

SUBCHAPTER 71C – ADULT PLACEMENT SERVICES

SECTION .0100 - SERVICE REQUIREMENTS

10A NCAC 71C .0101 INTAKE AND SCREENING

(a) The initial request or referral must be screened to determine whether the potential client appears to be in the target population codified in 10A NCAC 71R .0919, which is incorporated by reference, including subsequent amendments and editions. Copies of this Rule may be obtained from the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714, (919) 733-2678, at a cost of two dollars and fifty cents (\$2.50) for up to ten pages and fifteen cents (\$.15) for each additional page at the time of the adoption of this Rule. Documentation must reflect how the criteria in the target population were determined to be met.

(b) When Adult Placement Services are requested, an application must be made in accordance with 10A NCAC 71R .0400, which is incorporated by reference, including subsequent amendments and editions. Copies of this Rule may be obtained from the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714, (919) 733-2678, at a cost of two dollars and fifty cents (\$2.50) for up to ten pages and fifteen cents (\$.15) for each additional page at the time of the adoption of this Rule. An application is not required when the only services provided are information regarding placement options and procedures, referral to a more appropriate resource, or consultation with another service provider.

(c) If an application for Adult Placement Services has been made by a responsible party for an individual who then refuses these services, this refusal must be honored. The social worker must offer other services and accept an application or make a referral for other services as requested by the client. If, however, Adult Placement Services or other services are authorized by one of the following legal surrogate decision-makers or by a court order, the service will be provided as requested:

- (1) a legally appointed guardian of the person or general guardian;
- (2) an attorney-in-fact appointed in a durable Power of Attorney, which grants relevant duties and is in effect; or
- (3) a health care agent appointed in a Health Care Power of Attorney, which grants relevant duties and is in effect.

If there is reasonable cause to believe during the intake and screening, assessment, service planning or provision of any services that the individual is an abused, neglected or exploited disabled adult in need of protective services, an Adult Protective Services referral must be made. If there are indications that the individual may be incompetent as defined in G.S. 35A-1101(7) and needs a guardian to facilitate the provision of services, a social worker will explore options with the referral source, family members or within the agency for facilitating incompetency proceedings and the appointment of a guardian.

*History Note: Authority G.S. 143B-153;
Eff. March 1, 1994;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

10A NCAC 71C .0102 ASSESSMENT AND SUPPORTIVE COUNSELING

(a) A thorough assessment must be conducted of the client's situation, including strengths and limitations in the following areas:

- (1) physical health;
- (2) mental health;
- (3) social system;
- (4) activities of daily living and instrumental activities of daily living;
- (5) economic and financial circumstances; and
- (6) environment.

(b) With the exception of the circumstances listed below the client must be seen personally by the social worker as many times as is necessary to do a thorough assessment in the six areas, but a minimum of one time. The personal contact may be in a setting other than the client's home, if the client or others can provide the necessary information for an assessment of the client's living environment, and, if during the course of the assessment, it does not appear that in-home services will be needed or appropriate as an alternative to placement or as an interim service plan.

(c) For the following situations, an assessment must be done as thoroughly as possible with information and resources available to the social worker, without requiring personal contact with the client to complete the assessment.

- (1) a client who is not currently living in the county in which the application is made;
 - (2) a client who is in an emergency situation, where a placement is needed quickly and personal contact would be a barrier to achieving a quick placement;
 - (3) a client whose case is being transferred within the agency or referred by another service provider or facility, and an assessment which addresses all six functional areas is available. This assessment must be updated to reflect current information.
- (d) Documentation must reflect the reason the client was not seen personally in conducting the assessment.

History Note: Authority G.S. 143B-153;
Eff. March 1, 1994;
Amended Eff. March 1, 1995;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.

10A NCAC 71C .0103 SERVICE PLANNING

A service plan must be developed which addresses problems identified during the assessment and which takes into account client and family strengths and goals. The client must be involved in the service planning process as much as he is capable of doing so. The service plan must document activities to meet goals.

History Note: Authority G.S. 143B-153;
Eff. March 1, 1994;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.

