

NORTH
Dakota | Human Services
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Informed Choice in North Dakota

Agenda

- 10:00 – 10:20 **Welcome + Introductions**
Bevin Croft
- 10:20 – 10:45 **Informed Choice: What it is and why it matters**
Nancy Nikolas-Maier
- 10:45 – 10:50 **Break**
- 10:50 – 11:50 **How North Dakotans Know Their Care Options**
Pat Rivard
- 11:50 – 12:00 **Closing + Next Steps**
Bevin Croft



**Welcome +
Introductions**

Poll

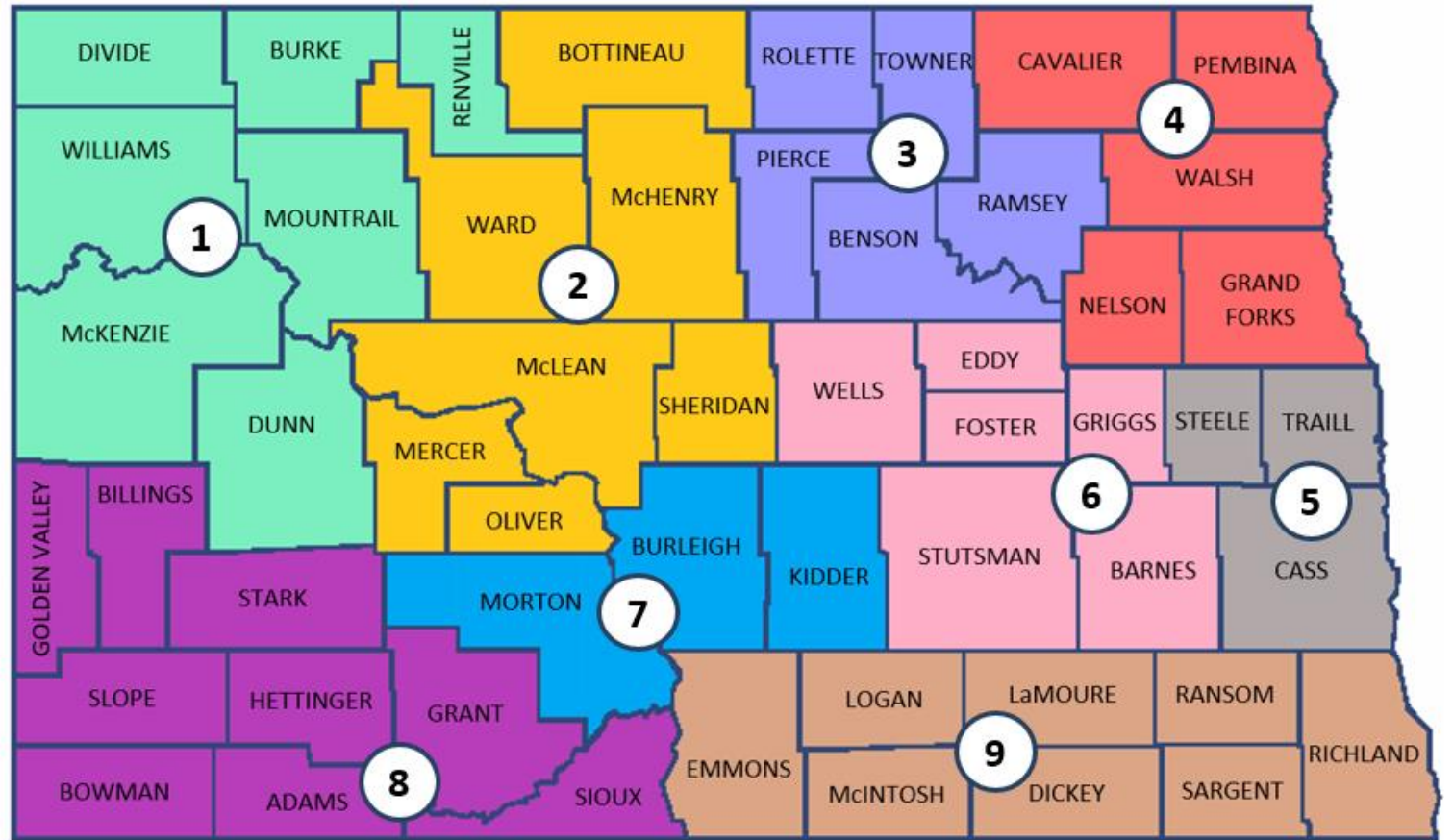
In what roles do you self-identify? *Select all that apply.*

- Person with a disability/person who uses long term services and supports
- Family member/natural supporter
- Hospital Staff (discharge planner, social worker, administration)
- Nursing Facility Staff (discharge planner, social worker, administration)
- Ombudsman
- Qualified Service Provider
- Community Case Manager or Social Worker
- Tribal Member or Tribal Representative
- Advocate or Self-Advocate
- Government Employee (federal, state, tribal, or municipal)

Poll

What region do you live or work in?

