

# Using the Guide to Home Modifications

This guide contains [hyperlinks](#). Click on an underlined word to be linked to either a place within this guide or a location on the internet that gives further clarification.

This guide applies to all home modifications for individual and/or representatives receiving services in in-home settings.

This guide serves as the single point of direction about Home Modifications for Services Coordinators and Personal Agents.

This guide is searchable by using the search feature on a computer as well as by clicking within the Table of Contents.

If you have a recommendation to improve this document, please contact the [ODDS Subject Matter Expert](#).

# The Guide to Home Modifications

WORKER GUIDE

# Home Modifications

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# Home Modifications

## *Rules and References*

### Chapter 1 Rules and References

- [OAR 411-435](#) outlines Home Modifications including both [Environmental Modifications](#) and [Environmental Safety Modifications](#).
- Action Request regarding Funding Review and Exceptions: [APD-AR-18-053](#)
- Code of Federal Regulations: [441.520\(b\)\(2\)](#)
- [Community First Choice K-plan](#)
- [1915\(c\) Waivers](#)
- [Expenditure Guidelines](#)

This worker guide replaces the following guides which were announced in [APD-IM-16-036](#):

Modifications Implementation Worker Guide

Environmental Modification Policy Worker Guide

Environmental Safety Modification Policy Worker Guide

Supplemental Support Document form

# Home Modifications

## *Definitions*

### Chapter 2 Definitions

**ADL/IADL:** Activities of Daily Living and Instrumental Activities of Living are identified in an individual's needs assessment. The OAR definitions can be found: ADL: [411-317-0000\(6\)](#) IADL: [411-317-0000\(103\)](#). See [Appendix F](#) for examples of ADLs and IADLs.

**Bids:** An offer to provide construction services at a certain price. The bid must conform to the applicable requirements set forth in the scope of work such as content, form and timeliness.

**Cost Effective:** The most efficient and economical service, product, material and/or solution that will address the stated health, safety, or independence need of the individual.

**Home Modifications:** This term refers to both [Environmental Modifications](#) and [Environmental Safety Modifications](#). They physical adaptations to an individual's or family home necessary to ensure the health, welfare and safety of the individual in the home or that enable the individual to function with greater independence in the home and lead to a substitution for or decrease in direct human assistance to the extent expenditures would otherwise be made for the human assistance.

**Funding Review and Exceptions Request:** A request for an item or identified need when the item exceeds what can be authorized by the services coordinator or personal agent using form 0514dd. The process for submitting a request and review for authorization can be found in the [Expenditure Guidelines](#) listed in the "Resources" section. Additional information about the state review process can be found in [APD-AR-18-053](#)

**Good Repair:** In general, the term 'good repair' means that the property is in as satisfactory a condition as another person would expect of the same property. The home must be structurally sound. It is the homeowner's responsibility to bring the home up to code prior to the construction of the scope of work as it pertains to the scope of work. The home must be well taken care of notwithstanding ordinary wear and tear which isn't preventable through diligent repairs and maintenance. Keeping a home in good repair is the homeowner's responsibility. Bringing a home to a state of good repair prior to the inclusion of a home modification is the homeowner's responsibility.

**Invoice:** A commercial document issued by a Contractor relating to the transaction indicating the products, work completed and agreed upon price for services provided.

**Primary Residence:** Primary residence is the legal residence of the individual. A person can only have one primary residence at any given time, though they may share the residence with other people or spend time in other residences.

**Scope of Work:** The written statement of all proposed work requirements for any Home Modification. The scope of work may include dimensions, measurements, materials, labor, any pertinent building permits and outcomes necessary for a contractor to submit a proposal to complete such work. The scope of work is specific to the identified tasks and requirements necessary to address the assessed needs documented in the individual's Support Plan ([ISP](#)). The scope of work must relate to the assessed [ADL/IADL](#) needs or health-related tasks of the individual. Scopes of work may only be completed by an

# Home Modifications

## *What are Home Modifications*

ODDS Environmental Modifications Field Consultant.

### Chapter 3 What are Home Modifications

The term “Home Modifications” refers to both [Environmental Modifications](#) and [Environmental Safety Modifications](#).

#### Environmental Modifications

Environmental Modifications are services available through the K-Plan. They are physical adaptations made to the interior of an individual’s primary residence, with the exception of ramps, intended to:

- Meet an assessed need for assistance with ADL/IADL or health related tasks as identified in the functional needs assessment. See [Appendix F](#) for examples.
- Ensure the health, welfare and safety of the individual in the home; and/or
- Enable the individual to function with greater independence in the home; and/or
- Replace or decrease direct human assistance.

Environmental Modifications including but not limited to the installation of products / materials and mechanical, electrical, plumbing and/or structural alterations must be completed by a licensed and qualified contractor or trade professional.

Examples of environmental modifications include but are not limited to:

- Installation of shatter-proof windows and/or safety film;
- Specialized, hardened, waterproof, or padded doors, walls and/or flooring;
- Installation of ramps, grab-bars;
- Adaptation of kitchen cabinets and sinks;
- Widening of doorways;
- Interior handrails or handrails accompanying and exterior ramp;
- Modification of bathroom facilities;
- A room air conditioner (a single window unit) for an individual whose temperature sensitivity issues create behaviors or medical conditions that put the individual at risk;
- Installation of anti-slip flooring and/or walkways;
- Overhead track systems to assist with lifting or transferring;
- Specialized electrical and/or plumbing systems necessary to operate medical equipment and supplies required for the welfare of the individual;
- Adaptations to control lights, heat, and stove electric door openers;
- Tub cut (converting an existing bathtub into a walk-in tub/shower or roll-in tub/shower rather than remodeling the entire bathroom);
- Construction of a ramp in which to access home

# Home Modifications

## *What are Home Modifications*

### Environmental Modification Exclusions

- Home maintenance and repair are the responsibility of the homeowner and cannot be funded utilizing Department funds. This includes the maintenance and repair of any previously funded home modification. Once the Environmental Modification has been constructed, maintenance and repair are the homeowners responsibility.
- OAR 411-435-0050 (7)(c) states that environmental modifications exclude:
  - Adaptations or improvements to the home that are for general utility;
  - Adaptations that add to the total square footage of the home.
  - General repair or maintenance and upkeep required for the home.
  - Garages, out-buildings and/or similar structures, whether or not they are attached to the dwelling, are not part of the square footage of the home and cannot be modified.
  - Adaptations outside of the home, such as fences and walkways are identified as [environmental safety modifications](#).
- NOTE: Ramps do not add square footage to the interior of a home and are therefore not excluded. Ramps that attach to the home for the purpose of entry or exit are not excluded.
- Examples of **excluded** modifications include but are not limited to:
  - Home maintenance and repair are the responsibility of the homeowner and cannot be funded utilizing Department funds. This includes the maintenance and repair of any previously funded home modification. Once the Environmental Safety Modification has been constructed, maintenance and repair are the homeowners responsibility.
  - Carpeting;
  - Central air conditioning;
  - The main garage door that allows the vehicle to enter/exit the garage;
  - Provision or replacement of household appliances that are considered customarily the responsibility of any homeowner to include but not be limited to:
    - Refrigerators
    - Microwaves
    - Dishwashers
    - Clothes washer & dryer
    - Furnishings for walls, windows and doors to include but not be limited to drapes, shades and decorative elements.
  - Upgrades in materials that are not directly related to the assessed health and safety needs of the individual.
    - Environmental modification example: An individual or family member requests granite or tile in a bathroom modification when a fiberglass surround will address the shower safety needs at a lower cost.