10A NCAC 71C .0104 PRE-PLACEMENT PROCEDURES

(a) The county department of social services is responsible for facilitating the completion and prior approval of FL-2, MR-2 and Pre-Admission Screening and Annual Resident Review (PASARR) Level I screening forms for clients receiving Adult Placement Services by following procedures codified in 10A NCAC 13G .0702, 10A NCAC 22A .0101, 10A NCAC 22O .0108 and .0114, 10 NCAC 22B .0201 and .0202, and the regulations for Pre-Admission Screening and Annual Resident Review from the Omnibus Budget Reconciliation Acts (OBRA) of 1987 and 1990 published in the Federal Register, Volume 57, No. 230, pages 56450-56514, November 30, 1992. 10A NCAC 13G .0702, 22A .0101, 22O .0108 and .0114, 22B .0201 and .0202, and the regulations for Pre-Admission Screening and Annual Resident Review are incorporated by reference, including subsequent amendments and editions. Copies of these Rules may be obtained from the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714, (919) 733-2678, at a cost of two dollars and fifty cents (\$2.50) for up to ten pages and fifteen cents (\$.15) for each additional page at the time of the adoption of this Rule. Copies of pages 56450-56514 of Volume 57, No. 230 of the Federal Register may be obtained from the Performance Reporting and Automation Branch, NC Division of Social Services, 325 N. Salisbury Street, 2415 Mail Service Center, Raleigh, NC 27699-2415, (919) 733-4530, at a cost of ten cents (\$.10) per page at the time of adoption of this Rule.

(b) The facilitation of FL-2, MR-2 and PASARR form completion can be accomplished by informing the client, family or other representative of procedures for getting the forms completed and following up to see that the procedures are followed. If the client is not able to follow the procedures and has no family or representative able or willing to do so, the social worker must work more directly with the physician or other health care provider to get the form(s) completed. This includes assisting the client in locating resources for completion of the form, including transportation and a physician.

(c) A Consent for the Release of Information must be obtained for every client who is receiving Adult Placement Services. The consent must be obtained according to rules codified in 10A NCAC 69, which are incorporated by reference, including subsequent amendments and editions. Copies of these Rules may be obtained from the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714, (919) 733-2678, at a cost of two dollars and fifty cents (\$2.50) for up to ten pages and fifteen cents (\$.15) for each additional page at the time of the adoption of this Rule.

(d) Social work staff must inform applicants for Adult Placement Services of the availability of State/County Special Assistance for Adults or Medicaid to cover the cost of care in a facility, and the procedures for making an application if they are interested and have not already applied.

- (e) Local agency procedures must be established to assure that FL-2, MR-2, and PASARR (Level I screening or notice of final determination) forms are shared among income maintenance and social work staff when they have mutual clients.
- (f) The social worker must coordinate with income maintenance staff regarding the eligibility of clients receiving Adult Placement Services, and must assist the client, family or representative in following procedures to establish eligibility for income maintenance programs as needed to facilitate placement or other services.

*History Note: Authority G.S. 143B-153;
Eff. March 1, 1994;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

10A NCAC 71C .0105 LOCATING A BED AND SECURING PLACEMENT

(a) Social workers in the county departments of social services are responsible for assisting clients who are receiving Adult Placement Services and their families or representatives to locate available beds in substitute homes, residential health care facilities, or independent housing in the community with services and charges suitable to their needs.

