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## ASSISTED LIVING FACILITY ASSESSMENT MANUAL

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## ALF ASSESSMENT

### 1.1 Introduction

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This manual provides guidance on the assessment of public pay individuals who are residing in or planning to reside in an assisted living facility (ALF), including individuals who may receive Medicaid-funded targeted ALF case management. For additional information on case management see [Appendix J](#). Individuals who are designated as public pay are either eligible for or receiving an [Auxiliary Grant](#) (AG).

For information on assessing individuals who are paying privately to reside in an ALF, refer to the ALF Private Pay Assessment Manual which is also available on the Virginia Department of Social Services (VDSS) [public website](#).

This manual should be used in conjunction with the User's Manual: Virginia Uniform Assessment Instrument, revised July 2005. The User's Manual describes how to complete the Uniform Assessment Instrument (UAI) during the assessment process. The manual is located on the VDSS [public website](#).

See [Appendix L](#) for information on the Alzheimer's Assisted Living (AAL) waiver, which is available to eligible individuals who reside in approved ALF settings. Individuals receiving the AAL waiver must be screened by the preadmission screening (PAS) team and must meet nursing facility criteria.

This manual does not address reimbursement rates for ALF assessments and reassessments. Questions regarding reimbursement for assessments conducted by qualified assessors, except local department of social services (LDSS) assessors, should be addressed to the Department of Medical Assistance Services (DMAS). LDSS assessors are reimbursed for assessments and reassessments via the VDSS Random Moment Sampling (RMS) system.

## 1.2 Legal basis

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Effective February 1, 1996, § [63.2-1804](#) of the Code of Virginia, and regulations, [22 VAC 40-745-20](#), required that all individuals, prior to admission to an ALF, and individuals residing in an ALF must be assessed, at least annually, using the UAI to determine the need for residential or assisted living care, regardless of payment source or length of stay. Additionally individuals residing in an ALF must be assessed using the UAI whenever there is a significant change in the individual's condition that may warrant a change in level of care.

## 1.3 Definitions

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The following words and terms are defined in the Code of Virginia and state regulations. Most of the definitions in this section appear in [22 VAC 40-745-10](#) unless otherwise noted. When used in this chapter, they shall have the following meaning, unless the context clearly indicates otherwise:

<b><u>Term</u></b>	<b><u>Definition</u></b>
<b>Activities of Daily Living (ADLs)</b>	Bathing, dressing, toileting, transferring, bowel control, bladder control, and eating/feeding. A person's degree of independence in performing these activities is a part of determining appropriate level of care and services ( <a href="#">22 VAC 40-72-10</a> ).
<b>Administrator</b>	The licensee or a person designated by the licensee who is responsible for the general administration and management of an assisted living facility and who oversees the day-to-day operation of the facility, including compliance with all regulations for licensed assisted living facilities ( <a href="#">22 VAC 40-72-10</a> ).
<b>Assessment</b>	A standardized approach using common definitions to gather sufficient information about applicants to and residents of assisted living facilities to determine the need for appropriate level of care and services.
<b>Assisted Living Care</b>	A level of service provided by an assisted living facility for adults who may have physical or mental impairments and require at least moderate assistance with the activities of daily living. Included in this level of service are individuals who are dependent in behavior pattern (i.e., abusive, aggressive, disruptive) as documented on the uniform assessment instrument ( <a href="#">22 VAC 40-72-10</a> ).

**Assisted Living Facility (ALF)**

Any public or private assisted living facility that is required to be licensed as an assisted living facility by the Department of Social Services under Chapter 17 (§ 63.2-1700 et seq.) of Title 63.2 of the Code of Virginia, specifically, any congregate residential setting that provides or coordinates personal and health care services, 24-hour supervision, and assistance (scheduled and unscheduled) for the maintenance or care of four or more adults who are aged, infirm or disabled and who are cared for in a primarily residential setting, except (i) a facility or portion of a facility licensed by the State Board of Health or the Department of Behavioral Health and Developmental Services, but including any portion of such facility not so licensed; (ii) the home or residence of an individual who cares for or maintains only persons related to him by blood or marriage; (iii) a facility or portion of a facility serving infirm or disabled persons between the ages of 18 and 21, or 22 if enrolled in an educational program for the handicapped pursuant to § 22.1-214 of the Code of Virginia, when such facility is licensed by the department as a children's residential facility under Chapter 17 (§ 63.2-1700 et seq.) of Title 63.2 of the Code of Virginia, but including any portion of the facility not so licensed; and (iv) any housing project for persons 62 years of age or older or the disabled that provides no more than basic coordination of care services and is funded by the U.S. Department of Housing and Urban Development, by the U.S. Department of Agriculture, or by the Virginia Housing Development Authority. Included in this definition are any two or more places, establishments or institutions owned or operated by a single entity and providing maintenance or care to a combined total of four or more aged, infirm or disabled adults. Maintenance or care means the protection, general supervision and oversight of the physical and mental well-being of an aged, infirm or disabled individual.

**Note: The term “Adult Care Residence” when used in the UAI, means Assisted Living Facility.**

**Auxiliary Grants Program**

A state and locally funded assistance program to supplement income of a Supplemental Security Income (SSI) recipient or adult who would be eligible for SSI except for excess income, who resides in an assisted living facility with an approved rate.

<b>Case Management</b>	Multiple functions designed to link individuals to appropriate services. Case management may include a variety of common components such as initial screening of need, comprehensive assessment of needs, development and implementation of a plan of care, service monitoring, and follow-up.
<b>Case Management Agency</b>	A public human service agency which employs or contracts for case management.
<b>Case manager</b>	An employee of a public human services agency who is qualified and designated to develop and coordinate plans of care.
<b>Consultation</b>	The process of seeking and receiving information and guidance from appropriate human services agencies and other professionals when assessment data indicate certain social, physical and mental health conditions.
<b>Department or DSS</b>	The Virginia Department of Social Services.
<b>Dependent</b>	For activities of daily living (ADLs) and instrumental activities of daily living (IADLs), the individual needs the assistance of another person or needs the assistance of another person and equipment or device to safely complete the activity. For medication administration, dependent means the individual needs to have medications administered or monitored by another person or professional staff. For behavior pattern, dependent means the person's behavior is aggressive, abusive, or disruptive.
<b>Discharge</b>	The movement of a resident out of the assisted living facility.
<b>Emergency Placement</b>	The temporary status of an individual in an assisted living facility when the person's health and safety would be jeopardized by not permitting entry into the facility until requirements for admission have been met.
<b>Facility</b>	An assisted living facility.

<b>Independent Physician</b>	A physician who is chosen by the resident of the assisted living facility and who has no financial interest in the assisted living facility, directly or indirectly, as an owner, officer, or employee or as an independent contractor with the facility.
<b>Instrumental activities of daily living (IADLs)</b>	Meal preparation, housekeeping, laundry, and money management. A person's degree of independence in performing these activities is a part of determining appropriate level of care and services.
<b>Maximum Physical Assistance</b>	An individual has a rating of total dependence in four or more of the seven activities of daily living as documented on the uniform assessment instrument.
<b>Medication Administration</b>	The degree of assistance required to take medications and is a part of determining the need for appropriate level of care and services.
<b>Private Pay</b>	A resident of an assisted living facility is not eligible for benefits under the Auxiliary Grants Program.
<b>Public Human Services Agency</b>	An agency established or authorized by the General Assembly under Chapters 2 and 3 (§§ 63.2-203 et seq. and 63.2-300 et seq.) of Title 63.2, Chapter 14 (§ 51.5-116 et seq.) of Title 51.5, Chapters 1 and 5 (§§ 37.2-100 et seq. and 37.2-500 et seq.) of Title 37.2, or Article 5 (§ 32.1-30 et seq.) of Chapter 1 of Title 32.1, or hospitals operated by the state under Chapters 6.1 and 9 (§§ 23-50.4 et seq. and 23-62 et seq.) of Title 23 of the Code of Virginia and supported wholly or principally by public funds, including but not limited to funds provided expressly for the purposes of case management.
<b>Public Pay</b>	A resident of an assisted living facility is eligible for benefits under the Auxiliary Grants Program.

<b>Qualified Assessor</b>	An individual who is authorized to perform an assessment, reassessment, or change in level of care for an applicant to or resident of an assisted living facility. For public pay individuals, a qualified assessor is an employee of a public human services agency trained in the completion of the uniform assessment instrument. For private pay individuals, a qualified assessor is staff of the assisted living facility trained in the completion of the uniform assessment instrument or an independent private physician.
<b>Reassessment</b>	An update of information at any time after the initial assessment. In addition to a periodic reassessment, a reassessment should be completed whenever there is a significant change in the resident's condition.
<b>Resident</b>	An individual who resides in an assisted living facility for the purposes of receiving maintenance or care.
<b>Residential Living Care</b>	A level of service provided by an assisted living facility for adults who may have physical or mental impairments and require only minimal assistance with the activities of daily living. Included in this level of service are individuals who are dependent in medication administration as documented on the uniform assessment instrument. This definition includes the services provided by the facility to individuals who are assessed as capable of maintaining themselves in an independent living status ( <a href="#">22 VAC 40-72-10</a> ).
<b>Significant Change</b>	A change in a resident's condition that is expected to last longer than 30 days. It does not include short-term changes that resolve with or without intervention, a short-term acute illness or episodic event, or a well-established, predictive, cyclic pattern of clinical signs and symptoms associated with a previously diagnosed condition where an appropriate course of treatment is in progress.
<b>Targeted Case Management</b>	The provision of ongoing case management services by an employee of a public human services agency contracting with the Department of Medical Assistance Services to an auxiliary grant resident of an assisted living facility who meets the criteria set forth in <a href="#">12 VAC 30-50-470</a> .

<b>Total Dependence</b>	The individual is entirely unable to participate in the performance of an activity of daily living.
<b>Uniform Assessment Instrument</b>	The department-designated assessment form. There is an alternate version of the uniform assessment instrument which may be used for private pay residents; social and financial information which is not relevant because of the resident's payment status is not included on this version.
<b>Virginia Department of Medical Assistance Services (DMAS)</b>	The single state agency designated to administer the Medical Assistance Services Program in Virginia.

## 1.4 Background

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Since July 1, 1994, publicly funded human service agencies in Virginia, including the local departments of social services (LDSS), area agencies on aging (AAA), centers for independent living (CILs), state facility staff of the Department of Behavioral Health and Developmental Services (DBHDS) and PAS teams have been using the UAI to gather information for the determination of an individual's care needs, for service eligibility, and for planning and monitoring an individual's needs across agencies and services. The UAI is comprised of a short assessment, designed to be an intake/screening document and a full assessment, designed to be a comprehensive evaluation. The completion of the short UAI (Part A plus questions on behavior pattern and medication administration or full UAI (Part A and Part B) is based on the initial review of the individual's needs and which long-term care service has been requested.

## 1.5 Assisted living facilities (ALFs)

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ALFs are licensed by VDSS, Division of Licensing Programs (DOLP), to provide maintenance and care to four or more adults. ALF placement is appropriate when the adult is assessed to need assistance with activities of daily living (ADLs), instrumental activities of daily living (IADLs), administration of medication and/or supervision due to behavioral problems, but does not require the level of care provided in a nursing facility. ALFs are licensed to provide:

- Residential living only
- Residential living and assisted living level of care.

A searchable listing of [licensed ALFs](#) is available on the VDSS public website. However not all ALFs accept individuals who receive AG. A list of [facilities that accept AG](#) is also available on the public site.

## 1.6 Individuals to be assessed

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([22 VAC 40-72-430](#)). All residents of and applicants to assisted living facilities shall be assessed face-to-face using the uniform assessment instrument pursuant to the requirements in Assessment in Assisted Living Facilities ([22 VAC 40-745-20](#)). Assessments shall be completed prior to admission, annually, and whenever there is a significant change in the resident's condition

Except in the event of a documented emergency, all individuals must be assessed to determine the necessity for ALF placement **prior to** the ALF placement. See Section [1.38.2](#) for additional information about emergency admissions.

## 1.7 Assessors for public pay individuals

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([22 VAC 40-745-20](#)). For public pay individuals, a uniform assessment instrument shall be completed by a case manager or a qualified assessor to determine the need for residential care or assisted living care services. The assessor is qualified to complete the assessment if the assessor has completed a state-approved training course on the state-designated uniform assessment instrument. Public human services agency assessors who routinely complete, as part of their job descriptions, uniform assessment instruments for applicants to or residents of assisted living facilities prior to January 1, 2004, may be deemed to be qualified assessors without the completion of the training course.