# Home Modifications

## *What are Home Modifications*

- Repairs or updates necessary in order to complete the environmental modification.
  - Examples:
    - A bathroom needs adaptation to install a new commode for an individual. In order to replace the commode, the flooring must be replaced due to dry rot or decay. The new commode could be approved. The sub-flooring, etc., could not be approved. The property owner must first fix the flooring before the environmental modification could be approved.
    - In order to complete a bathroom remodel, pipes in the bathroom need to be replaced. In the course of the repairs the local inspector then determines that all pipes throughout the house must be brought up to code. The cost to bring other parts of the home up to code cannot be paid by ODDS. The homeowner must fix or replace the pipes before the environmental modification could continue.
    - In order to install a ramp, repairs to the porch or deck must be made to support the ramp. The ramp could be approved; the repairs to the existing porch or deck could not be approved. The homeowner would be responsible for the repairs before the environmental modification could continue.

### Environmental Safety Modifications

Environmental Safety Modifications are available through the ODDS 1915C waivers. They are physical adaptations made to the exterior of an individual's primary residence, with the exception of ramps (which are considered Environmental Modifications), intended to:

- Ensure the health, welfare and safety of the individual around the home; and/or
- Enable the individual to function with greater independence around the home; and/or
- Replace or decrease direct human assistance.

Exterior ramps are funded through the Environmental Modifications [procedure codes](#).

Environmental Safety Modifications including but not limited to the installation of products / materials and mechanical, electrical and/or structural alterations must be completed by a licensed and qualified contractor or trade professional.



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## *What are Home Modifications*

Examples of Environmental Safety Modifications include

- Pathways
- Fences
  - For individuals with a history of elopement or bolting, a backyard fence may be authorized with a maximum perimeter of 200-linear feet.
    - An exceptions request can be submitted to ODDS to exceed the linear foot maximum for fencing. The case management entity should always consider how the home modification will meet the individual's assessed need.
    - For individuals with a history of elopement or bolting, a backyard fence may be authorized with a 4' gate

### Environmental Safety Modification Exclusions

- Examples of **excluded** modifications include but are not limited to:
  - Roof repair;
  - The main garage door that allows the vehicle to enter/exit the garage;
  - Upgrades in materials that are not directly related to the assessed health and safety needs of the individual.
    - Example: An individual or family member requests a chain-link fence when a wood fence will address the safety needs at a lower cost.
  - Repairs or updates necessary in order to complete the environmental safety modification.
    - Example: A back yard has a slope close to the property line. A retaining wall would be needed to structurally support a fence in that location. ODDS will not authorize funding for the retaining wall as this is not directly associated with the individual's assessed need. The building of the retaining wall is considered to be a homeowner's responsibility. The scope of work could consider construction of the fence to be built a safe distance away from the slope.
    -

# Home Modifications

## *Eligibility*

### Chapter 4 Eligibility

Eligibility for Home Modifications are limited to individuals who are:

- Community First Choice (K-plan) eligible AND;
- Enrolled in one of the following service elements:
  - DD49 Adult In-Home services - CDDPs
  - DD51 Supported Living services (if the dwelling is not owned by the provider)
  - DD149 Adult In-Home services - Brokerages
  - DD151 Children In-Home services
  - DD145 Children's Intensive In-Home Services (CIIS)
- The assessed need for the Home Modification must be identified and documented in the [ISP](#).
- The Home Modification must be the most cost-effective alternative to address the need(s) of the individual.
- The Home Modification must not be able available by another resource.

### Environmental Modifications

In addition to the eligibility requirements listed above, any Environmental Modification must either increase independence or reduce need for human assistance and meet an individual's assessed need for assistance with ADL/IADL and/or health-related tasks or meet a behavior support need. When submitting a Funding Review or Exception Request, it is imperative that the need for an Environmental Modification is explained in terms of how the modification will increase the individual's ability to be more independent and complete ADL/IADLs with a reduced need for another person's support. It is also possible that the modification will reduce the risk of harm related to behavior or medical supports. This must be explained on the Funding Review or Exception Request.

For example: an individual uses a wheelchair for mobility and cannot reach the counters in the kitchen, requiring a caregiver to support them with meal preparation. An environmental modification to the kitchen lowering the cabinets would enable the individual to be more independent in meal preparation thereby decreasing the need for caregiver support during meal preparation and enabling the individual to meet an assessed ADL/IADL need.

See [Appendix F](#) for more examples of assessed ADLs, IADLs, Behavior and Medical Supports.

# Home Modifications

## *Eligibility*

### Generators and Back-Up Systems

Lifesaving equipment disbursed through a Durable Medical Equipment (DME) supplier/vendor will have a built-in and/or external system to keep the equipment running when the individual is out in the community or in the event of a power outage (e.g., internal or external battery source). In addition, [DMEPOS](#) rules require that DME suppliers ensure that an appropriate and acceptable contingency plan to address emergency situations or mechanical failures if a ventilator is being used. This could mean that the DME provider furnishes a backup ventilator at no charge to the Department or the individual. The Services Coordinator or Personal Agent may assist the individual in working with their insurance provider to access back-up systems for life saving equipment. The rule that applies to DME supplier's responsibility is OAR 410-122-0210(4)(b)(A). This rule does not imply that DME suppliers must provide generators. It means that they must have a plan in place to deal with any equipment failure/interruptions that may be life-threatening.

### Environmental Safety Modifications

In addition to the eligibility requirements for Home Modifications listed above, any Environmental Safety Modifications must be intended to ensure the health, welfare, and safety of the individual.

For example: an individual relies on a wheelchair for mobility and the space between the driveway and ramp to the front door is not safely navigable independently by wheelchair, requiring a caregiver's assistance. A paved pathway from the driveway to the ramp would allow the individual to be able to navigate independently.

