

**THE ECKAAA-CDDO SERVING COFFEY, OSAGE AND FRANKLIN COUNTIES
Policies and Procedures**

SUBJECT: CDDO Functional Assessment

EFFECTIVE: ~~8/4/2020~~7/1/2022

SECTION: 503~~BA~~

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R54 Dated ~~2/26/2019~~04/06/2022

Policy:

The East Central Kansas Area Agency on Aging Community Developmental Disability Organization (ECKAAA-CDDO) serving Coffey, Osage and Franklin Counties (the CDDO), will collect and electronically transmit the Functional Assessment for all individuals requesting and/or receiving IDD services in Coffey, Osage, and Franklin Counties. This information will be transmitted to and subject to the scoring and analysis procedures of Kansas Department for Aging and Disability Services, Division of Disability and Behavioral Health Services, Community Supports and Services (KDADS/DBHS/CSS) through their system known as the Kansas Aging Management Information System (KAMIS).

Procedure:

- 1) Functional assessments (BASIS and other) are required for all individuals receiving or waiting for Intellectual/Developmental Disability (IDD) services.
- 2) The following conditions must be satisfied for the completion of an initial Functional assessment:
 - A) The person must meet the IDD definition as established by statute and KDADS regulation;
 - B) The Assessment section must be completed if the person is five years of age or older; a Children's Supplement must be completed for persons between the ages of five (5) and eleven (11) years old. If the Children's Assessment score does not indicate eligibility for services, the initial Functional Assessment will not be completed, or as stated in current KDADS policy on Functional Assessments.
 - C) The person and guardian (if applicable) must indicate willingness to accept services if offered within three years from the date of application, or as indicated in KDADS current policy.
- 3) At least one of the following conditions must be satisfied for the completion of an annual Functional Assessment re-assessment:
 - A) The person is receiving one or more of the following types of supports, and indicates the continued need for services:
 - i) Residential support
 - ii) Day supports or
 - iii) In-home/family support
 - iv) Children's Residential
 - v) Specialized Medical
 - B) The person's most recent Functional Assessment ~~assessment~~ resulted in a converted score below thirty-five (35) as a tier 0.
- 4) Persons age five (5) and older with a converted score of thirty-five (35) (tier 1 to 5) or greater (or as stated in current KDADS policy) receiving no I/DD services other than targeted case management will not be re-assessed annually, unless otherwise indicated by current KDADS policy. The most recent assessment results will be considered current while the person is waiting for services.

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- 5) Persons waiting for services will have a Functional re-assessment completed to confirm waiver eligibility when one of the following events has occurred and the last assessment was completed at least 365 days prior:
 - A) Funding becomes available for the IDD services the person is requesting.
 - B) The person is determined by the CDDO to be in crisis consistent with the KDADS/CDDO contract definition AND is requesting HCBS waiver funded services through crisis funding.
 - C) The CDDO determines that the person meets one of the exception criteria as defined in the KDADS/CDDO contract.
 - D) The person chooses to return to HCBS IDD services after voluntarily leaving waiver services to access WORK or Working Healthy.
- 6) Revisions to the Information section of the Functional Assessment can be made any time through KAMIS by trained CDDO staff. The Assessment section is completed during the initial screening and only updated annually for those eligible for annual re-assessment.
- 7) The Targeted Case Manager will immediately notify the CDDO Coordinator following the death of any person receiving IDD services. The CDDO will collect and report information according to KDADS protocol. The Targeted Case Manager and the Provider of waiver services will assist the CDDO to complete the CDDO Death Report by reporting the information requested by the CDDO by the timeline indicated. The CDDO Discharge Packet will be submitted by the Targeted Case Manager to the CDDO in the time-line indicated by the CDDO. Any suspicious death must be reported to APS with completion of an Adverse Incident Report (AIR).
- 8) The CDDO will complete the Initial Functional assessment, for eligible persons, during the Service Options/Choice Meeting. Functional Assessment documentation for individuals transferring into the CDDO region will be received, reviewed, and updated by the CDDO, and the updates will be captured in KAMIS.
- 9) The CDDO in conjunction with the individual's Targeted Case Manager (if applicable), will schedule and conduct an annual assessment meeting with the individual, their guardian (if applicable), and the MCO Care Coordinator. Support team members can be present if requested by members and or guardian. The purpose of this meeting is to gather the information necessary to complete an accurate assessment.
- 10) The individual's assessment meeting will be scheduled no later than 364 days of the last assessment, but not before two months prior to the 364th day. Extenuating circumstances must exist and be justified to the satisfaction of the Executive Director of CDDO Administration and CDDO Coordinator to warrant scheduling the meeting after this date. Refusal to participate in necessary assessments can result in removal from waiver services.
- 11) The following written documentation must be presented to the assessor, during the annual assessment meeting to support the frequency and severity of medical and behavioral issues:
 - A) Annual Behavior tracking logs showing frequency of behaviors that are captured as actual occurrences. Averaged frequencies will not be accepted, as per KDADS functional