Assessors for public pay individuals include the following:

- **Local departments of social services (LDSS):** There are 120 LDSS across the state.
- **Area agencies on aging (AAA).** There are 25 AAAs serving all jurisdictions in the state. AAAs develop or enhance comprehensive and coordinated community-based systems of services for the elderly in their designated planning and service areas.
- **Centers for independent living (CILs).** CILs are non-profit organizations which provide peer counseling, information and referral, independent living skills training, and advocacy to people with all types of disabilities.

- **Community services board (CSB)/Behavioral health authority (BHA).** CSBs and BHAs deliver mental health, intellectual disability (ID), and substance abuse services to individuals throughout Virginia.
- **Local departments of health.** Local health departments are responsible for local health initiatives that vary according to the needs of the community.
- **An independent physician.** An independent physician is a physician chosen by an individual residing in an ALF and who has no financial interest in the ALF, directly or indirectly, as an owner, officer, or employee or as an independent contractor with the facility.
- **State facilities operated by the Department of Behavioral Health and Developmental Services (DBHDS).** State facilities in the Commonwealth provide inpatient services for persons with mental illness or intellectual disability.
- **Acute care hospitals.** Many hospitals in the Commonwealth have contracted with DMAS to perform pre-admission screenings or to complete the UAI for a home- and community-based waiver program. Acute care hospitals are limited to initial assessments. Qualified emergency room staff may complete the assessment and authorization for ALF services if their hospital has a contract with DMAS to perform PAS.
- **Department of Corrections, Community Release Units or the Department's designee.** Staff trained to complete the UAI may complete the initial assessment only for inmates who may be appropriate for ALF services and have reached their appropriate release status. The authority to conduct an initial assessment for ALF services does not extend to those inmates who might be appropriate for nursing facility placement.

All of the above assessors may conduct initial assessments as well as annual reassessments except:

- State facilities operated by the DBHDS
- Acute care hospitals
- Department of Corrections Community Release Units or the Department's designee.

These three entities may complete the initial assessment **only** and **must** send a copy of the UAI, DMAS-96, and individual's reassessment date to the Adult Services Supervisor of the LDSS in the jurisdiction where the ALF is located.

**Note:** Public pay assessors are not required to assess private pay individuals, but may do so when requested. If they choose to assess private pay individuals, the assessor may not charge more than public pay reimbursement rates for conducting the assessment.

([22 VAC 40-745-20](#)). When a public human services agency assessor completes the uniform assessment instrument for a private pay individual, the agency may determine and charge a fee for private pay applicants and residents; the fee may not exceed the fee paid by DMAS for public pay applicants and residents.

## **1.8 Assessments in DBHDS facilities, Veterans Administration Medical Centers, and correctional facilities**

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Individuals in state DBHDS facilities who seek ALF admission directly from these facilities must be assessed as part of the required discharge plan (§ [37.2-505](#) of the Code of Virginia). Qualified staff of the state facility will complete these assessments. Some state facilities discharge individuals to ALFs for “trial visits” (§ [37.2-837](#) of the Code of Virginia) to ensure that the placement is appropriate.

Individuals in Veterans Administration Medical Centers (VAMC) who will be eligible for AG and who are applying to enter an ALF can be assessed by a qualified assessor from a public human services agency in the locality in which the facility is situated or by a physician of the hospital if the physician is enrolled as a DMAS provider to assess individuals who are residing in or wish to reside in an ALF. The physician may designate qualified staff to complete the assessment; however, he or she must sign and approve the assessment.

The Community Release Units of the Department of Corrections are responsible for assessments of individuals leaving the facility to enter an ALF. The correctional staff must have completed the UAI course. If a non-correctional facility assessor is requested to perform the assessment, the assessor is advised to contact the correctional facility prior to the assessment to determine whether the individual meets nursing facility or ALF criteria. If the individual is determined to require nursing facility care, then the assessor must contact the local PAS team for a nursing facility screening.

## **1.9 ALFs operated by CSBs or a BHA**

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A CSB/BHA employee can complete the UAI for individuals who are residing in a CSB/BHA operated ALF. In order to be reimbursed for a public pay assessment, the assessor may be an employee of the CSB/BHA, but not of the ALF. The distinction is whether the staff is considered direct service staff. Direct service staff or employees of the ALF cannot perform either assessment or targeted ALF case management services for individuals residing in the ALF. If the ALF staff is also the individual’s case manager, case management will be a part of the staff’s usual responsibilities and will not be

reimbursed separately by DMAS. If an agency staff person is placed in a facility to facilitate case management activities, such staff could complete the assessment and perform targeted case management services and be reimbursed by DMAS for these activities.

## 1.10 Uniform assessment instrument (UAI)

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The UAI is required to be used by all public human services agencies that provide long-term care services. The UAI provides the framework for determining an individual's care needs. It contains measurable and common definitions to determine how individuals function in daily life activities. For public pay individuals, the short assessment (first four pages) of the UAI and an assessment of behavior/orientation and medication administration are required. The "Attachment to a Public Pay Short Form Assessment" can be used to document the required assessment areas not covered on the first four pages of the UAI. The assessor may also choose to complete Part A and the questions on medication administration and behavior pattern in Part B, rather than use the short form attachment.

If after completing the first four pages and the attachment, the assessor determines that the individual is dependent in two or more activities of daily living (ADLs) or dependent in behavior, then the full assessment (12-page UAI) must be completed. The full UAI is also located on the public website.

The UAI and the "Attachment" are available on the VDSS [public website](#).

## 1.11 UAI training

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The primary source of training on the completion of the UAI is the course **ADS 5011 Uniform Assessment Instrument (UAI)** which is offered by the Virginia Department of Social Services. The two-day, classroom training is offered periodically statewide. A certificate is made available after successful completion of the course and the certificate should be placed in the assessor's personnel file. Unless grandfathered prior to 2004, all public human services agency assessors are required to complete this or another authorized course on completion of the UAI.

Individuals, other than LDSS employees, who are interested in taking **ADS 5011** need to register with the VDSS Knowledge Center if they have not already completed the registration process. To register as a Knowledge Center user, visit the Knowledge Center [webpage](#).

## 1.12 Request for the assessment

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The individual seeking placement, a family member, the physician, a community health services or social services professional, or any other concerned individual in the

community can initiate a request for assessment. If the individual is in the community at the time of referral, a local assessor will conduct the initial evaluation.

At the time the request is made, it is important to determine whether the individual may require nursing facility placement or Medicaid-funded community-based care. If an individual requires either of these services, the individual must be referred to the local PAS team for assessment.

It is also important to determine if the individual has applied for AG at the LDSS in the jurisdiction where the individual lives or lived prior to entering an institution. If the individual has not filed an application for AG, the assessor should instruct the individual to do so promptly.

### **1.13 Response to assessment request**

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Once the request is made, the assessor must make contact as soon as possible. The assessment process is complete only after the UAI is finished, a decision letter is sent to the individual who was assessed, and any referrals for services have been made. The assessment process should be completed as soon as possible but no later than 30 days from the date of the request.

### **1.14 Independent assessment**

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(22 VAC 40-745-30). At the request of the assisted living facility, the resident, the resident's representative, the resident's physician, DSS, or the local department of social services, an independent assessment using the uniform assessment instrument shall be completed to determine whether the resident's care needs are being met in the current placement. An independent assessment is an assessment that is completed by an entity other than the original assessor. The assisted living facility shall assist the resident in obtaining the independent assessment as requested. If the request is for a private pay resident, and the independent assessment confirms that the resident's placement is appropriate, then the entity requesting the independent assessment shall be responsible for payment of the assessment, if applicable.

An independent assessment is an assessment that is completed by an entity other than the original assessor. This includes another assessor within the same agency. An independent assessment is requested when one of the above entities questions the outcome of an assessment and desires a second assessment to be completed.

### **1.15 Individuals who live out-of-state**

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An ALF assessment may be completed by telephone by a Virginia-authorized assessor if the individual lives out-of-state. However, the Virginia assessor must verify this

assessment information by a face-to-face visit with the individual within seven days of the individual's admission to a Virginia ALF. All required paperwork must be completed.

## 1.16 Consent to exchange information

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Prior to obtaining any information as a part of the assessment process, the assessor must advise individuals of the purpose for seeking this information and the consequences of failure to provide information and must complete the Consent to Exchange Information Form available on the [public website](#). Any legally capable individual who refuses to sign the consent form must be advised that the assessor may not proceed with the assessment process without a signed consent form. Any individual who is not legally capable to sign the form must have a legally authorized representative sign it prior to completion of the assessment process. The consent form allows the assessor to share information obtained through the assessment with ALFs or public human service agencies. These entities are required by law to maintain the individual's confidentiality.

Responsible persons who may sign the consent form are those authorized under [§ 54.1-2986](#) of the Code of Virginia. For those authorized, the order is:

1. The individual's guardian; or
2. The individual's spouse except where a divorce action has been filed and the divorce is not final; or
3. An adult child of the individual; or
4. A parent of the individual; or
5. An adult brother or sister of the individual; or
6. Any other relative of the individual in the descending order of blood relationship.

## 1.17 Completing the UAI

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The UAI provides the framework for determining an individual's care needs. It contains measurable and common definitions for determining how individuals function in daily life and other activities.

The assessment shall be conducted with the department-designated uniform assessment instrument which sets forth a resident's care needs. The uniform assessment instrument is designed to be a comprehensive, accurate, standardized, and reproducible assessment of individuals seeking or receiving long-term care services ([22 VAC 40-745-30](#)).

It is very important that an accurate assessment of the individual's functional status and other needs be recorded on the UAI, since this information is the basis for determining whether the individual meets the assisted living facility level of care criteria. The assessor must note the individual's degree of independence or dependence in various

areas of functioning. See [Appendix D](#) for additional information on assessing an individual.

The process used to assess dependency considers how the individual is currently functioning (e.g. the individual actually receiving assistance to perform an ADL and whether the individual's functioning demonstrates a need for assistance to perform the activity (e.g. the individual does not receive assistance to bathe but is unable to adequately complete his or her bath, and, as a consequence, has recurrent body rashes). If the individual currently receives the assistance of another person to perform the activity safely, or if the individual demonstrates a need for the assistance of another person to complete the activity (and not for a matter of convenience), the individual is deemed dependent in that activity. The individual's need for prompting or supervision in order to complete an activity qualifies as a dependency in that activity.

In determining whether an individual is dependent in medication administration (e.g., "administered by professional staff"), this choice should be made when a professional staff person is necessary to **assess** the individual and **evaluate** the efficacy of the medications and treatment. Individuals who receive medication from medication aides who have completed the medication management course would not be described as receiving medication "administered by professional staff" but rather as receiving medication "administered/monitored by lay person."

The optional Assisted Living Facility Level of Care Worksheet [form](#) helps the assessor quickly determine the level of care an individual may need.

## **1.18 Completing the short form**

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The [short form](#) includes first four pages of the UAI plus an assessment of the individual's medication management ("How do you take your medicine?" question on page 5 of the UAI) and behavior ("Behavior Pattern" section on page 8 of the UAI) must be completed. **Note:** The assessor will only be reimbursed at the short-form rate if that is all that is needed, even if the full assessment is completed.

Assessors will complete only the short assessment when the individual is:

- Rated dependent in only one of seven activities of daily living (ADLs); or
- Rated dependent in one or more of four selected instrumental activities of daily living (IADLs); or
- Rated dependent in medication administration.

## 1.19 Completing the full assessment

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If, upon completing the short assessment, it is noted that the individual is rated dependent in two or more ADLs or is rated dependent in behavior pattern, then a full assessment must be completed.

## 1.20 Prohibited conditions

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Assessors must also determine that individuals do not have any of the prohibited conditions listed below before authorizing placement in an ALF. If any of these conditions are present, the assessor must document that they are present on the UAI. If appropriate, contact a health care or mental health care professional for assistance in the assessment of these prohibited conditions.

State law prohibits admission or retention of individuals in an ALF when they have any of the following conditions or care needs ([22 VAC 40-72-340](#)).

