risk of eviction or have received a notice of eviction. In addition, there needs to be a plan in place to prevent reoccurrence.

Dental

Families are responsible for providing documentation showing the link between the individual's developmental disability and the need for oral or dental intervention. i.e. provide documentation on Williams Syndrome if that is the cause.

Diapers/Pull-Ups/Wipes

- 1) Parents are responsible for the purchase of diapers/pull-ups for children ages 0 to 3yrs. old.
- 2) Families need to apply to Medicaid first to receive a denial from them before a reimbursement request will be considered for individuals 3yrs old and older. Wipes will then also be considered for approval with the request.
- 3) Families who do receive diapers/pull-ups via Medicaid and need more are required to justify why.
- 4) Families who are choosing not to use Medicaid provided diapers/pull-ups are required to justify why.

Diet

Reimbursement requests for special diet purchases may be considered for approval under the following conditions:

- 1) a current written recommendation or prescription by a physician for such a diet accompanies the request or is on file with the reimbursement agency
- 2) diet items, even though listed as allowable under the specific diet regimen, should only be covered if they are considered "special foods"; routine grocery or naturally gluten free items will not be considered
- 3) for diets with a specific menu plan, a copy of the menu must be submitted with the application for items to be considered
- 4) for items that are not clearly indicated as gluten free on the receipt, a written description of the item must be provided on the application.
- 5) All diet items will be reimbursed at 75% of the cost of the item.

Electronic Monitoring, Observation or Tracking Devices

We are unable to reimburse for any form of electronic device that allows for observation, monitoring or tracking of an individual with a developmental disability until we are otherwise notified by Central Office.

Eyeglasses/Hearing Aid Devices

- 1) If the 1st pair/device breaks and there is sufficient documentation that shows the individual has a hard time maintaining the proper care for the initial pair, then a request can be submitted for a 2nd pair if not covered by insurance.
- 2) Families are responsible for providing documentation to show the link between the individual's developmental disability and the need for eyeglasses/hearing aid devices.

Fences/Ramps

(If not approved through your OPWDD agency's E-Mod process)

- 1) If the family lives in a rental property, the request will require written approval by the landlord and could be considered if there are health and safety issues, which must be documented.

- 2) If the family owns their own home, the request could be considered if there is a health and safety issues, which must be documented. If the family moves within 5 years, a payback provision will be expected unless there are extenuating circumstances for the cause of the move.
 - 3) It is suggested that the purchase of fences/ramps be on a one time only basis for a 5-year period unless there are extenuating circumstances, which must be documented.
 - 4) Each family will be responsible to obtain and purchase the necessary permit(s). All required permits and inspections must be completed to ensure codes are met.
 - 5) Families will be responsible to cover maintenance costs of fence/ramp.
- *Caution: Fences do not necessarily ensure safety and should not be used in lieu of supervision.*

Furniture

Request could be considered if primarily for the benefit of the individual with the developmental disability, adaptive in nature, or necessary for the health and safety of the individual with the developmental disability. If it is for health and safety the request will require documentation to verify.

Guardianship and Special Needs Trusts:

Families may submit for reimbursement for assistance in obtaining guardianship and special needs trusts. Services provided by the vendor must be outlined on an itemized receipt. At the agency's discretion, the funding allocated in this category may be capped for their program. For those that wish to utilize the *Future Cares program in Monroe County*, the maximum reimbursement amount is \$300.

Leisure, Recreation and Community Inclusion

These services must be related to the developmental disability, and show interaction, benefits, or skill development that is above and beyond what a typical child would experience. Expenses that parents would be responsible for providing to a typical child will not be covered.

Medication and Dr. Co-pays

- 1) All medication requests must be FDA approved to be considered for reimbursement.
- 2) All medication requests must be supported by an MD with clear justification as to how it relates to the individual's DD.
- 3) All medical and therapy professionals that provide service are to be licensed in the state of New York.

Out of State Travel

- 1) All requests will be reviewed on a case by case basis by the family reimbursement agency.
- 2) All requests must be accompanied by a written justification for going out of state, e.g., for research, treatment and conferences (Health and Safety).