# Home Modifications

## *Eligibility*

### Additional Requirements:

- The dwelling and property must be in [good repair](#) prior to the commencement of any modification project. It is the responsibility of the homeowner to bring the property into a state of good repair. ODDS may require copies of permits outlining that the work has been completed to code.
  - Examples of repair that ODDS does not fund include, but are not limited to:
    - Plumbing issues such as dripping faucets, running and/or clogged toilets, or the removal of mold, mildew, leaking drains or “spongy” flooring.
    - Peeling paint and wall paper, torn carpeting, water damage to ceilings and floors or damaged flooring.
    - Inadequate ventilation, evidenced by mold, termites or other pests, water damage or “spongy floors”
- The identified home or dwelling cannot be in foreclosure or be a subject of legal proceedings regarding ownership.
- ODDS requires written permission from the homeowner (or landlord / rental property management company) approving the modification. This requirement is for all home modifications even when the individual resides in their own or family home. Further requirements regarding [rental](#) properties are addressed below.

# Home Modifications

## *Eligibility*

### Exclusions

Individuals living in a home that is licensed as a 24-hour residential program, licensed/certified foster care home, supported living site owned or operated by the provider, residential treatment facility, residential treatment home, assisted living facility, or residential care facility are not eligible for K-Plan funded environmental modifications or waiver funded environmental safety modifications. The provider of the home in the above situations, are responsible for all modifications needed in those settings.

Assistive Devices, Assistive Technology and the installation of Personal Emergency Response Systems are not considered environmental modifications. A scope of work may suggest a shower chair, portable lift, weighted shower curtain, black-out shades, or another mechanism that does not become a part of the structure of the home but will not be included as part of the modification. The Services Coordinator or Personal agent may consider if these items can be funded as an Assistive Device or may request a Funding Decision or Exception Request outlining the request for the specific assistive device, assistive technology or ERS. Refer to the [Assistive Devices and Technology Worker Guide for additional details and information](#).

The following items do not qualify as home modifications but may qualify as an Assistive Device:

- Locks on doors or cabinets
- Alarm systems that are not hard wired
- Protective coverings for entertainment systems
- Gated windows
- Window curtains or shower curtains

# Home Modifications

## *Requesting a Scope of work*

### Chapter 5 Requesting a Scope of work

A [scope of work](#) must be completed for each identified Home Modification request or project. This means that if an individual needs both an entryway ramp as well as a lift system within the bedroom to bathroom, there will be a scope of work for the ramp and a separate scope of work for the lift system. This allows the work to be bid by separate contractors if necessary. Scopes of work must be completed by an ODDS Environmental Modifications Field Consultant, approved by ODDS and signed by the individual or family, prior to the acquisition of any bid to construct the modification. All contractors submitting bids must be given the same scope of work from which to submit a competitive bid. How do you know if a Scope of Work is required? If a device attaches to the home or is intended to be weight bearing, a Scope of Work is required.

### [Process for Requesting a Scope of Work](#)

#### Requesting a Scope of Work

1. Service Coordinators or Personal Agents may suggest modifications or respond to the individuals request for specific modifications. Service Coordinators or Personal Agents need to be able to see the home and understand what is not working or needs to work better with the completion of the modification specific to the individual's identified support need. Once the Services Coordinator or Personal Agent sees the home and understands the need for the modification, they must submit a Funding Review and Exceptions Request to begin the process of requesting a scope of work.
  - If an individual requests a specific modification and the Service Coordinator or Personal Agent is unable to support the request when there is no identified support need, the Service Coordinator or Personal Agent must issue a Notification of Planned Action.
2. ODDS reviews the request to ensure that the requested Home Modification adheres to [OAR 411-435](#).
  - If the situation is emergent, the ISP team should consider alternatives. Home modifications are not intended for emergency situations.
3. The request for the development of a Scope of Work must include [homeowner permission](#) (regardless of the ownership of the home).
4. ODDS will notify the Case Management Entity if the request requires additional information prior to approval of the development of a scope of work or notify the Case Management Entity if a NOPA needs to be issued if the development of a scope of work cannot not authorized.
5. Following the approval to have a scope of work completed, an Environmental Modifications Field Consultant will be assigned, as they have capacity, to accept new referrals and as they are available in the geographic location where the individual resides.
  - If necessary, the request for a Scope of Work may be prioritized based on need, geographic location, and order in which the request was received.
6. The Environmental Modifications Field Consultant will contact the Services Coordinator or Personal Agent and together they will arrange to visit the primary residence of the individual

# Home Modifications

## *Requesting a Scope of work*

where the modification is proposed.

- This may be several months after the initial submission of the Funding Review and Exception Request was first submitted.
7. The Environmental Modifications Field Consultant will complete the Scope of Work and return it to ODDS.
  8. ODDS will review the Scope of Work as it relates to the documented identified need. Upon approval, ODDS will send the approved Scope of Work to the Services Coordinator or Personal Agent.
  9. The Services Coordinator or Personal Agent must review the completed ODDS approved scope of work with the individual and/or representative within two weeks and:
    - a.) If the scope of work meets the assessed need the individual and/or representative signs the final page of the scope of work. The signed scope of work must be returned to ODDS at [ODDS.FundingReview@state.or.us](mailto:ODDS.FundingReview@state.or.us) within 2 weeks (date is identified on the document)
- OR
- b.) Documentation is included on the final page of the scope of work to indicate how the assessed need is not met with the scope of work as written. The unsigned scope of work with description of unmet need is returned to ODDS at [ODDS.FundingReview@state.or.us](mailto:ODDS.FundingReview@state.or.us).
    - i. ODDS will review the reason and documentation regarding why the scope of work does not meet the need of the individual.
    - ii. If the scope of work can be adjusted to more accurately meet the assessed need, ODDS will work with the EMFC and then send a revised scope of work to the Services Coordinator or Personal Agent.
    - iii. If it is determined that the assessed need cannot be met with the scope of work or that the request is not the most cost-effective method of meeting the assessed need then ODDS will issue a Notification of Planned Action to the individual and/or representative.
    - iv. An individual has the right to close a request by choosing not to accept the scope of work as written or choosing not to accept the materials or items identified to be the most cost effective and adequate to meet the identified or assessed need of the individual the individual.
10. The Service Coordinator or Personal Agent must return the signed scope of work to ODDS to [ODDS.FundingReview@state.or.us](mailto:ODDS.FundingReview@state.or.us) indicating that the individual and/or representative agrees that the scope of work will meet the assessed need.