- A. Ventilator dependency
- B. Dermal ulcers stage III and IV except those stage III ulcers which are determined by an independent physician to be healing and care is provided by a licensed health care professional under a physician's treatment plan: Dermal ulcers include pressure ulcers (e.g., bed sores, decubitus ulcers, pressure sores) which may be caused by pressure resulting in damage of underlying tissues and stasis ulcers (also called venous ulcer or ulcer related to peripheral vascular disease) which are open lesions, usually in the lower extremities, caused by a decreased blood flow from chronic venous insufficiency. The prohibition is based on the size, depth, and condition of the wound regardless of the cause.
- C. Intravenous therapy or injection directly into the vein except for intermittent intravenous therapy managed by a health care professional licensed in Virginia. Intravenous (IV) therapy means that a fluid or drug is administered directly into the vein. Examples may include the infusion of fluids for hydration, antibiotics, chemotherapy, narcotics for pain, and total parenteral nutrition (TPN).
- D. Airborne infectious disease in a communicable state that requires isolation of the individual or requires special precautions by the caretaker to prevent transmission of the disease, including diseases such as tuberculosis and excluding infections such as the common cold.
- E. Psychotropic medications without appropriate diagnosis and treatment plans. Psychopharmacologic or psychotropic drugs include any drug prescribed or administered with the intent of controlling mood, mental status, or behavior. They include such drug classes as antipsychotic, antidepressants, and the anti-anxiety/hypnotic class. Examples include, but are not limited to, Abilify, Amytal,

Atarax, Ativan, Benadryl, Celexa, Clozaril, Dalmane, Depakene, Depakote, Desyrel, Effexor, Elavil, Haldol, Lexapro, Librium, Lithium, Luvox, Klonopin, Mellaril, Navane, Norpramine, Pamelor, Paxil, Prozac, Remeron, Restoril, Risperdal, Seroquel, Serax, Serzone, Stelazine, Thorazine, Tofranil, Tranxene, Valium, Vistaril, Wellbutrin, Xanax, Zoloft, and Zyprexa. A treatment plan means a set of individually planned interventions, training, habilitation, or supports prescribed by a qualified health or mental health professional that helps an individual obtain or maintain an optimal level of functioning, reduce the effects of disability or discomfort, or improve symptoms, undesirable changes or conditions specific to physical, mental, behavioral, social, or cognitive functioning.

- F. Nasogastric tubes. A nasogastric (NG) tube is a feeding tube inserted into the stomach through the nose. It is used when the individual is unable to manage oral nutrition or feeding.
- G. Gastric tubes except when the individual is capable of independently feeding himself or herself and caring for the tube. Gastric tube feeding is the use of any tube that delivers food, nutritional substances, fluids and/or medications directly into the gastrointestinal system. Examples include, but are not limited to, gastrostomy tube (GT), jejunostomy tube (JT), and percutaneous endoscopic gastrostomy tube (PEG).
- H. Individuals presenting an imminent physical threat or danger to self or others. Imminent physical threat cannot be classified by a diagnosis; the determination is made based upon the behavior of the individual.
- I. Individuals requiring continuous licensed nursing care (seven days a week, twenty-four hours a day). Continuous licensed nursing care means around-the-clock observation, assessment, monitoring, supervision, or provision of medical treatment by a licensed nurse. Residents requiring continuous licensed nursing care may include:
  - Individuals who have a medical instability due to complexities created by multiple, interrelated medical conditions; or
  - Individuals with a health care condition with a high potential for medical instability.
- J. Individuals whose physician certifies that placement is no longer appropriate.
- K. Unless the individual's independent physician determines otherwise, individuals who require maximum physical assistance as documented by the UAI and meet Medicaid nursing facility level of care criteria as defined in the State Plan for Medical Assistance. Maximum physical assistance means that an individual has a rating of total dependence in four or more of the seven activities of daily living

as documented on the uniform assessment instrument. An individual who can participate in any way with the performance of the activity is not considered to be totally dependent.

- L. Individuals whose physical or mental health care needs cannot be met in the specific ALF as determined by the facility.

[Appendix E](#) contains additional information on assessing skin breakdown (see B in [Section 1.20](#)). This information is taken from the VDSS, DOLP guidance document entitled [Technical Assistance for Standards for Licensed Assisted Living Facilities](#) (Incident Report section, 22 VAC 40-72-100-A).

### 1.21 Private pay individuals only-exception of certain prohibited conditions

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At the request of the private pay individual, care for the conditions or care needs specified in C and G in [Section 1.20](#) may be provided to an individual in an ALF by a physician licensed in Virginia, a nurse licensed in Virginia under a physician's treatment plan, or by a home care organization licensed in Virginia when the individual's independent physician determines that such care is appropriate for the individual.

When care for an individual's special medical needs is provided by licensed staff of a home care agency, the ALF staff may receive training from the home care agency staff in appropriate treatment monitoring techniques regarding safety precautions and actions to take in case of emergency.

**These exceptions do not apply to individuals who receive Auxiliary Grant.**

### 1.22 Residential level of care

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Individuals meet the criteria for residential living as documented on the uniform assessment instrument when at least one of the following describes their functional capacity:

1. Rated dependent in only one of seven ADLs (i.e., bathing, dressing, toileting, transferring, bowel function, bladder function, and eating/feeding).
2. Rated dependent in one or more of four selected IADLs (i.e., meal preparation, housekeeping, laundry, and money management).
3. Rated dependent in medication administration ([22 VAC 40-745-60](#)).

There is an optional worksheet available on the VDSS internal and public website that may assist in determining an adult's level of care.

### 1.23 Assisted living level of care

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Individuals meet the criteria for assisted living as documented on the uniform assessment instrument when at least one of the following describes their capacity:

1. Rated dependent in two or more of seven ADLs.
2. Rated dependent in behavior pattern (i.e., abusive, aggressive, and disruptive) ([22 VAC 40-745-70](#)).

There is an optional worksheet available on the VDSS internal and public website that may assist in determining an adult's level of care.

### 1.24 Independent living

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Individuals who are assessed as independent can be admitted into an ALF. A person does not have to meet the residential level of care criteria to live in an ALF licensed for residential care. However, individuals who are assessed as independent are **NOT** eligible for AG payments unless they were public pay residents prior to February 1, 1996.

### 1.25 Psychosocial assessments

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An individual's psychological, behavioral, cognitive or substance abuse issues can impact an individual's ability to live in an ALF and the ability of the ALF staff to provide proper care.

Cognitive impairments can affect an individual's memory, judgment, conceptual thinking and orientation. In turn, these can limit the individual's ability to perform ADLs and IADLs. When assessing an individual for possible cognitive impairment, it is important to distinguish between normal, minor losses in intellectual functioning and more severe impairments caused by disorders such as Alzheimer's Disease or other related dementias. Some cognitive impairments may be caused by a physical disorder such as a stroke or traumatic brain injury or by side effects or interactions of medications.

When determining the appropriateness of ALF admission for individuals with mental illness, intellectual disability, or a history of substance abuse, a current psychiatric or psychological evaluation may be needed. The need for an evaluation will be indicated if there are dependencies in the Psychosocial Status section of the UAI and if the individual demonstrates any of the behaviors or symptoms identified on the guidance tool [Appendix K](#) of the User's Manual: Virginia Uniform Assessment Instrument. Note: Appendix K is only a reference guide for referring individuals to providers to address

mental health, intellectual disability or substance abuse issues and is not a document that needs to be “completed” as part of the assessment process.

A recommendation for further assessment may also be suggested by the individual’s case manager, another assessor or by the admission staff at the time of the admission interview. The mental health evaluation must be completed by a person having no financial interest in the ALF, directly or indirectly as an owner, officer, employee, or as an independent contractor with the facility.

The assessor is not diagnosing the individual, but rather using his professional judgment to look for indicators of the possible need for a referral to the local CSB or BHA or other mental health professional for a more thorough mental health and/or substance abuse assessment and possible diagnosis.

**Appendix K should be included with the UAI when it is forwarded to the ALF provider.**

### **1.26 Referral for mental health (MH), intellectual disability (ID), or substance abuse evaluation**

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For an individual’s admission to or continued stay in an ALF, VDSS DOLP requires:

A screening of psychological, behavioral, and emotional functioning, conducted by a qualified mental health professional, if recommended by the UAI assessor, a health care professional, or the administrator or designee responsible for the admission and retention decision. This includes meeting the requirements of 22 VAC 40-72-360 ([22 VAC 40-72-340](#)).

If the UAI and the guidance in Appendix K reveal mental health indicators, an evaluation completed within six months of the proposed admission date will be needed for consideration for the individual’s admission.

It is the responsibility of the individual seeking admission to an ALF, his legal representative and the ALF admission staff to ensure that the evaluation is completed. The assessor or case manager may assist with arranging the evaluation.

If the ALF staff can provide adequate care, the individual may be admitted before the completion of his or her evaluation. In this situation, the decision to admit the individual without the completed evaluation must be documented in the individual’s ALF record.

Referrals for MH, ID, or substance abuse evaluations should be made using the following guidelines:

### 1.26.1 Referral for MH evaluation

A referral for a MH evaluation is made for a diagnosis of schizophrenia, personality disorder, mood disorder, panic, somatoform disorder, other psychiatric disorders, paranoid disorder, or other serious anxiety disorders and when the individual exhibits distorted thought processes, mood disorders, or maladaptive behavior manifested by:

- Acts detrimental to self or others;
- Acts of abuse, aggression, or disruption; or
- Emotional status which interferes with functioning ability (i.e., agitation, fearfulness, or depression).

### 1.26.2 Referral for ID evaluation

A referral is made for an ID evaluation if:

- The individual has been assessed as having below average intellectual functioning on individually administered tests, age of onset was before 18 years; and there are concurrent limitations in two or more applicable adaptive skills areas such as communication, social skills, health and safety, work, self-care, home living, community use, self-direction, functional academics, and leisure; or
- The individual exhibits behavior or emotional processes that results in:
  - Acts of abuse, aggression, or disruption; or
  - An emotional status which interferes with functioning ability (i.e., agitation, fearfulness, or depression).
  - Acts detrimental to self or others;
- Based on assessment, individual evidences functional limitations (i.e., cognitive limitations along with concurrent limitations in two or more applicable adaptive skills areas as listed above) that lead to a reasonable suspicion of a diagnosis of ID.

### 1.26.3 Referral for substance abuse evaluation

A referral for evaluation should be considered for further exploration when the individual reports current drinking of more than two alcoholic drinks per day, has

current use of non-prescription mood-altering substances such as marijuana, amphetamines, etc., and/or abuses prescribed mood-altering substances.

## 1.27 Licensing requirements for screening of psychosocial, behavioral and emotional functioning prior to admission

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### 1.27.1 Mental health screening

A mental health screening shall be conducted prior to admission if behaviors or patterns of behavior occurred within the previous six months that were indicative of mental illness, mental retardation, substance abuse or behavioral disorders and that caused, or continue to cause, concern for the health, safety, or welfare either of that individual or others who could be placed at risk of harm by that individual.

**Exception:** If it is not possible for the screening to be conducted prior to admission, the individual may be admitted if all other admission requirements are met. The reason for the delay shall be documented and the screening shall be conducted as soon as possible ([22 VAC 40-72-360](#)).

### 1.27.2 Psychosocial and behavioral history

When determining appropriateness of admission for an individual with a mental health disability, the following information shall be obtained by the facility:

1. If the prospective resident is referred by a state or private hospital, community services board, behavioral health authority, or long-term care facility, documentation of the individual's psychosocial and behavioral functioning shall be acquired.
2. If the prospective resident is coming from a private residence, information about the individual's psychosocial and behavioral functioning shall be gathered from primary sources, such as family members or friends. There is no requirement for written information from primary sources.

The administrator or his designee shall document that the individual's psychosocial and behavioral history were reviewed and used to help determine the appropriateness of the admission, and if the person is admitted, to develop an individualized service plan ([22 VAC 40-72-365](#)).

### 1.27.3 Mental health screening determination form

The Mental Health Screening Determination [form](#) can be used to document the completion of the individual's mental health screening by the accepting ALF. The

ALF may develop its own format but it must address the same information on the Mental Health Screening Determination form.

The decision to admit an individual without a mental health evaluation must meet the following criteria and be documented in the individual's ALF record:

- The facility's decision to admit the individual, without the pending assessment, is based on a careful consideration of any information regarding the individual's emotional or behavioral functioning that could signal high risk concerns for the health and safety of the individual and/or others;
- The facility has developed a preliminary plan of care that appropriately addresses any identified concerns to a degree that the individual is not considered high risk for harm to self and/or others;
- The facility has been informed by the qualified mental health professional (QMHP) as to the expected date of completion of the mental health evaluation and the facility has determined that the length of time to have the evaluation completed and forwarded to the facility would cause hardship for the individual and/or family;
- The preliminary mental health assessment based on guidance contained in Appendix K of the User's Manual: Virginia Uniform Assessment Instrument and the required collateral information were used as part of the information required to determine the appropriateness of admission;
- The facility follows up with the disposition of the mental health evaluation and, upon receiving it, re-evaluates its ability to meet the needs of the individual regarding the mental health care/supervision that might be needed;
- The facility clearly documents all efforts made to get the mental health evaluation completed; and
- The facility meets all other admission requirements (i.e., completed UAI and physical examination, and the individual has no prohibited conditions).