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assessment protocol. Frequency AND objective severity tracking are mandatory for plans that meet criteria for behavior intervention plans/medication as per K.A.R. 30-63-23.

- B) Behavior support plan(s) (if applicable) including, but not limited to Risk Assessments; signed and dated by all necessary parties (person, legal guardian/designated representative if person has one, providers, and BMC signatures/dates of committee review/approval)
- C) Documentation supporting current medical conditions (including current medication regimens) and seizure tracking for type and frequency
- D) The current Person-Centered Support Plan. The PCSP must be signed and dated by the person and the person's legal guardian or designated representative and have a current implementation date to be acceptable documentation.
- E) A hard copy of all mandatory assessment documentation must be presented to the assessor in take-away form at the assessment meeting.

12) Any member of the support team may also provide supplemental documentation and should provide this documentation to the Targeted Case Manager in order for the Targeted Case Manager to provide it to the CDDO functional assessment assessor prior to the annual scheduled assessment meeting. Any additional supplemental documentation must be received within 48 hours of the meeting to be included in the assessment process and will be documented as needing to be submitted to the CDDO on the assessment paperwork. However, all behavior-tracking and seizure logs, Behavior Support Plans and Person-Centered Support plans, and diagnosed medical conditions must be complete and remitted to the assessor at the assessment meeting and cannot be submitted after the assessment meeting for consideration as these documents should already be complete by the time of the assessment meeting.

- A) Supplemental information, that may be presented within 48 hours after the Functional Assessment, must also be dated PRIOR to the date of the face-to-face assessment meeting.
 - i) Supplemental information may include specialized diet, documentation of specialized medical procedures, and a complete list of daily medications that do not include Over the Counter or PRN.

13) Functional assessments will be completed in compliance with instructions provided in the Functional Assessment manual, the Statewide Functional Assessment Committee, Functional Assessment Roundtable meetings, KAMIS, and any additional training and instructions provided by KDADS/CSS and referenced on their website at: www.kdads.ks.gov for Functional Assessments. A functional assessment cover sheet will be completed at the time of the meeting to document attendance and basic understanding of the meeting's purpose, a statement that the participants are providing truthful and accurate information, as well as agreement with the content of the assessment meeting. Any disputed answers will be documented by participants on assessment sign-off sheet. All disputed answers will be reviewed by the Executive Director of CDDO Administration, the CDDO Coordinator, and the Quality Assurance Liaison after conferring with the functional assessment assessor, prior to making a determination of how to score the disputed answers. Any disputed questions after the assessment meeting will be made known to the CDDO within fourteen (14) business days

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of receipt of hard copy of the Functional Assessment. The CDDO will respond to these disputed questions within seven (7) working days with the result of their review. Any dispute of the results of the review may be appealed to the Council of Community Members.

A) Functional Assessments (i.e. tier changes between five ((5)) and one ((1))) are not reviewed under K.A.R. 30-64-32, nor can they be appealed to Office of Administrative Hearings (OAH), the CDDO, or the Council of Community Members (CCM) as they do not directly affect services provided to the individual and/or family. However, a tier change from five (5) to zero (0) is considered a matter of eligibility and therefore may be appealed directly to OAH by the individual and/or the individual's guardian/responsible party.

i) Every effort is made to capture accurate, complete information at the time of the assessment. Anything concerning the past year's assessment is strictly historical and no longer relevant to the current year. If there is a concern that information in the assessment is data entered incorrectly, individuals present at the assessment may request a review of the assessment by contacting the CDDO Coordinator, in writing, within 14 business days of receiving notification of the tier score.