Solicitation of bids for the modification:

# Home Modifications

## *Requesting a Scope of work*

11. Following receipt of the signed scope of work, ODDS will notify the Services Coordinator or Personal Agent that they may assist the individual and/or representative in obtaining a minimum of three [bids](#). All attempts at solicitation of bids must be documented on the form provided by ODDS when the Services Coordinator or Personal Agent is emailed authorization to solicit bids.
  - The scope of work expires six months from the date it was sent to the Services Coordinator or Personal Agent. All bids must be received prior to the expiration date. If the scope of work expires prior to a Provisional Funding Memo being sent the Services Coordinator or Personal Agent can request that the scope of work be reissued.
  - If a construction contractor is unresponsive to the solicitation, this may count towards the requirement of obtaining a minimum of three bids.
  - Prior to reporting a construction contractor as being non-responsive to a solicitation there must be three separate documented attempts to contact the construction contractor without receiving a response.
  - ODDS may consider approving a down payment or prepayments for Home Modifications only when the project cost exceeds \$30,000. The Services Coordinator or Personal Agent should request an exception by emailing [ODDS.FundingReview@State.or.us](mailto:ODDS.FundingReview@State.or.us) with a detailed description of the situation and reason a down payment is needed.
  - Home Modification projects which cost over \$100,000 may be considered for a direct contract with the construction contractor.
12. All three bids must be returned to ODDS at [ODDS.FundingReview@state.or.us](mailto:ODDS.FundingReview@state.or.us). All bids must be obtained within six months from the date that the scope of work was originally sent to the case management entity. Once three bids have been obtained, the Services Coordinator or Personal Agent submits them to [ODDS.FundingReview@state.or.us](mailto:ODDS.FundingReview@state.or.us).
  - The entire Scope of Work must be returned in it's entirety. Solo signature pages will be returned to the Services Coordinator or Personal Agent. This is required to identify the correct version of the Scope of Work that is being approved by the individual.
  - If a family is unable to obtain three bids within three months the Services Coordinator or Personal Agent can request an exception to the rule through the exceptions process. The request for an exception must be accompanied by the aforementioned documentation, listing construction contractors who were solicited and the reason why they declined submitting a bid.
13. ODDS will award the bid to the construction contractor whose bid matches the scope of work in the most cost-effective manner. A Provisional Funding Memo will be sent to the Services Coordinator or Personal Agent identifying the construction contractor as well as the not-to-exceed amount.

Construction and approval by individual:



# Home Modifications

## *Requesting a Scope of work*

14. When the individual/family is involved with a CDDP or Brokerage other than CIIS they will enter into a contract with the construction contractor to build the project as outlined in the scope of work. A copy of this contract should be kept in the individual's file at the CDDP or Brokerage.
15. After the construction contractor has completed the Home Modification as outlined in the scope of work, the individual and/or representative must sign the final page of the Provisional Funding Memo indicating that the Home Modification has been constructed completely, accurately to their knowledge and that they are satisfied.
16. The Services Coordinator or Personal Agent must visit the home and view the completed home modification to assure that it meets the identified assessed need.
  - This means that the Services Coordinator or Personal Agent is responsible for verifying that the project intended was done. If the project was a ramp, was the ramp installed? If the project was a bathroom remodel to allow access to a roll in shower, is there now a roll in shower? Services Coordinators and Personal Agents are not contractors. It is not expected that they ensure the construction was completed correctly, just that the intended work was completed and the individual or their representative is agreeable to the completion of the project.
17. The Services Coordinator or Personal Agent must obtain photographs of the completed modification as well as obtain copies of the permits that were required for the work. An ODDS subject matter expert will review the photographs and permits to ascertain if the construction was completed correctly. Depending on the construction project, ODDS may require an in-person inspection from the ODDS subject matter expert.
  - All CIIS home modification construction projects require an in-person inspection from the ODDS subject matter expert.
18. The Services Coordinator or Personal Agent shall email [ODDS.FundingReview@state.or.us](mailto:ODDS.FundingReview@state.or.us) copies of the signed Provisional Funding Memo, photographs of the completed Home Modification, and copies of any permits that were required for the project.

### Final Approval for release of payment:

19. Following review of submitted evidence that the project was completed according to the written scope of work, ODDS will issue approval of the final Home Modification funding. Final approval may require an in-person inspection when the project is over \$30,000. All projects over \$100,000 will require an in-person inspection.
20. Following ODDS final approval of the project, a Final Funding Approval memo will be issued to the Services Coordinator or Personal Agent.
21. Each CDDP or Brokerage will release payment to the contractor via their own policies and procedures for payment upon invoice.

# Home Modifications

## *Requesting a Scope of work*

### Rental Properties

Modifications cannot substitute for or duplicate modifications that are the responsibility of a landlord under landlord-tenant laws.

Should ODDS pay to modify a rental unit, ODDS will not fund materials or work intended to restore the rental unit to its former condition. For any Home Modification made to a rented structure, written authorization from the landlord / home owners or rental property management company must be obtained prior to the start of work.

The Services Coordinator or Personal Agent should prepare the [Landlord/Home Owner Consent to develop Scope of Work](#) document prior to requesting the development of a Scope of Work. This document provides the Environmental Modifications Field Consultant with any information that the Landlord/Home Owner might prohibit. This document must be signed and returned to ODDS with prior to the development of a Scope of Work.

After the development of a Scope of Work on a rental property the Services Coordinator or Personal Agent should prepare the [Landlord/Home Owner Consent for Home Modification](#) document. This document must be signed and returned to ODDS prior to beginning any construction on any home modification.

Written permission for the modification includes the understanding that ODDS will not pay for the modification to be reversed should the individual/tenant end occupancy. The owner of a rental property may not require a modified unit be returned to its original condition when the individual moves out. In some cases, a modification which requires no change to the physical property that the individual is renting may best meet the needs of the individual for the short-term and long-term and reduce the potential long-term costs of multiple home modifications if/when the individual moves to a new property.

This document, giving permission for the modification of the rental unit must be kept in the individual's file.

### Easements

If the home modification will be built upon an easement the initial request to develop a scope of work must include the following:

- Written proof of the ownership of the easement.
- Written [permission](#) from the property owner to develop the scope of work.
- This documentation giving permission for the modification of the rental unit must be kept in the Individual's file at the case management entity.
- Clarification of any construction prohibitions and acknowledgement that DHS, ODDS will not be responsible for restoring the easement property to its previous condition and will not hold DHS,

# Home Modifications

## *Requesting a Scope of work*

ODDS financially responsible for costs associated with returning the property to its previous condition.

### Repairs to Home Modifications

Home maintenance and repair are the responsibility of the homeowner and cannot be funded utilizing Department funds. This includes the maintenance and repair of any previously funded home modification. Once the modification has been constructed, maintenance and repair are the homeowner's responsibility.

When the electronics or mechanics of a Home Modification previously funded through this process is believed to have failed and needs to be repaired a Scope of Work may not be necessary. The Services Coordinator or Personal Agent must first help the individual identify if the repair is under warranty. If not, the Services Coordinator or Personal Agent can help the individual and/or representative obtain three bids for the repair and submit them to ODDS through the Funding Review and [Exceptions process](#). A scope of work is unnecessary in these instances.