## **1.28 Admission of individuals with serious cognitive impairments**

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When determining the appropriateness of ALF admission, serious cognitive deficits should be noted on the UAI or other screening tool. The ALF must determine if it can meet the needs of the individual.

All facilities that care for individuals with serious cognitive impairments due to a primary psychiatric diagnosis of dementia who cannot recognize danger or protect their own safety and welfare are subject to additional licensing requirements. Individuals meeting

this diagnosis may reside in a mixed population with enhanced safety precautions or in a safe, secure environment. A facility that cares for individuals with serious cognitive impairments due to any other diagnosis who cannot recognize danger or protect their own safety and welfare must meet the enhanced safety requirements for a mixed population.

### **1.28.1 Mixed population**

These requirements include:

- Additional staffing and staff training;
- A security monitoring system such as door alarms, cameras, constant staff oversight, security bracelets that are part of an alarm system, or delayed egress mechanisms;
- A secured outdoor area or close staff supervision; and
- Special environmental precautions.

These additional requirements do not apply to ALFs who are licensed for 10 or fewer individuals if no more than three of the individuals have serious cognitive impairments and cannot recognize danger or protect their own safety or welfare.

### **1.28.2 Safe, secure environment**

Some ALFs may have one or more self-contained special care units in the facility or the whole facility may be a special care unit designed for individuals with serious cognitive impairments due to a primary psychiatric diagnosis of dementia who cannot recognize danger or protect their own safety and welfare. These special care units must meet additional licensing requirements. These requirements include:

- Additional assessment-Prior to admission to a special care unit, the individual shall have been assessed by an independent clinical psychologist licensed to practice in the Commonwealth or by an independent physician. The assessment must be in writing and address, but not be limited to, the following areas:
  - Cognitive functions (i.e., orientation, comprehension, problem-solving, attention/concentration, memory, intelligence, abstract reasoning, judgment, insight)
  - Thought and perception, (i.e., process, content)
  - Mood/affect

- Behavior/psychomotor
- Speech/language
- Appearance

The Assessment of Serious Cognitive Impairment [form](#) may be used.

- Approval-Prior to an individual's admission to a special care unit, the ALF must obtain written approval from one of the following persons, in the following order of priority:
  - The individual, if capable of making an informed decision;
  - A guardian or other legal representative;
  - A relative willing to act as the individual's representative in the following specific order:
    - Spouse,
    - Adult child,
    - Parent,
    - Adult sibling,
    - Adult grandchild,
    - Adult niece or nephew,
    - Aunt or uncle.
  - An independent physician, if the individual is not capable of making an informed decision and there is no one else available.
- Facility determination of appropriateness of admission and continued residence;
- Additional activities;
- Additional staffing and staff training;
- A security monitoring system such as door alarms, cameras, constant staff oversight, security bracelets that are part of an alarm system, pressure pads

at doorways, delayed egress mechanisms, locking devices, or perimeter fence gates.

- A secure outdoor area or close staff supervision; and
- Special environmental precautions.

## 1.29 Outcome of assessments

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After the assessor has completed an assessment, the assessor is responsible for authorizing the appropriate services. During the authorization process, the assessor, with input from the individual being assessed, will decide what services, if any are needed; who will provide the services; and the setting where services will be provided. The assessor will identify the available community services and make referrals as appropriate.

Regardless of the outcome of assessment, the assessor must offer the individual the choice of services providers, including ALF providers. The individual's choice of providers is a federal as well as a professional and ethical requirement.

The possible outcomes of an ALF assessment may include:

- A recommendation for ALF care (either residential or assisted living);
- Referral to a PAS team to review if the individual is appropriate for Medicaid-funded community-based care or nursing facility care;
- Referrals to other community resources (non-Medicaid-funded) such as health services, adult day care centers, home-delivered meals, etc.; or
- A determination that services are not required.

## 1.30 Referral to ALF

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When a recommendation is made that an individual meets ALF level of care (either residential or assisted living), the assessor will document this decision on the UAI and the Medicaid-Funded Long-Term Care Services Authorization ([DMAS-96](#)) and prepare an assessment package.

The initial assessment package is sent to: **Xerox, PO Box 85083, Richmond, Virginia 23285-5083.**

**Note:** LDSS assessors are not required to send the assessment package to Xerox. Assessors from other agencies are required to send the assessment packages to Xerox.

The initial assessment package must include:

- **DMAS-96.** On the DMAS-96, #11 will be indicated for residential care and #12 for assisted living. If #12 is authorized, the assessor must also enter the ALF provider number and date of the ALF start of care. If the individual requires Medicaid-funded targeted case management, this would also be indicated. Also note the effective date of authorization. The assessor writes his or her agency's provider number in the first line of the space for "Level I Screening Identification" on the DMAS-96. The second line is used for PAS only.
- **UAI.** Either short form or long form, as appropriate. A copy of the UAI is acceptable.

In addition to the initial assessment package, the assessor must distribute the following:

- **To the LDSS Eligibility Worker:** A copy of the DMAS-96 which verifies the individual's level of care. The eligibility worker does not need to receive a copy of the UAI.
- **To the ALF:** The original UAI, DMAS-96, and the decision letter.
- **To the individual being assessed:** The decision letter. See sample decision letters in [Appendix F-H](#).

The assessor keeps copies of the UAI, the DMAS-96, the consent form and decision letter.

### 1.31 Referrals to Medicaid-funded home and community-based care or nursing facility

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Community-based care (CBC) or nursing facility services may be considered when the assessor completes an assessment and determines that an individual meets the criteria for nursing facility care and is at risk of nursing facility placement unless additional help is received. If the assessor feels that CBC services or nursing facility services are needed, the assessor shall refer the individual to the PAS team.

If the assessor is from an LDSS, the UAI is sent to a nurse at the local department of health who will make an on-site visit and complete the PAS.

If the assessor is not an LDSS but another local public human services agency (e.g., AAA, CSB/BHA, or CIL) or a physician, the original UAI is referred to the local department of health for PAS. The original assessor will complete the DMAS-96, indicating "None" for services recommended and submit the paperwork to Xerox for payment.

### **1.32 Referrals to Non-Medicaid- funded community resources**

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When the assessor determines that an individual requires assistance in the home and is appropriate for a referral to community service or combination of services, the assessor will initiate the referral. Depending upon the type of service required, the assessor will make the referral to the appropriate agency and assure that the individual and family understand how to receive services.

It is essential for assessors to maintain current information on available community resources, such as health services, adult day care centers, home-delivered meals, to assist in developing alternatives to long-term institutionalization.

When referrals are made to non-Medicaid-funded community services, the assessor completes the following:

- **DMAS-96.** On the DMAS-96, #8-“Other Services Recommended,” would be authorized and the reason and resources to be used should be documented on the UAI.
- **UAI.** Short or long form as appropriate.

The assessment package is sent to: **Xerox, PO Box 85083, Richmond, Virginia 23285-5083.**

**Note:** LDSS assessors are not required to send the assessment package to Xerox. Assessors from other agencies are required to send the assessment packages to Xerox.

In addition to the assessment package, the assessor must distribute the following information:

- **To the community service agency:** A copy of the UAI and the consent form.
- **To the individual being assessed:** The decision letter. See sample decision letters in [Appendix F-H](#).

The assessor keeps copies of the UAI, the DMAS-96, consent form, and decision letter.

### **1.33 Determination that services are not required**

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When the assessor determines that an individual can safely and adequately reside in the home with assistance from relatives, friends, or neighbors and requires no additional monitoring or supervision, the assessor makes no referrals.

When no referrals for services are required, the assessor completes the following assessment package:

- **DMAS-96.** On the DMAS-96, enter #0-“No other services recommended;” document reason on the UAI.
- **UAI.** Short or long form as appropriate.

The assessment package is sent to: **Xerox, PO Box 85083, Richmond, Virginia 23285-5083.**

**Note:** LDSS assessors are not required to send the assessment package to Xerox. Assessors from other agencies are required to send the assessment packages to Xerox.

In addition to the initial assessment package, the assessor must distribute the following information:

- **To the LDSS Eligibility Worker:** A copy of the DMAS-96.
- **To the individual being assessed:** The decision letter. See sample decision letters in [Appendix F-H](#).

The assessor keeps copies of the UAI, DMAS-96, the consent form, and decision letter.

### **1.34 Requests for ALF assessment in a nursing facility**

Assessors are permitted to conduct ALF assessment on individuals who reside in nursing facility settings, but maybe appropriate for discharge to an ALF. Assessors are frequently contacted by nursing facility staff requesting an assessment on an individual who, according to the nursing facility, no longer meets nursing facility level of care criteria. However, in some instances after the assessment is conducted, the assessor determines that that individual still meets nursing facility criteria and is not appropriate for ALF admission. DMAS will not reimburse for the assessment when the individual who is residing in an ALF is assessed but does not meet assisted living or residential level of care, DMAS will only reimburse for an ALF assessment in a nursing facility, if the individual meets assisted living or residential level of care and is appropriate for discharge from the nursing facility to an ALF.

To decrease the number of ALF assessments in nursing facilities in which the assessment outcome is that the individual still meets nursing facility criteria and is not appropriate for residential or assisted living level of care, assessors are encouraged to obtain as much information about the individual's situation prior to the assessment visit.

### **1.35 Accuracy of assessment packages**

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Each assessment package sent to Xerox is reviewed for accuracy, completeness, and adherence to DMAS policies and procedures. An incomplete, illegible, or inaccurate package will not be processed for payment. Reimbursement will be made only for an assessment, which includes all the required forms that have been correctly completed and submitted, and only for individuals who are eligible for an AG. The assessment package shall be submitted to Xerox within 30 days of the assessment date to assure prompt reimbursement. There will be no reimbursement for assessments received 12 months or more after the date of the completion of the assessment.

### **1.36 Authority to authorize public payment**

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The assessor is responsible for authorizing the individual for the appropriate level of care for admission to and continued stay in an assisted living facility ([22 VAC 40-745-50](#)).

In those instances when the assessment documentation does not clearly indicate that the individual meets ALF criteria, public funding for these services cannot be authorized. Any information that is needed to support the assessor's level of care decision must be documented on the UAI.

Any authorization made by the assessor is subject to change based on any change that occurs in the individual's condition or circumstances between the time the authorization occurs and the admission of the individual to an ALF. All individuals applying to reside in or residing in an ALF and for whom assessment and/or targeted case management services are provided, have the right to appeal the outcome of any assessment. See [Section 1.50](#) for appeal information.

### **1.37 Time limitation of assessments**

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An authorized assessor's approval decision and the completed UAI regarding an individual's appropriateness for ALF placement are valid for 12 months or until an individual's functional or medical status changes, and the change indicates the individual may no longer meet the authorized level of care criteria.

### **1.38 Admission to the ALF**

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Prior to an individual's admission to an ALF, the assessor should contact the ALF to discuss the level of care needed and to ensure that the ALF has the appropriate license. The assessor must also discuss with the ALF the types of services needed by the individual and determine whether the ALF is capable of providing the required services or that they are available in the community.

Once the placement is finalized, the assessor must notify the LDSS eligibility worker responsible for determining AG eligibility of the date of admission as listed on the DMAS-96.

### 1.38.1 Physical examination

VDSS, DOLP regulations require that all individuals admitted to an ALF have a physical examination completed prior to the admission. Licensing Programs' [Report of Physical Examination](#) form may used to document the physical exam.

The use of this form is not required; any physical examination form that addresses all of the requirements is acceptable (i.e., includes tuberculosis status, etc.). A physician must sign the physical examination report.

It is the responsibility of the ALF to ensure that the physical examination is completed. However, the assessor, social worker, or case manager may need to assist the individual in obtaining the physical examination in order to facilitate the admission process.

If the same person completes both the UAI and the physical examination report, it is not necessary to repeat the same information on the physical examination that is also on the UAI. The assessor may make reference to the UAI (i.e. "see UAI") only for that information needed on the physical examination report that is the same as the information provided on the UAI. All other parts of the physical examination report must be completed.

### 1.38.2 Emergency admission

An emergency placement shall occur only when the emergency is documented and approved by a Virginia adult protective services worker or case manager for public pay individuals or an independent physician or a Virginia adult protective services worker for private pay individuals ([22 VAC 40-72-370](#)).

An emergency is a situation in which an adult is living in conditions that present a clear and substantial risk of death or immediate and serious physical harm to self or others. Typically, an emergency placement will involve an adult who lives outside of an institution and is not currently residing in an ALF.