- 3) Each travel request for reimbursement will be approved for the individual with the developmental disability and one family member.
- 4) Reimbursable expenses can include hotel cost, mileage, tolls, conference registration fees, airline costs, etc.

Respite

Respite is intended to provide temporary relief from the demands of care giving, which helps reduce overall family stress. The following guidelines apply to respite reimbursement:

- 1) Respite service costs must be reasonable based upon the needs of the individual and established rates for similar services. As a guideline, respite services should not exceed the range of \$10.00 per hour, unless the individual has intensive medical or behavioral needs which should be justified on the application. Final amount is to be determined by family. *Anyone requesting respite during hours of sleep will need to justify the rate of pay; the respite rate could be decreased or denied if not determined to be appropriate for reimbursement.*
- 2) Normal child care costs, such as day care for working parents, will not be considered for reimbursement. Extra expenses incurred due to the child's disability, and child care for persons over the age of 13, may be considered for reimbursement. Reimbursement for after school respite can be considered if documentation is provided showing the child is unable to access other after school respite programs.
- 3) Respite may be provided by anyone 14 years of age or older with whom the primary caregiver is comfortable. HOWEVER, this excludes anyone living in the family household or a parent/guardian.

Supplements

All families must have documentation that the use of a supplement is approved by the individual's clinician with its treatment goal(s) and how it is related to the individual's developmental disability. This is to be provided to the Family Reimbursement Program Coordinator to keep in their files. For the purposes of clarification supplements will be defined by the following categories:

- 1) Primary Nutrition Source: the supplement is the only means of nutritional intake for the individual. It can be administered orally or by a tube feeding.
- 2) Supplemental Feeding: boost the food intake of the individual in order to provide additional calories and nutrients. Includes such items as Ensure or Boost.
- 3) Vitamin or Mineral supplements: taken to enhance a person's food intake but has a specific benefit to the person's disability.

Technology

Purchasing guidelines:

- 1) Clinical justification is required for all technology and electronic equipment such as tablets, iPads, iPods, and computers. Justification must specify how the device will be used (i.e. applications or programs used and for what purpose) and how it relates to their developmental disability. If the device is being used for communication purposes, a communication assessment must be submitted that has been completed within the past

year by a Speech Pathologist specifying the program/application to be used and how it relates to the individual's developmental disability in relation to communication. In addition, it must indicate that the individual has the necessary communication prerequisites and ability to use the device and its software.

- 2) Any device is not eligible for reimbursement if the primary use is for educational purposes; in this case it would be the responsibility of the school district to purchase the device. If the device is utilized outside of school for other purposes, then this could be considered for reimbursement.
- 3) Any device that is lost, stolen, or damaged will not be replaced by Family Reimbursement. Protective cases/covers and warranties must be purchased with the device, and can be included in the reimbursement.
- 4) For individuals with a self-directed plan, funding must be explored through the plan first, before accessing Family Reimbursement
- 5) Limit to one electronic device will be approved every three years. Each request must indicate the date of last electronic device purchased through Family Reimbursement.
- 6) Family Reimbursement will reimburse the basic version of the device only, unless justification is provided as to why other features are necessary. If it is determined that the device is used by others in the home, it will not be considered as solely for the individual with developmental disabilities communication needs and use, therefore if funded the cost will be prorated by the number of people in the home.

Therapies

Reimbursement requests for therapy services may be considered under the following conditions:

- 1) Any therapy requested must be recommended by an appropriate physician or clinical therapist. A documented need should be submitted with the request and should be no more than 3 years old.
- 2) Provision of therapy is not the responsibility of another provider/agency such as State Education Department.
- 3) Therapy is not covered by health insurance and/or Medicaid. FSS is funding a source of last resort.
- 4) Therapist is a recognized, credentialed professional in that specific therapy area.

Transportation

For cases that families must take extraordinary measure to transport an individual, expenses may be covered at the current federal rate of mileage. Documentation needs to be provided indicating need and mileage to/from locations. Reimbursement for transportation for programs such as day habilitation cannot be covered.

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