# Home Modifications

## *Reading and Understanding the Developed Scope of Work*

### Chapter 6 Reading and Understanding the Developed Scope of Work

Any modification to the structure that is attached to the home or is weight bearing must have a written scope of work Scope of Work completed by an ODDS Environmental Modifications Field Consultant Environmental Modifications Field Consultant. A scope of work is a written document identifying the tasks and requirements necessary to address the specific assessed need(s) which have been documented in the individual's ISP. The Scope of Work articulates the dimensions, measurements, describes appropriate and cost-effective materials, pertinent building permits and outcomes necessary for a contractor to submit a proposal to complete the proposed modification. Modifications are subject to industry standards for safety, liability, and durability as referenced in building codes, materials and manuals.

For contracting purposes all modifications identified under a single scope of work will be considered a single modification. For example, a bathroom modification that has a widened doorway, expanded shower with surround, new floor, grab bars and a plumbing permit fee will be considered a single modification because its separate components are intended to meet the assessed need.

The Scope of Work must be reviewed and signed by the individual and family within two weeks of being received by the Services Coordinator or Personal Agent. The Scope of work must be signed by the individual indicating that the scope of work meets the identified need. In the event that the individual, representative or family disagrees with the Scope of Work, the individual should document on the final page of the Scope of Work how it does not meet the identified assessed need. The Services Coordinator or Personal Agent must return the signed copy to ODDS prior to any construction contractor being solicited for bids.

[Appendix C](#) contains a checklist to help the Services Coordinator or Personal Agent assist the individual, representative, or family in understanding the Scope of work.

#### Asbestos

On January 1st, 2021, the Oregon Department of Environmental Quality (DEQ) rules regulating testing for the presence of asbestos changed requiring that asbestos testing be completed by an accredited inspector. This means that at-home testing is no longer allowed. Due to this change we are no longer requiring homeowners to test for asbestos prior to submitting the exception request. The scope of work will indicate that if the home was built or had significant remodeling completed prior to 2004 the construction contractor who is awarded the bid must complete asbestos testing prior to the start of construction per DEQ rules. Should asbestos be found to be present, the construction of the home modification will cease, and the homeowner must abate the asbestos prior to the completion of the home modification.

#### The Payment Process

ODDS will select the contractor based on the most cost-effective bid that meets the approved Scope

# Home Modifications

## *Reading and Understanding the Developed Scope of Work*

of Work. The contractor whose bid was chosen to complete the Home Modification will enter into a written agreement with the individual/family and must include only the elements identified in the scope of work. A copy of the signed contract must be kept in the individual's file. For CIIS, the contract will be processed by the Office of Developmental Disabilities Services and executed by the Office of Contracts & Procurement (OC&P) and will be sent directly to the construction contractor.

When ODDS is authorizing and paying for a Home Modification, an individual and/or representative or family member cannot pay for part of the modification or to *upgrade* materials. Medicaid requires that total funding is provided by Medicaid funds. Prior to work beginning, it must be made clear to contractor(s), subcontractor(s), homeowners, individual and/or representative and families that full payment to the contractor will be made upon receipt of the following:

1. A contract has been fully executed.
2. Satisfactory completion of the approved modification according to the scope of work. Completion is verified through a final inspection / walk-through completed by the Services Coordinator or Personal Agent in the presence of the contractor, individual and/or representative or designated representative or family member to ensure that all aspects of the modification has resolved the support needs as identified in the scope of work.
  - When the construction project meets any of the following an in-person final inspection by a member of the ODDS Housing team must be conducted:
    - When the construction project is being funded through a direct contract with the construction
    - When the construction project cost is over \$100,000.
    - When the construction project is \$30,000 the ODDS Housing team may participate in the in-person final inspection.
3. Receipt of an invoice that includes the contractor's Construction Contractors Board # that reflects the completion of the contract requirements.
4. Copies of all required building permits with Final Inspection "sign off" from a building code official, as appropriate (Note that permits are required for mechanical, electrical, plumbing and structural modifications such as pass-thru for overhead ceiling lifts, moving walls, etc.).
5. Photos of the completed home modification.
6. The Provisional Funding Memo must be signed by the individual and/or representative indicating that the Home Modification has been completely, accurately and satisfactorily completed.
7. Any other appropriate documentation requested by ODDS.

Payment for CIIS home modifications must be executed through the Office of Contracts and Procurements. See Appendix C for additional clarification.

# Home Modifications

## *Plan of Care*

### Chapter 7 Plan of Care

#### Plan of Care for CDDPs and Brokerages

Provisional Funding Memos must be received by the Services Coordinator or Personal Agent prior to authorizing the service/modification and prior to the start of construction. ISP authorizations must be contingent upon ODDS approval.

POC Name	POC Code
Environmental Modifications (K-Plan)	S5165
Environmental Safety Modifications Children’s HCBS Waiver Adults’ HCBS Waiver Behavioral Model Waiver Medically Fragile Waiver Medically Involved Waiver	OR561

Once a bid has been accepted and the Services Coordinator or Personal Agent has received a Provisional Memo identifying the winning bidder and the not to exceed amount the Plan Line and Service Prior Authorization for the home modification must be entered into the individual’s Plan of Care in eXPRS.

The Services Coordinator or Personal Agent will need to create a Plan Line for the approved home modification. Each bid is one separate project. The Services Coordinator or Personal Agent must authorize one event for each home modification project, with a separate Service Prior Authorization (SPA) for each separate project under the Plan Line.

The SPA should be set up as “generic provider” and in the text field identify the construction contractor who was awarded the bid in the Provisional Memo. The date range of the Plan Line/SPA cannot exceed the Plan of Care date range. The actual rate which should equal the not to exceed amount on the Provisional Memo.

Attach a copy of both the provisional and final funding memos to that individual’s Plan of Care. Instructions can be found here:

<https://apps.dhs.state.or.us/exprsDocs/HowToAddPOCAttachments.pdf>

After the construction has been completed and approved, the final funding memo should be uploaded to the individual’s Plan of Care.

# Home Modifications

## *Understanding the Contractor's Role*

Once the SPA is submitted to be accepted by the system it may pend for ODDS approval. The CME will need to contact the their FAC to identify that the authorization is attached to the plan of care in the form of a final funding memo.

When the project is completed, the CME must create in eXPRS a Service Delivered Billing (SD) entry against the generic authorization for each project. The date of the SD Billing should match the date on the Final Memo. The actual rate billed is the total cost for the project. The actual rate can't surpass the not to exceed amount on the final funding memo.

Once the SD is in approved status, the system will generate a payment for the actual rate/not to exceed amount and issue these funds to the CME. The case management entity can now process the final payment to the construction contractor.