Select all that apply.



Respecting the Ground Rules

- 1** Respect all opinions
- 2** Openly communicate and engage in the conversations
- 3** Listen for understanding
- 4** Honor confidentiality
- 5** Minimize distractions and avoid multi-tasking
- 6** Mute your microphone when you're not speaking
- 7** If you're comfortable, enable your camera

Meeting Background and Purpose

- In January 2021, in response to the U.S. Department of Justice Settlement Agreement, Aging Services implemented an informed choice referral process
- We are here to discuss ways to **enhance the informed choice referral visit process** being conducted with Medicaid eligible individuals in hospitals and skilled nursing facilities in North Dakota

Our Goals

- **Develop recommendations** on how to best provide the required information to ensure individuals and guardians understand the availability of Home and Community Based Services (HCBS) that will allow them to live in the most integrated setting appropriate.
- **Address how an individual** who, after being provided all required information, **may decline community services** in favor of skilled nursing facility placement, if that is their preferred setting.
- **Review current process, forms, and educational materials** to ensure they:
 - Reflect cultural and geographic norms
 - Respect the wishes of individuals who may initially oppose participation in an informed choice visit
 - Consider the state's continued duty to ensure that individuals understand the specific community-based services that are available to them, so they can make an informed decision

Word Cloud Activity

Go to [menti.com](https://www.menti.com) and enter the code: 8200 4682

What words or phrases come to mind when you hear the term
informed choice?

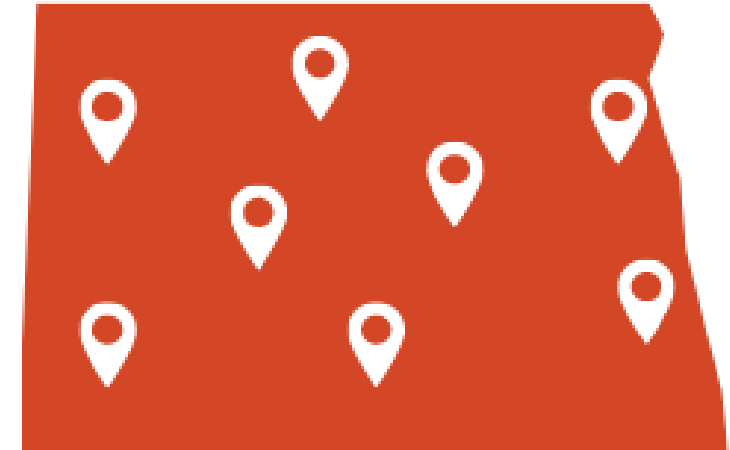
Americans with Disabilities Act

- The Americans with Disabilities Act (ADA) requires public agencies to eliminate unnecessary segregation of persons with disabilities and provide services in the most integrated setting appropriate to the needs of the individual.
- In 1999, the Federal Supreme Court Olmstead decision affirmed the ADA requirements.



Community Integration Mandate

- Most integrated setting is a setting where individuals with disabilities can fully interact with individuals with non-disabilities and take advantage of community living as much as possible (i.e., private residence owned or leased by the individual or their family).
- Most integrated setting is determined through person centered planning and informed choice for each individual.



When Public Entities are Required to Provide Community-Based Services

- Community-based services are **appropriate** for the individual; and
- The individual **does not oppose** community-based treatment; and
- Community-based treatment can be **reasonably accommodated**, taking into account the resources available to the entity and the needs of others receiving disability services.

Informed Choice Process

- The Informed Choice Referral process is designed to ensure appropriate referrals are made to department case managers who will explain home and community-based service options to individuals either before or shortly after discharge.
- Informed Choice is made after person has been provided with information about options for integrated settings and engaged in person-centered planning.

Who We're Trying to Reach

Basic Eligibility

- Individual with physical disability
- Over age 21
- Eligible or likely to become eligible to receive Medicaid long-term services and supports (LTSS)
- Is likely to require LTSS for at least 90 days.