- 14) The Targeted Case Manager will notify the CDDO in writing of any changes to the data in the Information section of the Functional Assessment (i.e. change of: address, provider, etc.). This notice must be received within 24 hours of the change, as indicated in the Affiliate agreement. These changes will be made in the state data system known as KAMIS.
- 15) The CDDO will transmit Functional Assessment data into KAMIS per KDADS-CDDO current contract. All sections (Information and Assessment) will be transmitted.
- 16) Data is processed and tiers are generated immediately upon electronic submission into KAMIS.
- 17) After receiving the updated tiers and scores, individual tier information and a copy of the KAMIS entered annual Functional Assessment will be sent to each licensed provider serving the individual electronically. It will be the provider's responsibility to route copies as necessary within their agency. Additional paper copies requested from the CDDO will be charged at the rate of \$0.10 per page. The original Functional Assessment documents will be filed in the CDDO Master files. The CDDO will send the Notification of Action form (MR4) which indicates either eligibility or non-eligibility and appeal rights to the person served and guardian (if applicable). A copy of the MR-4 will be provided to the Targeted Case Manager as part of the complete functional assessment.
- 18) Requests for a special re-evaluation of the Functional assessment will be made in writing through the Targeted Case Manager to the CDDO Coordinator. All requests must identify the reason(s) why a re-evaluation should be considered. The CDDO Coordinator will review all written requests for a special re-evaluation. Special Re-Evaluations of Functional Assessments must be authorized by the IDD Program Manager prior to input into KAMIS.

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- 19) In order for a special re-evaluation to be considered, as per the KDADS BASIS manual, at least one of the following criteria must be met:
- A) The assessment results in a tier 0 and impacts the person's eligibility for HCBS services. Appeal rights and a Notice of Action will be sent to the person and their guardian (if applicable);
 - i) If the result of the assessment is a tier change between 1 and 5, the person continues to be eligible for HCBS services, there has been no harm to the person, and the person has no appeal rights;
 - B) There are identified errors in the way the CDDO recorded or entered the assessment data;
 - C) For a period of at least 90 days, there have been ongoing, verifiable, life-altering circumstances and/or changes for the member, supported by documentation, that were not reasonably ascertainable at the time of the annual assessment. The event must be likely to continue for the foreseeable future, and as a result of the event, the person must require additional staff support.
- 20) If it is determined that sufficient justification exists, the CDDO will request special permission from KDADS/~~DBHS/CSS~~ to enter the re-evaluation, in accordance with KDADS/~~DBHS/CSS~~ policies and procedures. The Targeted Case Manager will be notified of the outcome of the request in a timely manner.
- 21) Functional Assessment Disputes Protocol, per KDADS published 'General Guidelines for BASIS Assessors':
- A) If a provider or other participant in the assessment meeting challenges how a question was answered, within the 14 calendar days, the CDDO needs to make a determination as to whether the question(s) was/were answered correctly based on the information that was provided. If the CDDO determines it would be appropriate to make changes and it is still in the 364-day timeframe, the CDDO ~~can re-submit the assessment with changes one (1) time, without special permission, will request permission from the IDD waiver Program Manager to make the change.~~
 - B) If needed changes are identified and it is no longer within the 364-day timeframe, a request for special permission to change the assessment should be made to the IDD waiver Program Manager and those requests will be limited to the following:
 - i) Identified errors in data entry
 - ii) Critical information was not available for the meeting that would support a needed change to a question.
 - C) Special assessments outside the 364-day timeframe may be requested of the Program Manager for those situations when a person:
 - i) Has experienced a life altering event, and;
 - ii) The event is likely to continue for the foreseeable future, and;
 - iii) As a result of the event, the person requires additional staff support.

~~22)~~ All references to the Functional Assessment as an assessment tool apply to any new Functional Assessment that replaces BASIS. All functional assessments will be conducted in accordance to any KDADS policy and procedure that is considered to be current.

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