- (1) County departments are not allowed to make referrals to or participate in plans for placing individuals in domiciliary homes, nursing facilities, or any other facility placement arrangements which do not comply with the Civil Rights Act of 1964, or to provide Adult Placement Services to individuals residing in those homes or facilities.
 - (A) A list of all licensed domiciliary homes, and group homes operated by or under contract with area mental health authorities which have signed a Civil Rights Compliance Statement are published quarterly by the Adult and Family Services Section of the Division of Social Services. This list may be obtained at no cost by contacting the Adult and Family Services Section at (919) 733-7145 or 325 N. Salisbury Street, 2405 Mail Service Center, Raleigh, NC, 27699-2405.
 - (B) A list of licensed health care facilities which are Medicaid or Medicare certified, and therefore have signed a statement of compliance with the Civil Rights Act of 1964, is available from the Certification Section of the Division of Health Service Regulation by request. This list may be obtained at no cost by contacting the Licensure and Certification Section at (919) 733-7461 or 2711 Mail Service Center, Raleigh, NC, 27699-2711.
 - (C) In addition to procedures in Parts (a)(1)(A) and (B) of this Rule, the inclusion of a statement of compliance with the Civil Rights Act of 1964 in the home or facility's admissions policies, or the posting of a Medicaid or Medicare certification in a nursing home, will indicate compliance.
 - (2) If the social worker cannot determine compliance with the Civil Rights Act of 1964 according to Parts (a)(1)(A), (B), or (C) of this Rule, referrals, planning for placement, and services to individuals in those homes or facilities must not be provided.
- (b) When an available and appropriate placement for a client has been located, the social worker will assist the client and his family or representative in planning for and facilitating the admissions process. If the client, family or representative is not able or willing to follow admissions procedures, the social worker will provide more direct assistance as needed to facilitate the placement.
- (c) The social worker must coordinate with income maintenance staff (if applicable) to assure that eligibility for State/County Special Assistance for Adults or Medicaid is established, assure that there is an understanding between the facility and client about how payment will be made, or assist the client in making alternate arrangements prior to the date of placement.

*History Note: Authority G.S. 143B-153;
Eff. March 1, 1994;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

10A NCAC 71C .0106 POST-PLACEMENT ADJUSTMENT

(a) County departments of social services are responsible for providing or facilitating services to assist clients receiving Adult Placement Services to adjust to their placements or independent settings. This includes clients for

whom the county department has facilitated placement arrangements as well as clients already living in facilities who request or are referred for services.

(b) Adjustment services include psychosocial adjustment as well as assuring that supportive services and financial arrangements are in place.

(c) These services may be facilitated by assuring that another agency, facility staff member, family member or other representative is assisting the client with adjustment. If another agency, facility staff member, family member or representative is not assisting the client, the social worker will provide these services until a satisfactory adjustment has been made or until alternate services are in place for the client. The county department must provide or facilitate adjustment services a minimum of 30 days after the client's admission or relocation to a facility or other living arrangement.

History Note: Authority G.S. 143B-153;
Eff. March 1, 1994;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.

10A NCAC 71C .0107 TERMINATION OF ADULT PLACEMENT SERVICES

(a) Prior to Adult Placement Services being terminated, the social worker must review available information and make contacts with significant persons to determine whether services need to be continued, and to reach closure with the client and involved parties. If there are no identifiable client needs that can be addressed by the agency, or those needs are being met by another party, Adult Placement Services may be terminated in accordance with policies codified in 10A NCAC 71R .0600, which is incorporated by reference, including subsequent amendments and editions. Copies of this Rule may be obtained from the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714, (919) 733-2678, at a cost of two dollars and fifty cents (\$2.50) for up to ten pages and fifteen cents (\$.15) for each additional page at the time of the adoption of this Rule. If Adult Placement Services have been ordered by the court under Adult Protective Services, services will terminate when the order expires.

(b) Contacts may be made in person, by telephone, or by letter but must allow for sufficient information to be obtained to make a determination about the need for services.

(c) Documentation must reflect the contacts which were made to make the determination.

History Note: Authority G.S. 143B-153;
Eff. March 1, 1994;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.

10A NCAC 71C .0108 COORDINATION WITH OTHER SERVICE PROVIDERS

Documentation in the client's case record must include information about other agencies or service providers who are known to be involved with the client. If any of those parties are involved in placement, adjustment, or relocation services with the client, documentation must reflect how these services are being coordinated so as not to duplicate efforts. If the placement social worker in the department of social services is the most appropriate or only source of assistance, and the client meets the criteria in the target population in 10A NCAC 71R .0919, an application must be made in accordance with 10A NCAC 71R .0400 and Adult Placement Services provided. 10A NCAC 71R .0919 and .0400 are incorporated by reference, including subsequent amendments and editions. Copies of these Rules may be obtained from the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714, (919) 733-2678, at a cost of two dollars and fifty cents (\$2.50) for up to ten pages and fifteen cents (\$.15) for each additional page at the time of the adoption of this Rule.

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