Provision of Long Term Care Options Counseling and Long Term Care Consultation
Protocols with Step-by-Step Instructions for Registered Housing with Services Providers

Updated: Effective July 1, 2012

Overview

All prospective residents entering Minnesota Registered Housing with Services Settings must have the opportunity to receive Long Term Care Options Counseling prior to signing a lease or service contract with a Registered Housing with Services establishment, with some exemptions and exceptions which are outlined below. All prospective residents must receive a verification of counseling. Registered housing with services settings are required to obtain a copy of this verification prior to signing the lease or service contract during all planned moves, and retain a copy of this verification in the resident’s file.

Verification codes will be provided to prospective residents that receive Long Term Care Options Counseling. Codes will also be provided in the event the prospective resident declines to receive Options Counseling.

The phone based Long Term Care Options Counseling is provided by the statewide Senior LinkAge Line® by calling 1-800-333-2433. Long Term Care Consultations (LTCC), face-to-face assessments are provided by the Lead Agencies which include counties, health plans and tribes. Beginning September 1, 2012 Lead Agencies now generate the verification code through MMIS and provide the verification code to consumers when a Long Term Care Consultation (face-to-face assessment) is conducted. These protocols are intended to provide information to Registered Housing with Services Providers about implementation of this service with a step-by-step approach, and reflect typical questions posed by registered housing with services providers and other staff about requirements and implementation. For more information, see DHS Bulletin #11-25-06 at www.dhs.state.mn.us and click on bulletins. The bulletin is in the process of being updated to reflect the changes that were made during the 2012 legislative session. Additional information may also be found in the “Frequently Asked Questions” document at http://www.mnaging.org/advisor/ltcce.aspx for scenarios that have been presented to the staff for response.

Exemptions and Exceptions:
Individuals who meet the following exemptions and exceptions do not need a verification code:

- Consumers who are entering into or have a lease-only arrangement with a subsidized housing setting (see the definition of subsidized housing below).
- Consumers who have received a face-to-face Long Term Care Consultation and received verification of this consultation through a verification code.
- Consumers currently received or are being evaluated for hospice services from a licensed hospice provider.
- Consumers who developed a long-term care plan 12 months prior to signing a lease or contract. The plan needs to include the following:
  - The plan lists an alternate decision maker if the individual is unable to make their own financial or health care decisions.
  - The plan covers the financing of the rent and service costs for 60 months after the date you move, and does not include public program payments, such as Medical Assistance or Group Residential Housing.
- The consumer moves into the housing setting on an emergency basis, including moves to the setting outside of Senior LinkAge Line® business hours.

**Special Note for subsidized housing settings. The definition of subsidized housing that the Senior LinkAge Line® has been directed to use is the following:**

The Quality Housing and Work Responsibility Act of 1998 at § 579(a)(2) (42 U.S.C. § 13664(a)(2)) defines the term federally “assisted” housing as public housing, tenant and project-based section 8, section 202 (elderly congregate housing) of the Housing Act of 1959 (before and after the enactment of the Cranston-Gonzalez National Affordable Housing Act, section 811 of the Cranston-Gonzalez National Affordable Housing Act (disabled congregate housing), sections 221(d)(3) and 236 of the National Housing Act and section 514 or 515 (rural housing) of the Housing Act of 1949. At the state level there are also projects supported by 42 USC 1437 - Sec. 1437f. These are low-income housing assistance projects that have been funded with either the Low-Income Housing Tax Credits (Internal Revenue Code Section 42) and/or the Tax-Exempt Private Activity Bonds issued and falling under the jurisdiction of Minnesota Housing and are commonly referred to as subsidized or public housing.

The exemption for lease only arrangements will apply to:

- Any registered housing with service setting that falls under the definition of one of the federal or state assisted housing programs listed above and is required to register as a housing with services provider (mandatory) or,
- A registered housing with services provider that is not required to register but chooses to do so under Minn. Stat. 144D.025 (which is optional to the provider.)
- People who have Tenant Based Section 8 Vouchers. Please make note that this exemption will apply to people who are using Section 8 vouchers (this is a federal program that provides a subsidy to an individual and not a setting) and therefore prospective residents with Tenant-based Section 8 Vouchers that are entering into lease
only arrangements do not need to call for Long Term Care Options Counseling and seek verification of counseling. However, unless the setting qualifies under one of the exemptions above, the setting itself is not exempt.

Special Conditions:

Waiting Lists - Consumers on registered housing with services’ waiting lists should be encouraged to call and receive Long Term Care Options Counseling now so they can obtain their Options Counseling and verification as soon as possible.

Married couples – Married individuals should both receive counseling and verification if both people are considering a move to a registered housing with services setting.

People moving from out-of-state – Individuals moving from out-of-state to a Minnesota registered housing with services setting must call and receive counseling and verification before signing a lease or service contract.