If the work isn't completed within the authorized date range the CME should void the previous authorization in the previous Plan of Care and recreate it in a new Plan of Care with a new date range.

It is important to note that the CME is not paying for the project until completed and approved by ODDS. Since the CME isn't billing for the project until it's completed voiding the authorization does not create a problem. However; it is essential to document in both the POC notes field as well as in the ISP that the Plan Line and Service Prior Authorization is being moved over into the next plan year.

### Plan of Care for CIIS

All home modification funding for individual and families working with CIIS must be processed through the ODDS Contracts Unit. CIIS Services Coordinators will have a different process for entering the project authorization & billing information into Plan of Care. Provisional Funding Memos will be received by the Services Coordinator as well as the Contracts Unit prior to moving into the contracting phase. CIIS Services Coordinators will ensure that all ISP authorizations are contingent upon ODDS approval.

### Chapter 8 Understanding the Contractor's Role

Construction contractors who are chosen to complete a home modification cannot have a vested interest in the property that is being modified, as this creates a conflict of interest. A construction contractor has a vested interest when the contractor meets one or more of the following conditions:

- Related by blood or marriage to the individual and/or representative, or to any paid caregiver of the individual and/or representative.
- Financially responsible for the individual and/or representative.
- Empowered to make financial or health-related decisions on behalf of the individual and/or representative.
- Would benefit financially from the provision of the home modification.

Construction contractors assume the responsibility for the final work product, including that of

# Home Modifications

## *Understanding the Contractor's Role*

subcontractors they hire to complete any part of the modification. In addition, the contractor assumes the responsibility to ensure that subcontractors are licensed, bonded, insured, and otherwise legally able to complete the work of the subcontract, that they obtain permits, and complete the project per the approved scope of work.

Modifications must be completed by a current Oregon Construction Contractor Board (CCB) licensed, bonded and insured contractor as required by [OAR 812](#) or [OAR 808](#).

This information can be found at the website <http://www.oregon.gov/ccb/Pages/index.aspx>.

[Appendix D](#) contains a checklist to help the Services Coordinator or Personal Agent assist the individual, representative, or family talk with a construction contractor.

ODDS may require the construction contractor to adhere to specific standards which will be provided in writing along with the Scope of Work.

## Written Bids

For all modifications, a minimum of [three written bids are required](#). The individual and/or representative whose property/[rental](#) home is being modified, with support from the Services Coordinator or Personal Agent, is responsible to solicit [bids](#) from contractors. Any Oregon licensed construction contractor who does not have a conflict of interest as identified above can be solicited to bid on the Home Modification project.

Construction contractors solicited to bid on a modification, must be given the same [scope of work](#) approved by ODDS from which to develop their bid. Bids are limited to the work, costs, labor, approved materials and necessary permits to complete the modification as identified in the scope of work and must include the contractor's Construction Contractors Board number (CCB#).

If a Services Coordinator or Personal Agent learns that a contractor has identified a limitation, error, or necessary adjustment to the scope of work, the Services Coordinator or Personal Agent should contact the ODDS [Subject Matter Expert](#) to discuss how and if the Scope of Work can be adjusted. A construction contractor may not do any work that is not included on the Scope of Work.

Following authorization to begin the home modification, should the Services Coordinator or Personal Agent learn that the construction contractor has identified a material that is unattainable or in any other way require an adjustment to the Scope of Work, the Services Coordinator or Personal Agent must immediately contact the ODDS [Subject Matter Expert](#) and find out if an adjustment to the Scope of Work is required. If the Scope of Work is adjusted, new bids may need to be obtained. The new bids must be approved ODDS.

All bids must be submitted to ODDS at [ODDS.FundingReview@state.or.us](mailto:ODDS.FundingReview@state.or.us) where they are carefully



# Home Modifications

## *Subject Matter Expert*

reviewed to ensure the bids have addressed each of the identified components listed in the scope of work and that the contractor is currently licensed (possesses a current CCB number), bonded and insured. Verification of a contractor's Oregon CCB number occurs through the [Oregon CCB Contractor License Search](#) web page.

While three bids are required, in unusual cases where three contractor bids cannot be acquired, ODDS will approve an exception for obtaining fewer than three bids within a Provisional Funding Memo which must be kept in the individual's file. An exception to the rule requiring three bids must be requested through the ODDS by sending an email to [ODDS.FundingReview@state.or.us](mailto:ODDS.FundingReview@state.or.us) and referencing the individual's name and need to have an exception to the three bid minimum requirement. This process is outlined here in the [solicitation of bids for the modification](#) section of this guide.

When ODDS does not select the lowest contractor bid, the reasoning will be explained within a Provisional Funding Memo which must be kept in the individual's file.

### Examples:

- The lowest bidder is not currently licensed, bonded and/or insured so the second bidder was selected;
- The lowest bidder did not accept the job so the second bidder was selected;
- The lowest bid was invalid because it included materials that would not adequately address the safety component for the modification;
- At least five separate contractors were contacted but only two were willing to provide written bids;
- Limited contractor availability in the rural/regional area.
- The lowest bid contractor required a down payment of funds to begin the work and the total cost of the bid does not meet the threshold for allowance of a down payment.

