

Service Plan Hourly Cap Exceptions for Providers Serving an Individual - APD [OAR 411-030-0072](#)

Exception Reason	Example	Local Office Approval	Central Office Approval
<p><u>Provider Capacity Exception:</u> In the individual’s geographic area there is an insufficient number of homecare workers to meet the individual’s service plan, and, despite efforts to find or identify providers, no other resources are available, including in-home agencies, to meet the need.</p>	<p>Sue lives in a rural area and there are no agencies or HCWs that are willing accept her referral to provide the attendant care above 40 hours per week. Sue is asking for an exception to allow her current HCW to work more than 40 hours per week.</p>	<p>No local level exceptions at this time.</p>	<p>Will review all requests submitted. All requests must have documentation of: 1. Referrals made to contract agencies or other local resources 2. An effort made by the individual/ employer to recruit additional providers</p>
<p><u>Provider Unable to Work:</u> A homecare worker has quit or has been terminated. The exception is valid for the specified time period in the notice of cap exception approval, or until a replacement homecare worker can be hired, whichever comes first.</p>	<p>Tom has two HCWs. HCW1 is working 30 hours per week; HCW2 is working 25 hours per week. HCW1 is terminated by APD. Tom is asking for an exception to allow the HCW2 to work all of the hours while he searches for a new HCW.</p>	<p>No local level exceptions at this time.</p>	<p>Will review all requests submitted. All requests must have documentation of: 1. Referrals made to contract agencies or other local resources 2. An effort made by the individual/ employer to recruit additional providers</p>
<p><u>Out-of-Town Situations:</u> The individual is traveling out of town and needs just one of the homecare workers to accompany them.</p>	<p>Tyler is going on a trip starting Monday through Saturday. He has an assessed need of support 16 hours per day. It is only feasible for Tyler to bring one of his HCWs on his trip. Tyler is asking for an exception to allow the HCW that he is bringing on his trip to work 30</p>	<p>No local level exceptions at this time.</p>	<p>Will review all requests submitted. All requests must have documentation of: 1. Dates must be defined</p>

	hours more than the 50 hour limit during the trip.		
<p><u>Relief or Substitute Care:</u> A homecare worker does not show up when scheduled due to weather, illness, or any reason and needs are time-sensitive and would risk harm to the individual if a delay in services occurs. The circumstance meets criteria in OAR 411-030-0070(7).</p>	<p>HCW1 called in sick for her shift. Tiffany needs assistance with taking her medications. HCW2 has already worked 40 hours this week; however, HCW2 is the identified back-up provider for Tiffany if HCW1 is unavailable. Tiffany is asking for an exception to allow HCW2 to exceed 40 hours to provide services critical to her health and safety.</p>	<p>Local offices may approve up to 8 additional hours per month* *The consumer’s critical need must be documented in case narration. * See APD-PT-15-028</p>	<p>Will review requests when there is more than 24 hours per quarter. Requests must have documentation of: 1. Reassessment (if need is due to a change in support needs) OR 2. Referral to or development of additional resources (if need was due to not having sufficient back up providers that do not exceed the limits or increased support needs) OR 3. Counseling with employer & provider as needed (if the employer needs more training to manage their employer duties or the provider needs support to provide only the authorized amount of service).</p>
<p><u>Emergent Need:</u> An urgent need for care arises and exceeding the limit is unavoidable without risking the health and safety of the consumer.</p>	<p>Charles broke his leg on Friday evening; he usually does not need paid supports on the weekends. His HCW has already worked 40 hours this week. Part of Charles’s back-up plan is to call his HCW in an emergency. Charles is asking for an exception to allow his HCW to work more than 40 hours to</p>	<p>Local offices may approve up to 16 additional hours per month. This can be approved no more than four times per year without central office approval* *The consumer’s critical need must be documented in case narration. * See APD-PT-15-028</p>	<p>Will review requests when there is more than 48 hours per quarter. Requests must have documentation of: 1. Reassessment (if need was due to a change in support needs) OR 2. Referral to or development of additional resources (if need was due to not having sufficient back</p>

	provide supports for an emergent need.		up providers that do not exceed the limits or increased support needs) OR 3. Counseling with employer & provider as needed (if the employer needs more training to manage their employer duties or the provider needs support to provide only the authorized amount of service).
<u>Unique / Complex Needs:</u> The individual has specific ADL or IADL needs requiring care from a trained existing provider until additional providers are found and trained.	Danielle has a fragile immune system and a complex medical regiment that requires a specially trained provider to provide services in her home. Danielle is asking for an exception to allow her specially trained HCW to provide all of her supports to mitigate her risks of contracting life-threatening infections and maintain her medical regiments until additional workers can be properly trained.	No local level exceptions at this time.	Will review requests submitted. <u>All requests must have documentation of:</u> 1. Complex care needs that cannot be met by additional providers; AND 2. Back-up plan; AND 3. An effort to develop a service plan that does not exceed the limitations.