Prior to the emergency admission, the APS worker or the physician must discuss with the ALF the individual's service/care needs based on the APS investigation and/or physician assessment to ensure that the ALF is capable of providing the needed services. The individual cannot be admitted to an ALF on an emergency basis if the individual has any of the prohibited conditions listed in [Section 1.20](#).

An emergency is the **only** instance in which an individual may be admitted to an ALF without first having been assessed to determine if he or she meets ALF level of care.

When an emergency placement occurs, the person shall remain in the assisted living facility no longer than seven working days unless all the requirements for admission have been met and the person has been admitted ([22 VAC 40-72-370](#)).

The UAI and the DMAS-96 must be completed within **seven working days** from the date of the emergency placement. There must be documentation in the individual's ALF record that a Virginia APS worker or physician approved the emergency placement. A notation on the UAI signed by the APS worker or physician will meet this requirement.

The assisted living authorization is effective as of the date of the emergency admission provided that the DMAS-96 is signed and dated within **seven working days** after the emergency placement.

DOLP and VDSS will monitor the approval of emergency placements and have the right to deny or overturn any decision made for emergency placement. Emergency placements are to be used only when a true emergency can be documented and justified.

### 1.38.3 Awaiting ALF admission

The UAI shall be completed within 90 days prior to the date of admission to the assisted living facility except that if there has been a change in the resident's condition since the completion of the UAI that would affect the admission, a new UAI shall be completed ([22 VAC 40-72-430](#)).

At times, an individual who has been assessed as appropriate for ALF admission has to remain in the community while awaiting admission. When the admission can proceed, and if no more than 90 days have elapsed, a new assessment does not have to be completed unless there has been a significant change in the individual's condition. If more than 90 days have elapsed since the assessment was conducted, then a new assessment must be completed.

## 1.39 Respite services

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Respite is a temporary stay in the facility, usually to relieve caregivers from their duties for a brief period of time. Individuals admitted to an ALF for respite services must be assessed prior to admission. VDSS, DOLP considers each admission for respite services to be a separate admission and requires that a UAI be completed within 90 days prior to admission.

Individuals who receive AG are typically not admitted to an ALF for respite care. However if respite services are requested, the assessor shall assess the individual to determine if he or she meets ALF level of care.

#### **1.40 Home health care in the ALF**

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When care of an individual's special medical needs is provided by licensed staff of a home care agency, the ALF staff may receive training from the home care agency staff in appropriate treatment monitoring techniques regarding safety precautions and actions to take in case of emergency.

#### **1.41 Hospice care in the ALF**

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Notwithstanding § [63.2-1805](#) of the Code of Virginia, an individual residing in an ALF may request hospice care be provided in an ALF, if the hospice program determines that such program is appropriate for the individual.

#### **1.42 Annual reassessment**

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The uniform assessment instrument shall be completed at least annually on all residents of assisted living facilities. Uniform assessment instruments shall be completed as needed whenever there is a significant change in the resident's condition. All uniform assessment instruments shall be completed as required by 22 VAC 40-745-20. ([22 VAC 40-745-30](#)).

The purpose of the annual reassessment is the reevaluation of service need and utilization review. The assessor shall review each individual's need for services annually, or more frequently as required, to ensure proper utilization of services. Each individual residing in an ALF must be reassessed at least annually.

It is the original assessor's responsibility to ensure that the required annual reassessments are completed. An assessor is responsible for securing another assessor if he or she cannot continue the assessment of the individual. The assessor may refer the responsibility for conducting the annual reassessment to another assessor no later than one month prior to the due date of the annual reassessment. Future reassessments then become the responsibility of the new assessor. Both the original assessor and the assessor to whom assessment responsibility is transferred should keep written documentation acknowledging the transfer of reassessment responsibilities. Individuals who are receiving AG may have AG payments terminated if the individual is not reassessed or the reassessment information is not communicated to the LDSS eligibility worker in a timely manner.

The annual reassessment is based upon the date of the last completed assessment. The reassessment does not need to be performed in the same month as the initial

assessment. A current assessment is one that is not older than 12 months. The ALF shall keep the individual's UAI and other relevant data in the individual's ALF record.

If, during the reassessment, it is determined that a change in level of care has occurred, the assessor must treat the reassessment as change in level of care. The UAI and the DMAS-96 must be completed. The ALF Eligibility Communication Document and the CMS-1500 are not completed for a change in level of care.

### **1.43 Who can conduct an annual reassessment ?**

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The annual reassessment shall be completed by the qualified assessor conducting the initial assessment. If the original assessor is neither willing nor able to complete the assessment and another assessor is not available, the local department of social services where the resident resides following placement in an assisted living facility shall be the assessor ([22 VAC 40-745-90](#)).

The annual reassessment is completed by:

- The assessor conducting the initial assessment;
- The qualified assessor of the CSB or BHA for CSB/BHA clients;
- The agency chosen by the individual for ongoing case management services; or
- The agency accepting the referral from the agency that completed the initial assessment. If no agency accepts the referral for reassessment, then the LDSS where the ALF in which the individual resides is located is the assessor.

#### **1.43.1 Individuals receiving CSB/BHA services**

Clients of a community services board shall be assessed and reassessed by qualified assessors employed by the community services board ([22 VAC 40-745-90](#)).

If an individual is receiving targeted case management services for mental illness or ID, the agency case manager for this service must complete the reassessment as part of case management responsibilities for that individual. This case management will be noted on the individual's UAI at the time of the initial assessment and the mental health case manager will be advised of the individual's authorization for ALF residence and the date when the reassessment is needed. The mental health case manager must complete the reassessment and follow the process of the annual reassessment.

#### 1.44 Who cannot conduct annual reassessments?

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ALF staff may only conduct annual reassessments on individuals who are paying privately to reside in the ALF.

Acute care hospitals, DBHDS facilities, and correctional facilities may not complete the 12-month reassessment. These groups may perform the initial assessments only.

When original assessments are completed by any of these agencies, reassessment responsibilities must be referred to another assessor as soon as possible, but no later than one month prior to the due date of the annual reassessment. The original assessor must send the UAI, the DMAS-96, and the reassessment date to the new assessor and notify the eligibility worker in the LDSS that is responsible for determining the individual's AG eligibility. The ALF must also be aware of reassessment dates and ensure that timely reassessments are completed.

#### 1.45 Timing of reassessments

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In scheduling reassessments, DMAS will reimburse for assessments that are completed as soon as ten months from the previous assessment. An annual reassessment that was completed, for example, on April 27 of the current year, could be completed as early as February 27 of the following year, and will be reimbursed. If a reassessment were completed prior to February 27 of the following year, the DMAS reimbursement system would reject the request for reimbursement.

Delaying a reassessment will delay the processing of an individual's renewal for AG and could jeopardize the adult's continued stay in the ALF.

#### 1.46 The annual reassessment package

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The annual reassessment package includes the following:

- **ALF Eligibility Communication Document.** This [form](#) notifies the LDSS eligibility worker who determined the individual's AG eligibility, whether the individual continues to meet criteria to reside in the ALF.
- **UAI (short or long form as appropriate).** If the assessor chooses not to complete a new UAI and updates the existing UAI for annual reassessment, the assessor must be sure that the copy submitted to Xerox and data entry clearly indicates that it is a reassessment. (This may be done using a highlighter or colored ink at the top of the first page.) Only the initial assessment and one reassessment are permitted on UAI's submitted to Xerox. In addition, any changes that are made to the form must be clearly noted (as with a highlighter or colored ink) so that the changes will be easily recognized.

The **CMS-1500** must also be completed and submitted online. Except for individuals receiving MH or ID case management services, the CMS-1500 must be submitted electronically in order for the assessor to be reimbursed. See [Appendix I](#) for additional information on submitting the CMS-1500. **Note:** LDSS assessors are not required to complete the CMS-1500.

The DMAS-96 is NOT used for an annual reassessment.

The ALF Eligibility Communication Document and the UAI are sent to: **Xerox, PO Box 85083, Richmond, Virginia 23285-5083.**

**Note:** LDSS assessors are not required to send the reassessment package to Xerox. Assessors from other agencies are required to send the reassessment packages to Xerox.

**In addition to the reassessment package**, the assessor must distribute the following:

- **To the LDSS eligibility worker:** The Eligibility Communication Document.
- **To the ALF:** A copy of the ALF Eligibility Communication Document and the UAI.
- **To the individual being assessed:** The decision letter. See sample decision letter in [Appendix F-H](#).

The assessor keeps a copy of the UAI, the Eligibility Communication Document and the CMS-1500.

## **1.47 Changes in level of care**

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The UAI must be completed or updated as needed whenever the individual has a significant change or it appears the individual's approved level of care has changed. A change in level of care assessment should be conducted within two weeks of receipt of the request for assessment.

### **1.47.1 Who can complete an assessment for a change in level of care?**

Only the following entities can perform an assessment for a change in level of care:

- LDSS.
- AAAs.
- CILs.
- CSBs.

- Local departments of health.
- State facilities operated by DBHDS.
- Acute care hospitals.
- An independent physician for residents of ALFs.

**Note:** Individuals who are residing in an ALF and are receiving case management services for mental illness or ID must receive change in level of care assessments from the CSB/BHA providing case management services.

#### 1.47.2 Temporary changes in condition

Temporary changes in an individual's condition are those that can be reasonably expected to last less than 30 days. Such changes do not require a new assessment or update. Examples of such changes are short-term changes that resolve with or without intervention, changes that arise from easily reversible causes such as a medication change, short-term acute illness or episodic event, or a well-established, predictive, cyclic pattern of signs and symptoms associated with a previously diagnosed condition where an appropriate course of treatment is in progress.

#### 1.47.3 Significant changes in condition

**"Significant Change"** means a change in a resident's condition that is expected to last longer than 30 days. It does not include short-term changes that resolve with or without intervention, a short-term acute illness or episodic event, or a well-established, predictive, cyclic pattern of clinical signs and symptoms associated with a previously diagnosed condition where an appropriate course of treatment is in progress. ([22 VAC 40-745-10](#)).

When a level of care for an individual has changed as documented on the UAI, the assessor must immediately notify the LDSS eligibility worker of the date of the assessment.

### 1.48 Outcomes of annual reassessments or change in level of care

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The possible outcomes from the annual reassessments or change in level of care may include:

- Continue at the current level of care.
- Change in the level of care.
- Transfer to another ALF at the appropriate level of care.

- Referral to the PAS team if the individual is appropriate for Medicaid-funded community-based care or nursing facility care.
- Referrals to other community resources (non-Medicaid-funded) such as home health services, adult day care centers, home-delivered meals, etc.

### 1.49 Change in level of care assessment package

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In order to be reimbursed for an assessment for change in level of care, the assessor must send Xerox the following:

- **DMAS-96.** On the DMAS-96, indicate the change in level of care determination as follows: #11 for residential living; #12 for assisted living. See the DMAS-96 for other options.
- **UAI.** Short or long form as appropriate.

The annual assessment package is sent to: **Xerox, PO Box 85083, Richmond, Virginia 23285-5083.**

**Note:** LDSS assessors are not required to send the assessment package to Xerox. Assessors from other agencies are required to send the assessment packages to Xerox.

In addition to the change in level of care assessment package, the assessor must distribute the following:

- **To the LDSS Eligibility Worker:** A copy of the DMAS-96.
- **To the ALF:** The original UAI and the DMAS-96.
- **To the individual being assessed:** A decision letter. See sample decision letter in [Appendix F-H](#).

The assessor keeps copies of the UAI, DMAS-96, and the decision letter.

### 1.50 Appeals

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Assessors shall advise orally and in writing all applicants to and residents of assisted living facilities for which assessment or targeted case management services or both are provided of the right to appeal the outcome of the assessment, annual reassessment, or determination of level of care. Applicants for auxiliary grants who are denied an auxiliary grant because the assessor determines that they do not require the minimum level of services offered in the residential care level have the right to file an appeal with the department of Social Services

under § 63.2-517 of the Code of Virginia. A determination that the individual does not meet the criteria to receive assisted living is an action which is appealable to DMAS ([22 VAC 40-745-110](#))

The assessor, by letter, must inform the individual and the referral source of the assessment decision to authorize or deny Medicaid payment for long-term care services and indicate the reason(s) for the decision. See [Appendix F-H](#) for sample decision letters.

An individual who is denied AG because he does not meet residential level of care has the right to appeal to:

VDSS, Division of Fair Hearings and Appeals

801 East Main Street, Richmond VA, 23219

The VDSS [Request for Appeal](#) form is located on the public site.

An individual who does not meet assisted living level of care may appeal to DMAS. Any individual wishing to appeal should notify the Appeals Division, DMAS, in writing, of his or her desire to appeal within 30 days of the receipt of the assessor's decision letter. The DMAS [appeal request](#) form is available on the DMAS website.