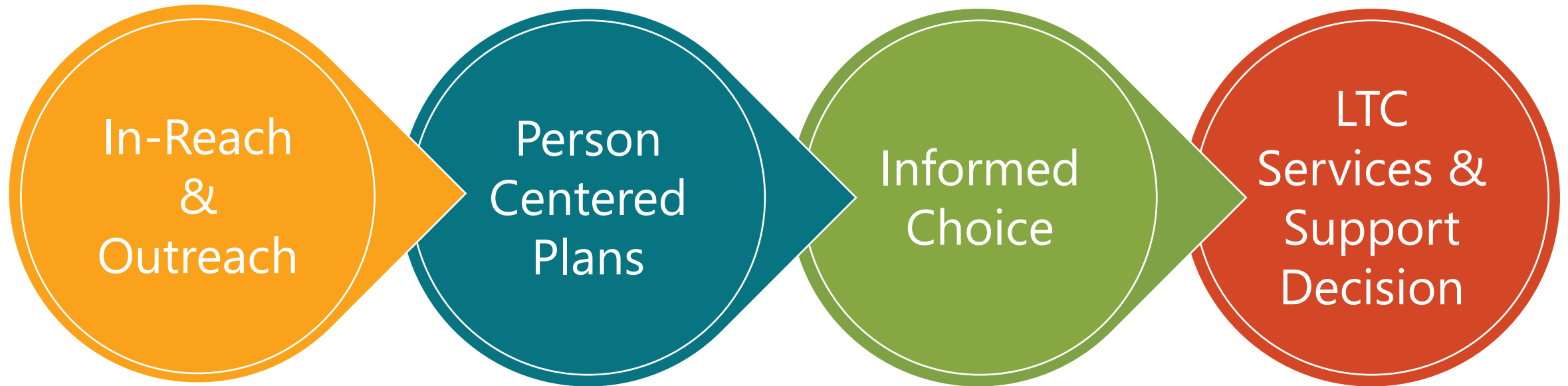
IF in skilled nursing setting

- Receive Medicaid-funded nursing facility services AND
 - Likely to require long term services and supports
- Receive nursing facility services AND
 - Likely to become eligible for Medicaid within 90 days, have submitted a Medicaid application, and have approval for a long-term nursing facility stay

IF in hospital or home setting

- Referred for a nursing facility level of care determination AND
 - Likely to need services long term
- Need services to continue living in the community AND
 - Currently have a HCBS Case Manager or have contacted the ADRL

Informed Choice Strategy



- Process to identify individuals and give them an opportunity to make an informed decision about where to receive services.
- In-Reach: Making connections when individual is in hospital or skilled nursing facilities.
- Out-Reach: Connecting with someone who is living in their home and searching for care.

- Process, driven by the individual that identifies supports and services that are necessary to meet the individual's needs in the most integrated setting.
- Individual works with HCBS case manager to examine range of options.

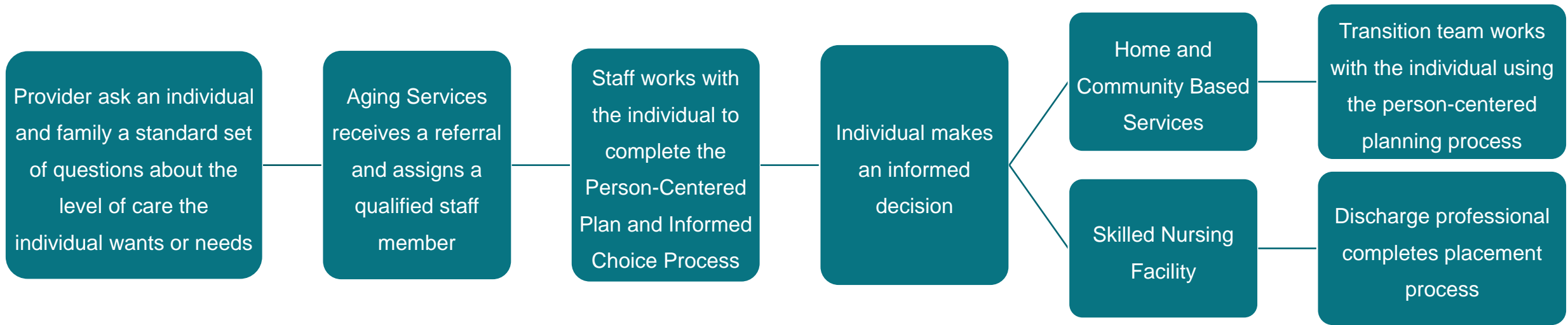
- The choice that is made after person has been provided with information about options for long term services and supports in integrated settings and engaged in person-centered planning.
- Finalization of Care Plan and connection to resources as needed.

- Decision about individual care. All decisions are respected, and consumer is assisted in accessing HCBS if desired.
- Individual receives services in the setting and manner they selected; periodic follow up with case manager continues.

Examples of Questions Staff Ask at the Nursing Home or Hospital

- 1** Why is nursing home admission/continued admission being considered for this individual's care over other settings?
- 2** What other less restrictive options have you considered?
- 3** What is your greatest need right now?
- 4** Is there potential for this individual to live outside of a nursing facility within the next 6 months with community supports in place?

Medicaid Informed Choice Referrals



5 Minute Break

How North Dakotans Know Their Care Options

- 1** What's the best way to help people in a hospital or nursing facility make informed choices about where they live and receive services and supports?
- 2** What helps to facilitate conversations about community living? What doesn't help?
- 3** What are barriers to a successful transition if a person expresses interest in considering or pursuing community-based options?

What's the best way to help people in a hospital or nursing facility make informed choices about where they live and receive services and supports?

**What helps to facilitate
conversations about community
living? What doesn't help?**

What are barriers to a successful transition if a person expresses interest in considering or pursuing community-based options?

Closing + Next Steps

Contact Us

Please don't hesitate to reach out with questions or additional feedback:

carechoice@ND.gov



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Thank You