## Chapter 9 Subject Matter Expert

**Name:** Kirsten Collins

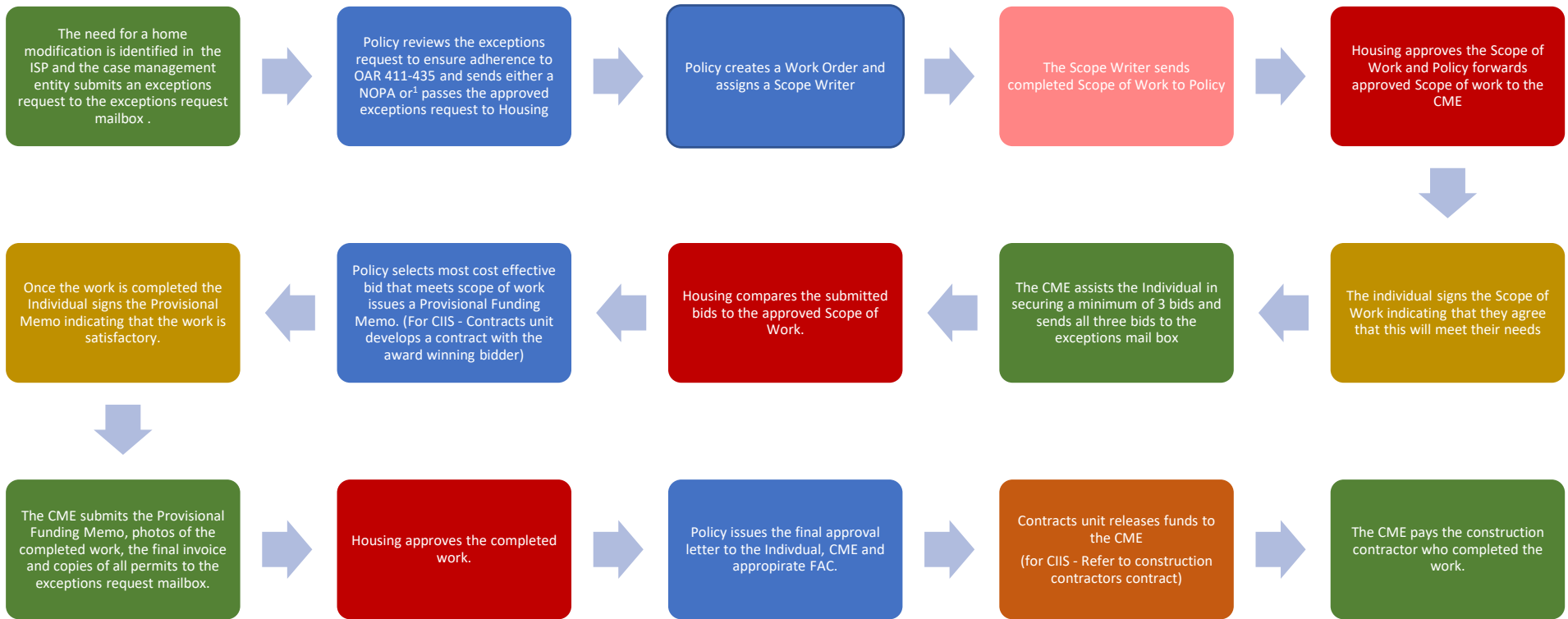
**Phone:** 503-381-3515

**Email:** [Kirsten.G.Collins@state.or.us](mailto:Kirsten.G.Collins@state.or.us)

# Home Modifications

## Appendix A: Process Map

### Appendix A: Process Map



Color Key		
Case Management Entity	Housing Team	Policy Unit
Individual	Contracts Unit	Scope Writer

# Home Modifications

## *Appendix B: Helping an individual or Family Understand Home Modifications*

### Appendix B: Helping an individual or Family Understand Home Modifications



The need for a home modification is identified and authorized in the ISP.



A Scope of Work is completed. When the Individual agrees that the Scope of Work will meet the assessed need, the SOW is signed by the Individual.



Three bids based on the Scope of Work.  
ODDS will identify the winning bid



The home modification construction has been completed



Inspection is completed to make sure the work was done as written in the Scope of Work.



Funding is released to pay the construction contractor

# Home Modifications

## *Appendix C: Reading a Scope of Work*

### Appendix C: Reading a Scope of Work

- The Scope of Work matches what the Environmental Modifications Field Consultant explained during the Home Modification Visit
- If the construction contractor builds the Home Modification the way the Scope of Work is written the identified assessed need will be met.
- Notice the timelines for returning the Scope of Work as well as the expiration date for the Scope of Work or revision of the Scope of Work
- The “problem to be solved” and the identified assessed need is documented correctly on the first page of the Scope of work.
- The individual and/or representative should look at any schematic or drawing that accompanies the Scope of Work
- Identify the required permits. The individual and/or representative will need to make sure that these permits are acquired by the construction contractor prior to the start of work. The individual and/or representative will need to make sure that the construction contractor arranges for the county inspector complete an inspection upon project completion.
- Pay attention to the specific materials requirements. The Scope of Work will describe types of materials that can be used. Sometimes the Scope of Work will indicate required specific materials/
- Read the Scope Specific Notes section of the Scope of Work as well as any ODDS Specifications sheets that might accompany the Scope of Work. These provide clarification for the construction contractor to assure that the building of the Home Modification meets ODDS standards.
- Take note that should any pre-existing damage be discovered during the process of the modification; the construction contractor will cease work and report the discovery of the damage to the landlord/homeowner. Repair of the pre-existing damage is the responsibility of the homeowner.
- The building of the home modification must be completed exactly as documented within the Scope of Work. The individual and/or representative cannot request to upgrade materials, include add-ons or change the Scope of Work without prior written approval of ODDS.
- Read the Scope Details section of the Scope of Work. It is intended to provide the construction contractor with specific expectations for the building of the home modifications. This can be difficult for the general population to understand. The individual and/or representative should be able to identify all the parts of the project necessary to meet their needs.
- If the way the Scope of Work is written doesn't seem to meet the identified, assessed need or won't resolve the problem documented on the first page of the Scope of Work, document this on the final page of the Scope of Work.
- The individual and/or representative signs the final page of the Scope of Work indicating that they agree that the Scope of Work, as written, will meet the identified, assessed need and resolve the problem documented on the first page of the Scope of Work.

# Home Modifications

## *Appendix D: When talking with the construction contractor*

### Appendix D: When talking with the construction contractor

Individual and/or representatives are required to seek at least three [bids](#) from three different construction contractors. The Services Coordinator or Personal Agent can assist with this process. The individual and/or representative must give the Scope of Work to the construction contractor. Individual and/or representative s should be aware of the requirements for each bid, this is included in each scope of work. Some bids may include an expiration date. Once three bids are obtained the CME should send these into ODDS. A Home Modification Subject Matter Expert will review all bids to assure that they meet the Scope of Work and the most cost-effective bid will be chosen.

The individual and/or representative should ask the construction contractor about:

- Any warranties on their work
- Who to contact if there are issues during the building of the home modification and who to contact after the project has been completed
- Timeline for start and completion of the construction of the home modification
- Ask if there are any limitations during construction? For example, does the family need to vacate the home during the building of the home modification? or Will the electricity or water be turned off during the building of the home modification?
- The Scope of Work may indicate that something, such as color or location may be determined by homeowner – this should be discussed with the construction contractor.