If an appeal is filed, the assessor will be notified that a summary of his or her decision must be prepared, and an appeal hearing will be scheduled which the assessor must attend.

## 1.51 Transfers to another setting

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### 1.51.1 ALF-to-ALF transfer

When a resident moves to an assisted living facility from another assisted living facility or long-term care setting that uses the UAI, if there is a completed UAI on record, another UAI does not have to be completed except that a new UAI shall be completed whenever:

1. There is a significant change in the resident's condition; or
2. The previous assessment is more than 12 months old ([22 VAC 40-72-430](#)).

The ALF from which the individual is moving must send a copy of all current assessment material to the facility to which the individual is moving. If the ALF to which the individual is relocating is outside of the jurisdiction of the discharging ALF, the discharging ALF must arrange for an assessor in the new jurisdiction as part of

the discharge plan. The requirements for discharge notifications must be followed. The receiving ALF is then responsible to initiate the appropriate documentation for admission purposes.

### **1.51.2 ALF-to-hospital transfer**

Screening teams in hospitals do not complete an assessment for individuals who are admitted to a hospital from an ALF, when the individual is to be discharged back to either the same or a different ALF and the individual continues to meet the same ALF level of care or is expected to meet the same criteria for level of care within 30 days of discharge. In the event that the individual's bed has not been held at the ALF where the individual lived prior to being hospitalized, the individual would still not need to be evaluated by the hospital staff provided that he or she is admitted to another ALF at the same level of care. The hospital may, however, elect to perform the assessment, but is not required to do so.

If an individual is admitted to a hospital from an ALF and the individual's condition has not changed, but placement in a different ALF is sought, a new assessment is NOT required. The second ALF would be required to complete necessary documentation for admission. The first ALF must provide the required discharge notifications.

If there has been a change in level of care since the individual's admission to the hospital, the hospital assessors could perform a change in level of care assessment, unless the change is anticipated to be temporary (e.g., expected to last less than 30 days).

If an individual is admitted to the hospital from an ALF and the individual needs to transfer to Medicaid-funded home and community-based services or nursing facility, a PAS must be completed by appropriate hospital staff. It is not the responsibility of the PAS team to complete a PAS for a person in a hospital.

## **1.52 Discharge from an ALF**

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When there is a determination made that an individual is no longer appropriate for ALF level of care and must be discharged, the ALF must follow certain discharge procedures.

When actions, circumstances, conditions, or care needs occur that will result in the discharge of a resident, discharge planning shall begin immediately, and there shall be documentation of such, including the beginning date of discharge planning. The resident shall be moved within 30 days, except that if persistent efforts have been made and the time frame is not met, the facility shall document the reason and the efforts that have been made.

As soon as discharge planning begins, the assisted living facility shall notify the resident and the resident's legal representatives and designated contact person if any, of the planned discharge, the reason for the discharge, and that the resident will be moved within 30 days unless there are extenuating circumstances as referenced in subsection A of this section. Written notification of the actual discharge date shall be given to the resident and the resident's legal representatives and contact person if any, at least 14 calendar days prior to the date that the resident will be discharged.

The assisted living facility shall adopt and conform to a written policy regarding the number of calendar days notice that is required when a resident wishes to move from the facility. Any required notice of intent to move shall not exceed 30 days.

The facility shall assist the resident and his legal representative, if any, in the discharge or transfer process. The facility shall help the resident prepare for relocation, including discussing the resident's destination. Primary responsibility for transporting the resident and his possessions rests with the resident or his legal representative ([22 VAC 40-72-420](#)).

An individual must be discharged from the ALF if a prohibited condition is revealed during the reassessment or a PAS team determines that the individual needs nursing facility level of care. The individual must also be discharged if the ALF is not licensed for the level of care needed.

### **1.52.1 Emergency discharge**

When a resident's condition presents an immediate and serious risk to the health, safety or welfare of the resident or others and emergency discharge is necessary, 14-day notification of planned discharge does not apply, although the reason for the relocation shall be discussed with the resident and, when possible, his legal representative prior to the move.

Under emergency conditions, the resident's legal representative, designated contact person, the family, caseworker, social worker or other agency personnel, as appropriate, shall be informed as rapidly as possible, but by the close of the business day following discharge, of the reasons for the move ([22 VAC 40-72-420](#)).

### **1.52.2 Discharge to a nursing facility**

The PAS team in the locality of the ALF is responsible for the assessment and authorization of individuals who are residing in an ALF but will need Medicaid funded nursing facility services within 180 days from the date of the admission to the nursing facility. The ALF must schedule with the PAS team to complete a screening

of the individual. The PAS team handles this referral like any other referral coming from anywhere else in the community.

### **1.52.3 Discharge to Medicaid Funded Home and Community-Based Services**

The PAS team in the locality of the ALF is responsible for assessment and authorization for individuals who could leave the ALF and return to the community with the assistance of Medicaid funded home and community-based services. The individual must apply for Medicaid and meet the eligibility criteria for Long-Term Care services. The ALF will schedule with the PAS team to complete a screening of any individual who wishes to be discharged home with Medicaid funded home and community-based services. The PAS team handles this referral as it would a referral coming from anywhere else in the community.

### **1.52.4 Discharge to the Community without Medicaid Funded Home and Community-Based Services**

When an individual residing in an ALF moves back to the community without Medicaid funded home and community-based services, an updated copy of the UAI may be forwarded to a local service provider if requested by the individual or his representative. The ALF must follow all required discharge procedures.

## **1.53 Record retention**

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All assessment forms and Medicaid authorization forms (DMAS-96) must be retained for five years from the date of the assessment. Assessments and related documentation must be legible and maintained in accordance with accepted professional standards and practices. All records, including the UAI as well as any computerized records and forms, must be completely signed with name and professional title of author and completely dated with month, day, and year.

## **1.54 Suspension of license or closure of an ALF**

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Upon issuing a notice of summary order of suspension to an assisted living facility, the Commissioner of the Virginia Department of Social Services or his designee shall contact the appropriate local department of social services to develop a relocation plan. The residents of an assisted living facility whose license has been summarily suspended pursuant to § 63.2-1709 of the Code of Virginia shall be relocated as soon as possible to reduce the risk of jeopardizing the health, safety, and welfare of residents. An assessment of the relocated resident is not required, pursuant to 22 VAC 40-745-30 C 3. ([22 VAC 40-745-40](#))

In the event that the local department receives advance notification of the suspension of an ALF's licensure or of an ALF's plans for closure, the LDSS should immediately contact the appropriate Adult Services Regional Specialist to begin planning for the

event. The [ALF Relocation Plan](#) may be helpful to LDSS staff assisting in the relocation of individuals residing in an ALF that plans to close.

## **1.55 Appendix A: Auxiliary Grant Program**

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The Auxiliary Grant (AG) Program is a state and locally funded assistance program to supplement the income of an individual who is Supplemental Security Income (SSI) and other aged, blind, or disabled individuals residing in a licensed ALF. This assistance is available from local departments of social services to ensure that individuals are able to maintain a standard of living that meets a basic level of need. Before an individual can receive assistance from the AG program, the local department of social services where the individual resides must determine eligibility for the program. If the individual is not currently receiving AG, the assessor must advise the individual and/or the individual's family to contact the LDSS to initiate the AG eligibility determination. The LDSS eligibility worker in the locality in which the individual resided prior to admission to the ALF must be informed that ALF placement is being sought. Residence for AG eligibility is determined by the city or county within the state where the person last lived outside of an institution or adult foster care home. Any records/statements can be used to determine place of residence. If residency cannot be determined, residency is where the individual is living at the time of application. If the individual is entering the ALF from an institution, the application is to be filed in the locality where the individual resided before he or she entered the institution.

### **1.55.1 Determining eligibility for AG**

The assessor should instruct the individual and/or family to prepare for the eligibility process by obtaining proof of income, copies of bank statements, life insurance policies, savings certificates, stocks, bonds, etc., as this information may be needed by the eligibility worker.

At the time the request for an assessment is made, the assessor must inform the individual and/or family that:

- The authorization for public payment for ALF services does not mean that the individual will definitely be eligible for AG or Medicaid;
- AG eligibility must be determined by an LDSS eligibility worker;
- Medicaid cannot reimburse for services unless the individual has been determined to be financially eligible; and
- The individual may have a responsibility for partial payment for public-funded services, if authorized.

The assessor shall conduct a preliminary screening of an individual's financial status and estimate whether the individual would likely be eligible for an AG.

Entitlement to AG begins the month that the individual meets all eligibility criteria. If an individual does not meet all eligibility criteria at the time of application, but meets all criteria when the application is processed, entitlement begins the month all criteria are met.

To be eligible for an AG in Virginia, an individual must meet all of the following:

- Be 65 or over or be blind or be disabled.
- Reside in a licensed ALF or an approved adult foster care home.
- Be a citizen of the United States or an alien who meets specified criteria.
- Have a non-exempted (countable) income less than the total of the AG rate approved for the ALF plus the personal needs allowance.
- Have non-exempted resources less than \$2,000 for one person or \$3,000 for a couple.
- Have been assessed and determined to be in need of care in an ALF or adult foster care home.

AG covers the following:

#### Room and Board

- Provision of a furnished room in a facility that meets applicable building and fire safety codes.
- Housekeeping services based on the needs of the resident.
- Meals and snacks, including extra portions and special diets.
- Clean bed linens and towels as needed and at least once a week.

#### Maintenance and Care

- Medication administration, including insulin injections.
- Provision of generic personal toiletries including soap and toilet paper.
- Minimal assistance with personal hygiene including bathing, dressing, oral hygiene, hair grooming and shampooing, care of clothing, shaving, care of toenails and fingernails, arranging for haircuts as needed, care of needs associated with menstruation or occasional bladder or bowel incontinence.

- Minimal assistance with care of personal possessions; care of personal funds if requested by the recipient and residence policy allows it; use of telephone; arranging transportation; obtaining necessary personal items and clothing; making and keeping appointments; correspondence; securing health care and transportation when needed for medical treatment; providing social and recreational activities as required by licensing regulations; and general supervision for safety.

All individuals applying for AG must have an assessment completed before AG payment can be issued.

### **1.55.2 When a private pay individual needs to apply for AG**

When a private pay individual needs to apply for an AG, the individual must submit an application for AG to the local department of social services where the individual last lived prior to entering an institution. ALFs are considered institutions for purposes of determining AG eligibility.

The individual must be assessed by a public pay assessor and the public pay assessor must provide the LDSS eligibility worker with a copy of the Medicaid Funded Long-Term Care Services Authorization (DMAS-96) as verification of the assessment.

### **1.55.3 When an Individual with AG Becomes a Private Pay Resident**

If an individual becomes ineligible for an AG due to income or countable resources, the LDSS eligibility worker will issue a notice of action to the individual eleven days in advance of terminating AG. The ALF and the individual must determine whether the individual will continue to reside in the ALF. If the individual had a case manager, the case manager would participate in the discharge planning process if appropriate, and then terminate case management services. If the individual plans to reside in the ALF as a private pay resident, assessment requirements for private pay individuals must be followed.

## 1.56 Appendix B: Assessment process

Step 1: Contact	Request for assessment is made. Assessor makes contact with the individual/requester. Verify AG eligibility or that application for AG has been made. If possible, conduct a preliminary screening to determine if there are any prohibited conditions or other medical issues that may require more care than is available in an ALF. Refer to the PAS team, if appropriate.
Step 2: UAI	Conduct a face-to-face visit. Get consent to release information. Assessor completes the appropriate UAI. If UAI has been completed in last 90 days, and there are no changes, do not complete a new UAI. If individual meets NF criteria, stop assessment process and refer to PAS team.
Step 3: Prohibited Conditions	Assessor determines if individual has a prohibited condition. The individual is NOT eligible for ALF placement if he has a prohibited condition. Stop assessment process and refer to the PAS team or to other services.
Step 4: Determine Level of Care	Determine individual's level of care. DMAS-96 and prepare individual's authorization letter approving or denying ALF services.
Step 5: ALF Availability/ Case Management	Discuss with the individual his choice of ALF. Ensure that ALF is licensed for the person's level of care. Verify that ALF can provide requested services or if they are available in the community. Determine if the individual requires only the 12-month reassessment or ongoing Medicaid-funded targeted ALF case management services. If only 12-month reassessment, continue. If case management services needed, arrange for a case manager.
Step 6: Notifications for Initial Assessments & Level of Care Changes	Send copies of DMAS-96 and UAI to Xerox. Send copy of DMAS-96 to LDSS eligibility worker. Send the DMAS-96 and UAI to ALF. Send original decision letter to individual being assessed. Assessor keeps copies of the UAI, DMAS-96, consent form, and decision letter.
Step 7: Plan Reassessment	At least every 12 months, perform reassessment. Original assessor is responsible for reassessment; if unwilling or unable to do so; original assessor is responsible for arranging for another assessor to do the reassessment. If original assessor is hospital staff, state facility staff, or a community release unit of a correctional facility, assessor he must refer reassessment responsibility to another assessor. In this case, the new assessor must be identified at time the individual is admitted to ALF.
Step 8: Reassessment Notification	Send copies of ALF Eligibility Communication Document and UAI to Xerox. Submit CMS-1500 online. Send copy of Eligibility Communication Document to LDSS eligibility worker. Send the UAI and Eligibility Communication Document to ALF. Send decision letter to individual. Assessor keeps UAI and ALF Eligibility Communication Document.

