



# OFFICE OF LONG-TERM LIVING BULLETIN

**ISSUE DATE**

3/8/2016

**EFFECTIVE DATE**

3/8/2016

**NUMBER**

59-16-03

**SUBJECT:**

Provider Choice Protocol

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## **PURPOSE:**

The Office of Long-Term Living (OLTL) previously established, in November, 2010, the following protocol to ensure that the participant is offered a choice between available service alternatives and qualified waiver providers. This bulletin is to update the forms used in this process.

## **SCOPE:**

This bulletin applies to all OLTL Home and Community-Based Services (HCBS) Service Coordination Entities (SCEs) for the Aging, Attendant Care, COMMCARE, Independence, and OBRA waivers and the Act 150 program.

## **BACKGROUND/ DISCUSSION:**

The Centers for Medicare & Medicaid Services (CMS) require individuals to have choice among settings and providers of HCBS services. In addition, OLTL has a similar requirement for the Act 150 program. The following procedures have been developed to strengthen safeguards and promote participant choice and preference in accordance with 42 CFR 441.301(c)(4) and 441.301(c)(5)(v).

## **PROCEDURES:**

OLTL has updated standard forms for all HCBS programs. They are the Service Provider Choice Form and the Freedom of Choice Form. All SCEs must present and explain each form to the participant at the time of the Individual Service Plan (ISP) development and at each subsequent re-evaluation.

The Service Provider Choice Form and the Freedom of Choice Form will provide information to participants that they may receive service coordination and choose waiver services from different providers or from the same provider, based on their preference. In addition, participants have the right to change providers at any time.

### **Service Coordinators (SCs)**

1. SCs are responsible for providing participants with the link to the Service and Supports Directory (SSD) at the time of the initial ISP development. The link is located at:  
<https://www.compass.state.pa.us/compass.web/EPPProviderSearch/Pgm/EPWEL.aspx?prg=LTH>.

The SSD allows individuals receiving OLTL services, family members, SCs and the general public to access timely, up-to-date information on providers and services offered in their area.

2. SCs must provide participants with a printed list of service providers from the SSD if the participant does not have access to a computer.
3. SCs using the Social Assistance Management System (SAMS) should use a randomized list of local providers generated from the SAMS database. This listing can be generated by each SCE for its agency using the custom report provided for that purpose. This report is automatically randomized by service and updated for any new providers or terminated providers. This report can be exported to a PDF, Word, or Excel file and either printed, distributed to appropriate staff members or positioned on the agency server for reference by all members. This report randomizes the provider list by service every time it is run or refreshed. SCEs may run the report periodically and use the results for a set period of time or run the report every time a provider is requested. If the agency elects to run the report periodically it must be updated at least monthly.
4. SCs are required to confirm in the service notes section of the Home and Community Services Information System (HCSIS) or journal section in SAMS that the participant has received, reviewed, and signed the Service Provider Choice Form and the Freedom of Choice Form.
5. Documentation of the receipt of the form by the participant must be present in the participant's ISP. The Service Provider Choice Form and the Freedom of Choice Form must be reviewed and signed at the time of re-determination or when a participant requests a change in service providers.
6. If the participant requests to change providers, the SC is responsible for reviewing the Service Provider Choice Form along with the list of service providers from the SSD or SAMS provider list and obtaining the participant's signature to document their request for a change in provider. Notation of a change in provider must be kept in the participant's file and confirmed in the service notes section of HCSIS or journal section in SAMS.

7. The SC must present the list of service providers from the SSD or SAMS and assist the participant in making an informed choice. If a participant does not have a preference, the SC must document that there was no preference after the information was reviewed with the participant and then proceed to make referrals to providers at the top of the randomly-generated list.
8. The content of the discussion with the participant must be documented in the participant's ISP and in the service notes section of HCSIS or journal section of SAMS.

This bulletin replaces attachments 3 and 4 of *OLTL Bulletin Number 05-10-8, 51-10-8, 55-10-8, 59-10-8*, issued on November 23, 2010. In addition, all OLTL policy documents or parts of policy documents that are inconsistent with the content of this bulletin are hereby rescinded.

**ATTACHMENTS:**

- Service Provider Choice Form
- Freedom of Choice Form

**COMMENTS AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO:**

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