Individuals Who Have Received a Long Term Care Consultation Assessment:

- Consumers on EW, CAC, CADI, BI or AC with a Case Manager or Care Coordinator: Each person on a waiver program listed will need to obtain a verification code prior to signing or executing a lease or service contract with a registered housing with services setting, unless they are exempt as described in the exempt individuals section above. Verification codes will be provided to the consumer by the Senior LinkAge Line® effective October 1, 2011. Lead Agency staff will need to provide first and last name of consumer, date of birth and full address so the verification code can be mailed by Senior LinkAge Line® staff to the consumer. A case manager or care coordinator is able to generate a code from MMIS for consumers on a waiver. If a person contacts the Senior LinkAge Line® directly, and the staff discovers the person has a case manager or care coordinator, Senior LinkAge Line® staff will issue the verification code to the person, and contact the case manager or care coordinator listed in MMIS.

- Consumers who have received an assessment from a Long Term Care Consultant but who do not enter a waiver or AC program. Each consumer assessed by a Lead Agency staff, who is not yet eligible for or does not intend to apply for a waiver will need to have a verification code prior to signing or executing a lease or service contract with a registered housing with services setting. Verification codes will be auto generated in MMIS when assessments and reassessments are entered into MMIS with an approved status as of September 1, 2012. For consumers who are already on a public program prior to September 1, 2012 and would like to relocate into a Registered with Housing Services setting, the verification code will not generate in MMIS until a reassessment is entered and is in approved status after September 1, 2012. In these instances the Lead Agency staff will need to contact the Senior LinkAge Line® who will then provide the verification code.
• Consumers under the age of 65 admitted into a nursing facility for longer than 40 days who received a face-to-face Long Term Care Consultation assessment do not need to receive Long Term Care Options Counseling provided by the Senior LinkAge Line®. Each person however, will need to obtain a verification code prior to signing or executing a lease or service contract with a registered housing with services setting and the assessor will provide the consumer and provider with the verification code this is now auto generated in MMIS.

• Consumers who have received a face-to-face Long Term Care Consultation either through a county or other agency referral will not need to seek Long Term Care Options Counseling provided by the Senior LinkAge Line®. Each person however, will need to obtain a verification code prior to signing or executing a lease or service contract with a registered housing with services setting.

This step by step process applies to all prospective residents entering Minnesota registered housing with services settings.

Step-by-Step Process for Registered Housing with Services

All Prospective Residents:

Step 1: Registered housing with services settings were mailed a supply of the brochures, “Before A Move: Consider Your Options” describing the expansion of the Long Term Care Consultation. (Replenish brochures at no cost by calling the Senior LinkAge Line® at 1-800-333-2433 and pressing option 1.)

Step 2: Prospective resident visits a registered housing with services to take a tour or consider a move.

Step 3: The registered housing with service setting provides the prospective resident the Long Term Care Consultation expansion brochure titled, “Before A Move: Consider Your Options” produced by the Minnesota Board on Aging.

Step 4: Registered housing with services setting informs prospective resident that before signing or executing a lease. Providers should encourage a consumer to review the statutory exemptions to determine if the consumer meets any of the exemptions. DHS developed a Declaration of Exemption form found at the following link http://www.mnaging.org/Advisor/LTCCE.aspx as an option to be used and is available for the Registered Housing with Services provider to have the consumer sign, specifying which exemption they meet. Other options for declaring exemption would be considered and approved by corporate or company legal counsel and incorporated into daily business processes. A record of declaration of exemption kept by the Registered Housing
with Services provider should be maintained on file in the consumer’s record. A referral to the Senior LinkAge Line® is not required in those cases.

Step 5: If the consumer does not meet an exemption, they should be instructed to call the Senior LinkAge Line® to receive a verification code and to receive Long Term Care Options Counseling. If the person wants to call at the setting, a quiet room should be provided.

Step 6: Prospective resident calls the Senior LinkAge Line® (1-800-333-2433) to receive Long Term Care Options Counseling. Please note: Prospective residents calling after hours will be able to leave a voice mail which will be returned the next business day.

Providers are encouraged to be helpful in facilitating the call in whatever manner possible including explaining the types of questions that may be asked and to describe the experience as an opportunity to learn about their long term care options and their needs.

Step 7: Prospective resident must select Option 1 after hearing initial Senior LinkAge Line® greeting and federally mandated data privacy message to be connected to a Senior LinkAge Line® specialist for Long Term Care Options Counseling.

Step 8: Senior LinkAge Line® provides Long Term Care Options Counseling to prospective resident, which includes a brief risk identification screening (evidence-based Live Well at Home Rapid Screen©— see below). Results of the Live Well at Home Rapid Screen© identify if the prospective resident is at high risk, moderate risk or low risk of nursing home placement – it provides the opportunity to identify ways to age well and live well in whatever setting the person chooses. The verification code is generated at the end of the Long Term Care Options Counseling session. Age in Place Packet is offered to the caller.

Step 9: Prospective residents identified as high risk through the Live Well at Home Rapid Screen©, will be informed about the Long Term Care Consultation (LTCC) assessment provided by the lead agencies and Senior LinkAge Line® will offer to connect the prospective resident via a 3 way call to set-up an appointment for the assessment. If the prospective resident does not want the assessment the verification code will be provided over the phone.