## 1.57 Appendix C: Assessment responsibilities

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### 1.57.1 Assessor's Responsibilities

- Determining if the individual to be assessed is already receiving AG or has made an application for AG.
- Completing the assessment process within 30 days of the referral.
- Determining appropriate level of care and authorizing services.
- Contacting the ALF of choice and determining if the ALF is licensed for the individual's level of care authorization and if the ALF can meet the individual's needs.
- Directly assisting the individual through the admission process if requested.
- Submitting all paperwork to all entities as directed.
- Referring the individual for a psychiatric or psychological evaluation if needed. (See Appendix K of the User's Manual: Virginia Uniform Assessment Instrument, for more information on when these evaluations are recommended).
- Planning for the annual reassessment or making a referral to an alternate assessor if needed.

### 1.57.2 ALF Staff Responsibilities

- Ensuring the assessment is completed prior to admission, except in a documented emergency admission.
- Coordinating with the assessor to ensure that assessments are completed as required.
- Knowing levels of care criteria.
- Knowing prohibited conditions.
- Keeping the UAI in the individual's ALF file.
- Arranging for discharge when an individual's needs do not meet level of care.
- Sending the UAI with an individual when the individual transfers to another ALF.

### **1.57.3 VDSS DOLP Responsibilities**

- Licensing ALFs.
- Ensuring that individuals are assessed as required.
- Monitoring compliance with licensing standards.

### **1.57.4 DMAS Responsibilities**

- Payment for assessments, reassessment and targeted case management.

## 1.58 Appendix D: Guidelines for assessment

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### Authorization of services to be provided

The assessor is responsible for authorizing the appropriate level of care for admission to and continued stay in an assisted living facility (ALF). The ALF must also be knowledgeable of level of care criteria and is responsible for discharge of the individual whenever an individual does not meet the criteria for level of care in an ALF upon admission or at any later time. The appropriate level of care must be documented based on the completion of the Uniform Assessment Instrument (UAI) and definitions of activities of daily living and directions provided in the User's Manual: Virginia Uniform Assessment Instrument.

### Rating of Levels of Care on the Uniform Assessment Instrument

The rating of functional dependencies on the UAI must be based on the individual's ability to function in a community environment, not including any institutionally induced dependence. Please see the User's Manual: Virginia Uniform Assessment Instrument for more detailed definitions.

The following abbreviations shall mean: I = independent; d = semi-dependent; D = dependent; MH = mechanical help; HH = human help.

#### Bathing

- (a) Does not need help **(I)**
- (b) MH only **(d)**
- (c) HH only **(D)**
- (d) MH and HH **(D)**
- (e) Performed by others **(D)**

#### Dressing

- (a) Does not need help **(I)**
- (b) MH only **(d)**
- (c) HH only **(D)**
- (d) MH and HH **(D)**
- (e) Performed by others **(D)**
- (f) Is not performed **(D)**

### Toileting

- (a) Does not need help **(I)**
- (b) MH only **(d)**
- (c) HH only **(D)**
- (d) MH and HH **(D)**
- (e) Performed by others **(D)**
- (e) Is not performed **(D)**

### Bowel Function

- (a) Does not need help **(I)**
- (b) Incontinent less than weekly **(d)**
- (c) Ostomy self-care **(d)**
- (d) Incontinent weekly or more **(D)**
- (e) Ostomy not self-care **(D)**

### Transferring

- (a) Does not need help **(I)**
- (b) MH only **(d)**
- (c) HH only **(D)**
- (d) MH and HH **(D)**
- (e) Performed by others **(D)**
- (f) Is not performed **(D)**

### Bladder Function

- (a) Does not need help **(I)**
- (b) Incontinent less than weekly **(d)**
- (c) External device, indwelling catheter, or ostomy self-care **(d)**
- (d) Incontinent weekly or more **(D)**
- (e) External device, not self-care **(D)**
- (f) Indwelling catheter, not self-care **(D)**
- (g) Ostomy not self-care **(D)**

**Eating/Feeding**

- (a) Does not need help **(I)**
- (b) MH only **(d)**
- (c) HH only **(D)**
- (d) MH and HH **(D)**
- (e) Performed by others: Spoon fed **(D)**
- (f) Performed by others: Syringe or tube fed **(D)**
- (g) Performed by others: Fed by IV **(D)**

**Instrumental Activities of Daily Living (ALF)**

- (a) Meal Preparation
  - (1) No help needed
  - (2) Needs help **(D)**
- (b) Housekeeping
  - (1) No help needed
  - (2) Needs help **(D)**
- (c) Laundry
  - (1) No help needed
  - (2) Needs help **(D)**
- (d) Money Management
  - (1) No help needed
  - (2) Needs help **(D)**

### **Medication Administration (ALF)**

- (a) Without assistance **(I)**
- (b) Administered, monitored by lay person **(D)**
- (c) Administered, monitored by professional staff **(D)**

### **Behavior Pattern**

- (a) Appropriate **(I)**
- (b) Wandering/passive less than weekly **(I)**
- (c) Wandering/passive weekly or more **(d)**
- (d) Abusive/aggressive/ disruptive less than weekly **(D)**
- (e) Abusive/aggressive/ disruptive weekly or more **(D)**

## **Bathing**

Bathing is the process of washing the body or body parts, including getting to or obtaining the bathing water and/or equipment whether this is in the bed, shower, or tub.

- Bathes without Help means the individual usually completes the entire bathing process unaided, or receives help to bathe one body part only.
- Bathes with Mechanical Help Only means the individual usually uses equipment or a device to complete the bathing process. Equipment or device includes shower/tub chair, grab rails, pedal/knee controlled faucet, long-handled brush, and mechanical lift.
- Bathes with Human Help Only means the individual usually receives assistance from another person(s) who may bring water/equipment, bathe some body parts, fill the tub with water, towel dry, observe, supervise, or teach the individual to bathe self.
- Bathes with Mechanical and Human Help means the individual usually uses equipment or a device and receives the assistance of another person.
- Is Bathed means the individual is completely bathed by another person(s) and does not participate in the activity.

## Dressing

Dressing is the process of putting on, fastening, and taking off all items of clothing, braces and artificial limbs that are worn daily by the individual including obtaining and replacing the items from their storage area in the immediate environment. Clothing refers to the clothing usually worn daily by the individual. Individuals who wear pajamas or a gown with robe and slippers as their usual attire are considered dressed.

- Dresses without Help means the individual usually completes the dressing process unaided, or receives help in tying shoes only.
- Dresses with Mechanical Help Only means the individual usually uses equipment or a device to complete the dressing process. Equipment or device may include long-handled shoehorn, zipper pulls, velcro fasteners, adapted clothing, and walker with attached basket or other device to obtain clothing.
- Dresses with Human Help Only means the individual usually receives assistance from another person(s) who helps the individual in obtaining clothing; fastening hooks; putting on clothes, braces, artificial limbs; observes, supervises, or teaches the individual to dress self.
- Dresses with Mechanical and Human Help means the individual usually uses equipment or a device and receives the assistance of another person(s) to dress.
- Is Dressed means the individual is completely dressed by another person.
- Is Not Dressed refers only to bedfast individuals who are considered not dressed.

## Toileting

Toileting is the process of getting to and from the bathroom for elimination of feces and urine, transferring on and off the toilet, cleaning self after elimination, and adjusting clothes. A commode in any location may be considered the "bathroom" only if in addition to meeting the criteria for "toileting," the individual empties, cleanses, and replaces the receptacle without assistance from another person(s).

- Uses bathroom without Help means the individual usually uses only the toilet room for elimination.
- Uses bathroom with Mechanical Help Only means the individual usually uses equipment or a device to get into or out of the bathroom, or other device to complete the toileting process. Equipment or device may include raised toilet or seat, handrails, wheelchair, walker, cane or transfer board. The individual who

toilets without help during the day but uses a bedpan, urinal, or commode without human help to toilet during the night is considered to be toileting without help.

- Uses bathroom with Human Help Only means the individual usually receives assistance from another person(s) to complete the toileting process. Help from another person(s) means another person(s) helps the individual in getting to and from the bathroom, adjusting clothes, transferring on and off the toilet, or cleaning after elimination.
- Uses bathroom with Mechanical and Human Help means the individual usually uses equipment or a device and receives the assistance of another person(s).
- Performed by others means the individual is totally dependent on another's assistance.
- Does Not Use bathroom means the individual usually uses a bedpan, urinal, or commode for elimination or is incontinent and does not use the bathroom.

## Transferring

Transferring is the process of moving horizontally and/or vertically between the bed, chair, wheelchair, and/or stretcher.

- Transfers without Help means the individual usually completes the transferring process unaided.
- Transfers with Mechanical Help Only means the individual usually uses equipment or a device to transfer. Equipment or device includes: sliding board, overhead pulley, trapeze, special bed, railing on bed, tub, toilet, walker, or the arm of a chair, etc.
- Transfers with Human Help Only means the individual usually receives the assistance of another person(s) lifting some of the individual's body weight, guarding, guiding, protecting, or supervising in the process of transferring.
- Transfers with Mechanical and Human Help means the individual usually uses mechanical equipment or a device and receives assistance from another person(s). The individual who bears weight on at least one arm or is considered to be participating in transferring.
- Is Transferred means the individual usually is lifted out of bed, chair, etc., by another person(s) and does not participate in the process. If the individual does not bear weight on any body part in the transferring process she or he is not

participating in transferring. This category may also include the use of equipment or devices such as a mechanical lift, Hoyer lift, etc.

- Is Not Transferred means the individual is confined to the bed.

### **Bowel Continence**

Bowel Continence describes the physiological process of elimination of feces from the bowel.

- Does not need help means the individual voluntarily controls the evacuation of feces from his or her bowels.
- Incontinent means the individual has involuntary evacuation of feces from his or her bowels.
- Ostomy is a surgical procedure that establishes an artificial anus by an opening into the colon (colostomy) or ileum (ileostomy).
- Self-Care means that the individual completely cares for his or her ostomy.
- Not Self-Care means that another person(s) cares for the individual's ostomy: stoma and skin cleaning, dressing, application of appliance, irrigations, etc.

### **Bladder Continence**

Bladder Continence describes the physiological process of elimination of urine from the bladder.

- Does not need help means the individual voluntarily empties his or her bladder.
- Incontinent means the individual has involuntary emptying or loss of urine.
- External Device is a urosheath or condom drainage apparatus with a receptacle attached to collect urine.
- Indwelling Catheter is a hollow cylinder passed through the urethra into the bladder and retained there to keep the bladder drained of urine.
- Ostomy is a surgical procedure that establishes an external opening into the ureter(s).

--Self-Care means the individual completely cares for the skin surrounding the ostomy and for urinary devices; e.g., changes the catheter or external device, irrigates as needed, and empties and replaces the receptacle.

--Not Self-Care means another person(s) cares for the individual's ostomy or urinary devices.

## **Eating/Feeding**

Eating/Feeding is the process of getting food by any means from the receptacle (plate, cup, glass, bottle, etc.) into the body. This item describes the process of eating after food is placed in front of an individual.

- Does not need help means the individual eats without using special equipment or the help of another person.
- Feeds Self with Mechanical Help Only means the individual usually uses equipment or a device to eat. Equipment or device includes adapted utensils, plate guard, hand splint, suction dishes or nonskid plates, etc.
- Feeds Self with Human Help Only means the individual usually receives the assistance of another person(s) to bring food to the mouth, cut meat, butter bread, open cartons, or pour liquids. Mechanically adjusted diets such as ground, pureed, soft, etc., are not considered help.
- Feeds Self with Mechanical and Human Help means the individual usually uses equipment or a device and receives the help of another person(s).
- Is Spoon Fed means the individual usually does not bring any food to his or her mouth and is fed completely by another person(s).
- Fed via Syringe or Tube means the individual usually is fed a prescribed liquid diet via a naso-oral gavage or gastrogavage tube.
- Fed by I.V. means the individual usually is fed a prescribed sterile solution intravenously.