# Home Modifications

## *Appendix E: NOPA*

### Appendix E: NOPA

Some examples of when to issue a Notice of Planned Action (NOPA)

- The [environmental modification](#) must meet an assessed need related to the completion of an ADL, IADL, or health-related task. If an individual or representative or family member requests an environmental modification the services coordinator or personal agent must issue a Notification of Planned Action if the:
  - Environmental modification will not meet an assessed need related to the completion of an ADL, IADL, or health-related task. OAR 411-435-0050(7)(a)(A)
  - Environmental safety modification is not tied to supporting an ADL/IADL or health-related task. OAR 411-435-0060(3)(e)
  - See [Appendix F](#) for examples of ADLs, IADLs and health-related tasks
- The [environmental modification](#) must reduce the need for human assistance or increase the independence of the individual. If an individual or representative or family member requests an environmental modification, the services coordinator or personal agent must issue a Notification of Planned Action if the:
  - Environmental modification will not reduce the need for human assistance or increase the independence of the individual. OAR 411-435-0050(7)(a)(A)
- The [environmental modification](#) must meet the needs of the individual Medicaid recipient Services Coordinator or Personal Agent should issue a NOPA citing OAR 411-435-0010(20) and OAR 411-435-0050(7)(a)(A)
- The assessed need must be identified in the individual's ISP
  - If the assessed need isn't identified in the individual's ISP, the Services Coordinator or Personal Agent should complete a change form.
- The [environmental safety modifications](#) must be intended to ensure the health, welfare, and safety of the individual.
  - If the environmental safety modification is not intended to ensure the health, welfare, and safety of the individual, the Services Coordinator or Personal Agent should issue a NOPA citing OAR 411-435-0020(10)
- If the requested [environmental modification](#) is excluded by rule the Services Coordinator or Personal Agent should issue a NOPA citing OAR 411-435-0050(7)(c)(A-D)
- If the requested [environmental safety modifications](#) is excluded by rule the Services Coordinator or Personal Agent should issue a NOPA citing OAR 411-435-0060(3)(d)(A-E)
- If the requested [environmental modification](#) is to repair the home the Services Coordinator or Personal Agent should issue a NOPA citing OAR 411-435-0050(7)(c)(D)
- If the requested [environmental safety modifications](#) is to repair the home the Services

# Home Modifications

## *Appendix E: NOPA*

Coordinator or Personal Agent should issue a NOPA citing OAR 411-435-0060(7)(c)(D)

- If the requested home modification is to be performed on a home not in [good repair](#) the Services Coordinator or Personal Agent should issue a NOPA citing OAR411-435-0050(7)(j)
  - Examples of what ODDS does not fund the repair of include but are not limited to:
    - Plumbing issues such as dripping faucets, running and/or clogged toilets, or the removal of mold, mildew, leaking drains or “spongy” flooring.
    - Peeling paint and wall paper, torn carpeting, water damage to ceilings and floors or damaged flooring.
- Inadequate ventilation, evidenced by mold, termites or other pests, water damage or “spongy floors”

# Home Modifications

## Appendix F: Examples of Assessed ADLs, IADLs, Behavior and Medical Supports

### Appendix F: Examples of Assessed ADLs, IADLs, Behavior and Medical Supports

#### ADLs

Dressing  
Transferring and Positioning Mobility  
Eating and Tube Feeding Elimination  
Showering and Bathing Oral Hygiene  
General Hygiene  
ADL Equipment

#### IADLs

Housework  
Meal Preparation  
Laundry  
Transportation  
Money Management  
Light Shopping

#### BEHAVIOR SUPPORTS

Injurious to Self  
Aggressive or Combative Injurious to Animals  
Aggressive Towards Others, Verbal Socially  
Unacceptable Behavior Sexual  
Aggression/Assault Property Destruction: Major  
Property Destruction: Minor Leaving Supervised  
Area  
Pica/Non-edible Objects in Mouth Difficulties  
Regulating Emotions Refusing ADL/IADL/Medical  
Care Rapid Ingestion of Food or Liquids  
Withdrawal  
Intrusiveness  
Susceptibility to Victimization Legal Involvement  
Other Behavior Issues Intervention frequency

#### TREATMENTS or THERAPIES FOR MEDICAL SUPPORTS

Alzheimer's Disease or Other Dementia  
Arthritis or Rheumatoid Arthritis  
Asthma  
Cancer or Malignant Neoplasm of Any Kind  
Cerebral Palsy  
Chronic Bronchitis  
Chronic Chest Congestion  
Chronic Obstructive Pulmonary Disease (COPD)  
Coronary Heart Disease  
Congestive Heart Failure  
Dysphagia  
Emphysema  
Gastroesophageal Reflux Disorder (GERD)  
Glaucoma  
Gout, Lupus, or Fibromyalgia  
Heart Attack (Myocardial Infarction)  
High Blood Pressure or Hypertension  
Hydrocephalus  
Intellectual or Developmental Disabilities  
Fetal Alcohol/drug affected syndrome (FAS)  
Serious Mental health diagnosis  
Kidney Disease  
Macular Degeneration  
Multiple Sclerosis, Parkinson's, Epilepsy  
Osteoporosis  
Muscular Dystrophy  
Other Heart Condition or Heart Disease  
Traumatic Brain Injury (TBI)  
Partial or Total Paralysis  
Persistent cough  
Pneumonia (in last year)  
Rattling when breathing  
Spasticity  
Spinal Cord Injury  
Stroke



# Home Modifications

## Appendix G: Home Owner/Landlord Consent to develop Scope of Work

### Appendix G: Home Owner/Landlord Consent to develop Scope of Work

Individuals's Full Name: \_\_\_\_\_

Residential Address: \_\_\_\_\_

#### Landlord / Home Owner Information

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

The property owner or legal representative of the property owner give the Office of Developmental Disabilities Services (ODDS) permission to develop a scope of work for the following home modifications to meet the assessed needs of the individual residing in the home.

Home Modification(s)	Landlord/Home Owner Limitation(s)

Written authorization from the landlord or rental property management company must be obtained prior to the development of a Scope of Work for the proposed home modification(s).

I acknowledge and accept that DHS, ODDS, will not be responsible for restoring the property to its previous condition and will not hold DHS, ODDS financially responsible for costs associated with returning the property to its previous condition.

\_\_\_\_\_  
Printed name of Landlord/Owner Date

\_\_\_\_\_  
Signature of Landlord/Owner Date

\_\_\_\_\_  
Consumer Signature Date

\_\_\_\_\_  
Services Coordinator or Personal Agent Signature Date

# Home Modifications

## *Appendix G: Home Owner/Landlord Consent for Home Modification*

### Appendix G: Home Owner/Landlord Consent for Home Modification

Individuals's Full Name: \_\_\_\_\_

Residential Address: \_\_\_\_\_

#### Landlord / Home Owner Information

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

The property owner or legal representative of the property owner give the Office of Developmental Disabilities Services (ODDS) permission to go forward with the home modification(s) as stated in the Scope of Work for the address listed above.

Home Modification(s)

Written authorization from the landlord or rental property management company must be obtained prior to the commencement of any work as outlined in the Scope of Work.

I acknowledge and accept that DHS, ODDS, will not be responsible for restoring the property to its previous condition and will not hold DHS, ODDS financially responsible for costs associated with returning the property to its previous condition.

\_\_\_\_\_  
Printed name of Landlord/Owner

\_\_\_\_\_  
Signature of Landlord/Owner Date

\_\_\_\_\_  
Individual and/or Representative Signature Date

\_\_\_\_\_  
Services Coordinator or Personal Agent Signature Date