



Pennsylvania
DEPARTMENT OF AGING
DEPARTMENT OF PUBLIC WELFARE

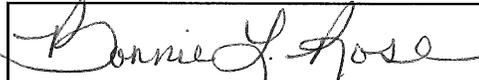
OFFICE OF LONG-TERM LIVING BULLETIN

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SUBJECT
Accessibility Adaptations and Assistive Technology


Bonnie Rose, Deputy Secretary
Office of Long-Term Living

PURPOSE:

To inform Care Managers/Service Coordinators (CM/SCs) of their responsibility to provide information about accessibility adaptations and assistive technology to individuals during the service planning process and to document this in the Individual Service Plan (ISP). This Bulletin rescinds APD# 06-01-08 issued July 31, 2006, Office of Social Program Bulletin 2004-HCBS-002 issued April 7, 2004 and CSPPPD Contract Directive 2002-01 issued April 10, 2002.

SCOPE:

This Bulletin applies to CM/SCs in the following Medical Assistance home and community-based (HCBS) waiver programs: Aging, Independence, OBRA and COMMCARE.

BACKGROUND/DISCUSSION:

The Area Agencies on Aging (AAAs)/SC agencies, enrolled as Organized Health Care Delivery System providers, are expected to maintain sufficient design and contractor/vendor availability to meet the demand for accessibility adaptations or installation of assistive technology in a timely manner. AAAs and SC agencies are not required to obtain three (3) bids before authorizing an accessibility adaptation and assistive technology authorized under an Office of Long Term Living (OLTL) waiver although OLTL requires agencies to document their efforts to ensure costs do not exceed customary charges for the agency's locality.

Accessibility adaptations and assistive technology should:

- a. Increase the participant's independence and safety in the home.
- b. Be completed in the most cost effective manner that meets the identified needs of the participant.
- c. Improve the personal assistant's ability to meet the participant's identified needs while decreasing potential workplace safety risks.

For HCBS waiver definitions and guidance on a specific program, see <http://www.portal.state.pa.us/portal/server.pt?open=514&objID=773106&mode=2>.

Adaptations or improvements to the home that are of general utility and that are not designed to specifically meet the assessed needs of the participant are not covered. Adaptations that add to the total square footage of the home are not covered except when necessary to complete an adaptation (e.g., in order to improve entrance/egress to a residence or to configure a bathroom to accommodate a wheelchair) and approved by OLTL.

Provider-owned residences, including personal care homes, are not covered.

PROCEDURES:

- Care Managers/ Service Coordinators (CM/SCs) should assess, or engage other professionals to assess, whether or not provision of an adaptation or assistive technology can improve a participant's independence and safety in their homes.
- The results of this assessment should be documented in the ISP and should describe:
 - the particular barriers the participant, or participant and caregiver together, encounter in accessing or using the participant's home;
 - the proposed adaptation, or assistive technology;
 - the cost;
 - who will provide the items; and
 - how these items will permit the participant to overcome the barrier and live more independently and safely.

Note: A need for accessibility adaptations or assistive technology alone does not qualify an individual for participation in the waiver since waiver services must be ongoing.

- CM/SCs are to retain documentation in the participant file regardless of the eventual determination as to whether to include accessibility adaptations or assistive technology in the ISP.
- CM/SCs should access local resources, such as local service clubs, churches, etc. for accessibility adaptations. Denials from Pennsylvania Housing Finance Agency and Department of Community and Economic Development are not required.
- The CM/SC should provide participants with assistance in selecting a suitable contractor, installer or vendor, and ensure that there is an inspection process that certifies appropriate completion of the adaptation or technology.
- OLTL will review any home accessibility adaptation that exceeds \$6,000 as part of the ISP review process.
- OLTL will review assistive technology that exceeds \$500 as part of the ISP review process.
- A participant's needs, as identified and documented in the participant's ISP, will determine the frequency and duration of home modifications and assistive technology services.
- All items must meet the applicable standards of manufacture, design and installation.

- All items must meet applicable state and local building codes.

Documentation:

In addition to the documentation required above, the CM/SC must maintain in the participant's file the following information related to environmental adaptation or assistive technology installation:

- "before" pictures of the areas of the home to be modified and "after pictures" post-modification changes;
- a copy of the home evaluation proposing the adaptations and/or assistive technology, combined with any supplemental information provided by an occupational or physical therapist or other professional assisting participants in determining their needs and abilities;
- a copy of all contracts for work to be performed, signed by at least the participant and contractor or vendor;
- written homeowner and inspector approvals permitting interim & final payments to contractors/vendors;
- copies of cancelled checks or evidence of wire transfers to document payments to contractors and vendors.

Documents demonstrating participant, family or agency efforts to perform "due diligence" on contractors and vendors should be maintained in central or participant files, as appropriate. These items should include copies of insurance certificates for general liability, and, if applicable, workers' compensation insurances; the contractor's registration number with the Pennsylvania Attorney General's office as required by the Home Improvement Consumer Protection Act (applicable to providers of "home improvements;" not all vendors of assistive technology are subject to registration); and federal lead safe work practices certification.

Additional Guidance:

Repurposing finished and unfinished space, moving household systems (heat, electric, plumbing), and changing the floor plan (moving walls, doors, windows) in order to create the best adaptation possible at the least cost for each participant is permitted. Creating minimal additional square footage to overcome structural barriers in the home is permissible with specific approval from OLTL through the ISP process.

In the case of rented residences, adaptations must comply with the framework provided in federal "fair housing" laws.

Federally supported building owners may be required to pay for accessibility adaptations to units if they are unable to provide other reasonable accommodations. Participation in the Housing Choice Voucher program (formerly known as a "Section 8 voucher") does not make a building federally supported.

Local Fair Housing Councils, the PA Human Relations Commission and the federal Department of Housing and Urban Development are able to provide additional assistance regarding Fair Housing and reasonable accommodations. (For more information about the PHRC go to http://www.portal.state.pa.us/portal/server.pt/community/phrc_home/18970 and for more

information from HUD go to http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp .)

Waiver coverage of adaptations to rentals is only available when:

- Property owners state in writing that restoration of the property to its original condition is not required.
- There is a reasonable expectation that the participant will continue to live in the home.

Other Resources for Individuals who are Not Waiver Eligible:

- a. For individuals transitioning out of nursing facilities or for those who are at imminent risk of placement in a nursing facility that are not eligible for a waiver, Special Nursing Home Transition Funding (SNHTF) should be considered. Consistent with 55 Pa. Code §1187.51(c)(5) individuals should request assistive technology from the nursing facility prior to accessing SNHTF. CM/SCs should document in the data system appropriate to the relevant waiver (either the Social Assistance Management System known as SAMS or the Home and Community Services Information System known as HCSIS) that the individual is not eligible for the waiver.
- b. The Home and Assistive Technology Initiative (HMAT) funding is another resource for individuals who are not eligible for accessibility adaptations through a waiver. Individuals seeking HMAT funding should contact Bureau of Individual Support staff. See <http://www.phfa.org/hsgresources/hmat.aspx> for a description of HMAT. For further information, please contact RA-NHT@state.pa.us.
- c. The Pennsylvania Assistive Technology Foundation helps people with disabilities and older Pennsylvanians to acquire AT devices. See <http://www.patf.us/> for more information.

Questions about this Bulletin should be directed to OLTL’s Bureau of Individual Support at (717) 787-8091.

<p>COMMENTS AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO:</p> <p style="text-align: center;">Office of Long-Term Living Bureau of Individual Support 555 Walnut Street Harrisburg, PA 17101 (717) 787-8091</p>