Step 10: Senior LinkAge Line® mails a paper copy of the verification code to the prospective resident via U.S. Postal mail.

Step 11: Senior LinkAge Line® records the consumer’s first and last name, date of birth, and full address as well as the verification code. This ensures a verification code can be provided to a prospective resident in the event another copy is needed.

Step 12: Prospective resident provides the registered housing with services setting a copy of the verification code in whatever manner they choose (verbally or by showing mailed copy).
**Step 13:** Registered housing with services setting follows its established business procedures for contract documentation and retains a copy for their record or file prior to signing or executing a lease with the resident.**

** Resident record or file is defined by the setting. (e.g. paper, electronic or other file as determined by the registered housing with services setting)

**Step 14:** Senior LinkAge Line® provides follow-up with the prospective resident ten days after the Long Term Care Options Counseling is provided. Follow-up may continue for up to 12 months at the discretion of the prospective resident.

**Step-by-Step Process for Registered Housing with Services**

**Prospective Residents that Decline Long Term Care Options Counseling**

**Step 1:** Registered housing with services setting has a sufficient supply of the brochures, “Before A Move: Consider Your Options” describing the expansion of the Long Term Care Consultation. (Replenish brochures at no cost by calling the Senior LinkAge Line® at 1-800-333-2433 and pressing option 1).

**Step 2:** Prospective resident visits a registered housing with services setting.

**Step 3:** The registered housing with services setting provides the prospective resident the Long Term Care Consultation expansion brochure titled, “Before A Move: Consider Your Options” produced by the Minnesota Board on Aging.

**Step 4:** Registered housing with services setting informs prospective resident that before signing or executing a lease. Providers should encourage a consumer to review the statutory exemptions to determine if the consumer meets any of the exemptions. DHS developed a Declaration of Exemption form found at the following link [http://www.mnaging.org/Advisor/LTCCE.aspx](http://www.mnaging.org/Advisor/LTCCE.aspx) as an option to be used and is available for the Registered Housing with Services provider to have the consumer sign, specifying which exemption they meet. Other options for declaring exemption would be considered and approved by corporate or company legal counsel and incorporated into daily business processes. A record of declaration of exemption kept by the Registered Housing with Services provider should be maintained on file in the consumer’s record. A referral to the Senior LinkAge Line® is not required in those cases.

**Step 5:** If the consumer does not meet an exemption, they should be instructed to call the Senior LinkAge Line® to receive a verification code and to receive Long Term Care Options Counseling. If the person wants to call at the setting, a quiet room should be provided.

**Step 6:** Prospective resident calls the Senior LinkAge Line® (1-800-333-2433) to receive Long Term Care Options Counseling. Please note: Prospective residents calling after hours will be able to leave a voice mail which will be returned the next business day.
Step 7: Prospective resident must select **Option 1** after hearing initial Senior LinkAge Line® greeting and federally mandated data privacy message to be connected to a Senior LinkAge Line® specialist for Long Term Care Options Counseling.

Step 8: Prospective resident declines Long Term Care Options Counseling from the Senior LinkAge Line®.

Step 9: Senior LinkAge Line® staff record the reason for declining options counseling in the secure database used to collect information from the consumers assisted.

Step 10: Senior LinkAge Line® generates verification code and provides the verification code to the prospective resident over the phone.

Step 11: Senior LinkAge Line® records the consumer’s first and last name, date of birth, full address as well as the verification code. This ensures a verification code can be provided to a prospective resident in the event another copy is needed.

Step 12: Prospective resident provides the registered housing with services setting a copy of the verification code in whatever manner they choose (verbally or by showing mailed copy).

Step 13: Registered housing with services setting retains a copy for their record or file prior to signing or executing a lease with the prospective resident.**

** Resident record or file may be defined by the setting. (e.g. paper, electronic or other file as determined by the registered housing with services)

Please note: The Senior LinkAge Line® will not follow-up with prospective residents who decline Long Term Care Options Counseling

END OF STEP BY STEP

RAPID SCREEN (used by SLL during Long Term Care Options Counseling)

The Live Well at Home Rapid Screen© is quick to use and takes just a few minutes to complete. By conducting the screen, callers will learn their risk for nursing home placement. Older Adults as well as their Caregivers can find out more at [www.mnlivewellathome.org](http://www.mnlivewellathome.org).

Instructions:

1. Do you need help to do the following?
   
   Walking
Getting out of bed/chair
Going to the bathroom
Bathing
Dressing
Eating

2. During the last 6 months, have you had a fall that caused injuries?

NOTE: “Injuries” means fracture or joint dislocation, head injuries resulting in loss of consciousness and hospitalization, joint injuries that led to decreased activity, internal injuries that led to hospitalization, OR 3 or more of any falls 0.

3. Do you have a family member/friend give you help when you need it?

4. Does your caregiver feel overwhelmed or stressed because of the care they provide you?

5. Have you thought about moving to other housing?

6. Do you live alone?

7. Do you or your family have concerns about your memory, thinking, or ability to make decisions?