

DHS
Seniors and
People with
Disabilities

STATE-OPERATED COMMUNITY PROGRAMS *June 1, 2002*
24-HOUR RESIDENTIAL POLICIES AND PROCEDURES **#2.003**

PROGRAM MANAGEMENT: Exit/Transfer

OAR 309-049-0190(4)

POLICY:

An individual may move from this program under the following circumstances:

1. The individual has removed him/herself from the home for a period exceeding five consecutive days;
2. The individual or his/her guardian requests an immediate move from the home;
3. The individual is removed by a legal authority acting pursuant to civil or criminal proceedings; or
4. The individual and his/her ISP Team have determined that another program/setting will better meet the needs of the individual.

PROCEDURE:

If an individual moves from the program due to a circumstance cited in “1” through “3” above an exit staffing is not necessary; however, the program shall notify the Case Manager and document in writing the reason for the move and any intervention steps that may have been taken, including advocacy for the individual in legal proceedings. Such documentation will be placed in the individual’s file and a copy will be submitted to the Case Manager.

If the individual and/or a member(s) of his/her ISP Team believe a different situation might better meet the needs of the individual an exit staffing shall be held to discuss the possibility of a move. The findings of the staffing shall be documented in writing and placed in the individual’s file and such documentation shall include at a minimum:

- The name of the individual;
- The date of the staffing;
- The participants in the staffing including their signatures;

- The circumstances leading to the discussion of a proposed move;
- Discussion of strategies to prevent the move if applicable and appropriate, or the reasons why a move would be in the best interest of the individual;
- Documentation that any decision reached is through consensus of the staffing participants; and
- Documentation of a transition plan for support/services for the individual after a move from the program.

Appeal Process: In cases where the individual and parent/guardian/advocate object to, or the ISP team cannot reach majority agreement regarding an admission refusal, a request to exit the program or a transfer within a program, an appeal may be filed by any member of the ISP team.

In the case of a refusal to admit, the program slot not be permanently filled until the appeal is resolved.

In the case of a request to exit or transfer, the individual shall continue to receive the same services received prior to the appeal, until the appeal is resolved.

Appeal to the County: All appeals must be made to the Community Mental Health Program Director or his/her designee for decision using the county's appeal process. The Community Mental Health Program Director or designee shall make a decision within 30 working days of receipt of the appeal and notify the appellant of the decision in writing.

Appeal to Seniors and People with Disabilities: The decision of the Community Mental Health Program Director may be appealed by the individual, his/her parent, guardian, advocate, or the provider by notifying the Community Human Services within 10 days of receipt of the county's decision.

- A committee shall be appointed by the Administrator or the Administrator's designee in the Community Human Services every two years and shall be composed of a Division representative, a residential program representative and a DD case management representative.
- In case of a conflict of interest, as determined by the Administrator or designee, alternative representatives will be temporarily appointed by the Administrator or designee to the committee;

- The committee will review the appeal decision and make a written recommendation to the Administrator or designee within 45 working days of receipt of the notice of appeal; and
- The Administrator or designee shall make a decision within 10 working days after receipt of the recommendation.

Approved by: _____ Date: _____
Jon Cooper, Director