## **Behavior Pattern**

Behavior Pattern is the manner of conducting oneself within one's environment.

- Appropriate means the individual's behavior pattern is suitable or fitting to the environment. Appropriate behavior is of the type that adjusts to accommodate expectations in different environments and social circumstances. Behavior

pattern does not refer to personality characteristics such as "selfish," "impatient," or "demanding," but is based on direct observations of the individual's actions.

- Wandering/Passive means the individual's usual behavior is manifested in a way that does not present major management problems. Wandering is characterized by physically moving about aimlessly or mentally being non-focused. Passive behavior is characterized by a lack of awareness or interest in personal matters and/or in activities taking place in close proximity. Other characterizations of behavior such as impaired judgment, regressive behavior, agitation or hallucinations that is not disruptive are included in this category and specified in the space provided.
- Abusive/ Aggressive/Disruptive means the individual's behavior is manifested by acts detrimental to the life, comfort, safety, and/or property of the individual and/or others. Agitations, hallucinations, or assaultive behavior that is detrimental are included in this category and specified in the space provided.
- Comatose refers to the semi-conscious state or unconscious state.

The type of inappropriate behavior is specified in the space provided.

### **Medication Administration**

Medication Administration refers to the person(s) who administer medications or if the individual is being referred elsewhere, the person(s) who will administer medications following referral.

- Without Assistance means the individual takes (or will take) medications without assistance.
- Administered/monitored by a lay person means a person without pharmacology training gives (or will give) or monitors the individual all of the prescribed medications or gives some of them and the remaining medications are (to be) self-administered. This includes medication aides in ALFs.
- Administered/monitored by Professional Nursing Staff means licensed or professional health personnel administers (or will administer) and/or monitors some or all medications; e.g., IV.s, potent experimental drugs, etc.

## 1.59 Appendix E: Description of skin breakdown

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Stage 1: These are areas where the skin is unbroken but is persistently pink or red and may look like a mild sunburn. The individual may complain that the area is tender, painful or itchy.

Stage 2: The skin is broken and the second layer of tissue is involved. The area is red and painful, and there may be some swelling and/or some drainage oozing from the wound. In the early development of these wounds, they may be very small. It is important to take action and report any broken skin that may be a developing pressure ulcer (not to be confused with skin tears or incontinence injury).

Stage 3: The skin has broken down and the wound extends through all three layers of the skin into soft tissue. The pressure ulcer is deeper and very difficult to heal. The site now has the risk for serious infection to occur. In order for the individual to remain in the assisted living facility, the wound must be healing and periodic observation and treatment must be provided as directed in the written treatment plan from a physician or other licensed prescriber. This care and treatment must be provided by a licensed health care professional employed by or under contract with the facility, the resident, the responsible party or a home care agency licensed in Virginia.

Stage 4: The wound extends into muscle and bone requiring extensive medical and/or surgical intervention and skilled observation and treatment due to the extreme risk of life-threatening infection. Because care of this level of pressure ulcer is prohibited by law in assisted living, the individual cannot be admitted to or remain in assisted living and must be transferred to a setting where appropriate services can be provided. In those rare occasions where the individual is enrolled in Hospice and wishes to stay in the assisted living facility, the Hospice program is responsible for the skilled services, including the care of any Stage 4 ulcers.

Note: Necrotic or dead tissue may obscure the base of the wound making it difficult to differentiate a stage 3 from a stage 4 wound. Necrotic tissue in the wound also predisposes an individual to infection.

## 1.60 Appendix F: Sample approval letter

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Date

Individual's Name/Address

Dear \_\_\_\_\_:

Virginia regulations require that any individual seeking admission to an assisted living facility (ALF) be assessed to determine if he or she meets the level of care for an ALF prior to admission. You were assessed on \_\_\_\_\_ (date) and it was determined that you meet criteria for:

Residential living

Assisted living

Ongoing Medicaid-funded targeted case management

The assessor, in accordance with policy and procedures of the Department of Medical Assistance Services, has determined that you meet the level of care criteria necessary for ALF placement. The assessor discussed with you the choice of facility services, and it was determined that ALF placement would best meet your needs at the present time. The assessor is responsible for assessing your needs upon admission and, you will be assessed periodically thereafter in order to demonstrate that you continue to meet the criteria.

You may appeal this decision within thirty (30) days of receipt of this decision letter by writing to the Recipient Appeals Unit, Department of Medical Assistance Services, 600 East Broad Street, Richmond, Virginia 23219.

Sincerely,

Assessor

## 1.61 Appendix G: Sample denial letter-Assisted Living or ongoing Medicaid funded Targeted ALF Case Management

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Date

Individual's Name/Address

Dear \_\_\_\_\_:

In order to receive an Auxiliary Grant, you must be determined to need the level of care offered by an assisted living facility (ALF). You were assessed on \_\_\_\_\_ (date) and it was determined that you do not meet criteria for:

Assisted living

Ongoing Medicaid-funded targeted case management

The reason you were determined not to meet the criteria for the above-checked item is (note **specific** reason why the individual does not meet the criteria).

If you do not agree with this decision, you may request a hearing.

You must request a hearing within 30 days of the date this notice is postmarked. The hearing is a private, informal meeting with you, anyone you wish to bring, a Hearing Officer, and me. You will have the opportunity to tell the impartial Hearing Officer, who is a representative of the Virginia Department of Medical Assistance Services, why you disagree with the above decision. Your request must be mailed to: Recipient Appeals Unit, Department of Medical Assistance Services, 600 East Broad Street, Richmond, Virginia 23219.

Sincerely,

Assessor

c: Individual's Legal Guardian (if applicable)

## 1.62 Appendix H: Sample denial letter-does not meet minimum residential level of care

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Date

Individual's Name/Address

Dear \_\_\_\_\_:

In order to be eligible for an Auxiliary Grant, you must be determined to need the level of care offered by an assisted living facility (ALF). You were assessed on \_\_\_\_\_ (date) and it was determined that you do not meet the minimum residential level of care guidelines because *(note specific reason why the individual does not meet the level of care)*.

If you do not agree with this decision, you may request a hearing.

You must request a hearing within 30 days of the date this notice is postmarked. The hearing is a private, informal meeting with you, anyone you wish to bring, a Hearing Officer, and me. You will have the opportunity to tell the impartial Hearing Officer, who is a representative of the Virginia Department of Social Services, why you disagree with the above decision. Your request must be mailed to:

Manager, Appeals and Fair Hearings, Virginia Department of Social Services

801 East Main Street, Richmond, Virginia 23219

If you need help to request a hearing, please contact your service worker.

Sincerely,

Assessor

C: Individual's Legal Guardian, if applicable

### 1.63 Appendix I: Submitting the CMS-1500

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**Note:** The following information does not apply to LDSS assessors.

The CMS-1500 is a claim form that must be completed in order for the assessor or case manager to receive reimbursement for the annual reassessment or ongoing targeted ALF case management. The CMS-1500 is submitted **online**.

Additional information on submitting the CMS-1500 and other provider information is available on the [Medicaid Web Portal](#).

- Direct Data Entry (DDE) [Medicaid Memo](#). Select “2011” in the drop down box and search for “2011 General Assembly of Virginia Appropriation Act—300H—Electronic Participation with Virginia Medicaid,” published May 11, 2011
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## 1.64 Appendix J: Case management services

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Case management services include assessment, service location, coordination and monitoring for individuals, residing in an ALF, who are applying for or receiving AG.

There are two types of Medicaid-funded case management services for individuals in an ALF:

- Annual reassessment only; or
- Ongoing targeted ALF case management.

Most individuals with AG who reside in an ALF will only need the annual reassessment and not ongoing targeted case management services.

### Annual Reassessment

The purpose of the annual reassessment is the reevaluation of service need and utilization review. The assessor or case manager shall review the individual's need for services annually, or more frequently as required, to ensure proper utilization of services.

**If an individual is receiving targeted case management services for mental illness or intellectual disability, the agency case manager for this service must complete the reassessment and change in level of care assessment as part of case management responsibilities for that individual. Note:** DMAS will not reimburse the case management agency for the completion of these assessments since they are a function of the case management procedures. DMAS will not reimburse for the duplicate provision of case management services.

### Ongoing Medicaid-Funded Targeted ALF Case Management Services

Ongoing Medicaid-funded targeted ALF case management is a service provided to individuals with AG who are receiving residential or assisted living services and are not receiving targeted case management for mental health or intellectual disability. Individuals appropriate for ongoing Medicaid-funded targeted ALF case management:

- Require coordination of multiple services and/or have some problem which must be addressed to ensure the individual's health and welfare; and
- Are not able and do not have other support available to assist in coordination of and access to services or problem resolution; and
- Need a level of coordination that is beyond what the ALF can reasonably be expected to provide.

The assessor should check “yes” on the DMAS-96 for ALF targeted case management ONLY when the individual is determined to need Medicaid-funded ongoing targeted case management services that have been specifically developed for individuals residing in an ALF. “No” should be checked if the individual will receive only the annual reassessment or may be receiving other types of Medicaid-funded case management services.

The assessor must authorize and arrange for case management services through a qualified case manager if such services are determined to be needed. It is the responsibility of the ALF to determine whether or not the facility is capable of providing the required coordination of services. Prior to the individual’s admission to the ALF, the assessor must determine whether the ALF can meet the care needs and whether ongoing case management is needed. The assessor must communicate with the ALF to identify service needs and to ensure that service needs can be met. Based upon information obtained, the assessor should authorize case management services if the ALF cannot provide or arrange all the services needed by the individual. The individual selects a case management agency of his choice in the area where he will reside. The assessor must be aware of available Medicaid-funded ALF targeted case management agencies and assist the individual in his selection.

In order to provide services to an individual with AG, a case management agency must have signed an agreement with DMAS to be reimbursed for the provision of targeted case management services.

The case manager identifies care needs and assists in locating and arranging for services that are beyond the scope of the ALF services. The individual chooses from the options made available by the case manager, and the case manager facilitates accessing the service provider.

Ongoing targeted ALF case management must be terminated when the resident no longer requires these services.

### **Who can provide Medicaid-funded ALF Case Management?**

Medicaid-funded case management services (either the annual reassessment or targeted ongoing case management) can be provided by following agency staff, provided that the staff person has the knowledge, skills, and abilities (KSAs) of a case manager:

- Local departments of social services;
- Area agencies on aging;
- Centers for independent living;

- Community services boards;
- Local departments of health; and
- Private physicians who have a contract with DMAS to conduct assessments and who wish to follow clients on a continuing basis. Physicians who conduct assessments or reassessments or perform Medicaid-funded targeted case management may not have financial ties with the ALF.

The local department of social services where the adult resides, following placement in an assisted living facility, shall be the case management agency when there is no other qualified case management provider willing or able to provide case management services ([22 VAC 40-745-100](#)).

### **Who cannot provide Medicaid-funded ALF Case Management?**

Acute care hospitals, state mental health or ID facilities, and correctional facilities may not provide Medicaid-funded targeted ALF case management.

## 1.65 Appendix K: Indicators for referral to the Department of Behavioral Health and Developmental Services

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You will obtain important direct and indirect information from other sections of the instrument which can be used to complete the mental health assessment. Pay particular attention to the following aspects of the individual's appearance and behavior during the total interview with the client and/or caregiver for pertinent information about a person's cognitive and emotional behavior.

**Demographic:** Can the client accurately give information about address, telephone number, date of birth, etc.?

**Physical Environment:** Is the living area cluttered, unclean, with spoiled food around, or numerous animals not well cared for? Is there evidence of pests?

**Appearance:** Does the client have soiled clothing and poor hygiene?

**Functional Status:** Does the client have difficulty with physical/maintenance of activities of daily living (ADLs)? Does a once routine activity now seem too complex to the client? (This may indicate dementia.) Does the client start an activity and then stop in the middle of it? Does the client walk with unsteady gait, have trouble with balance, and appear awkward? Does the client have slowed movements; everything seems an effort, tired, weak? Any of these may indicate depression or the need for further evaluation.

**IADLs:** Does the client have diminished or absent ability to do instrumental ADLs?

**Health Assessment:** Does the client have somatic concerns: complain of headaches, dizziness, shortness of breath, heart racing, faintness, and stomach or bowel disturbances (May indicate depression)? Does the client have trouble falling asleep awakening early or awakens for periods in the middle of the night? This may also indicate depression or the need for further evaluation.

**Medication:** Is there inappropriate use or misuse of prescribed and/or over-the-counter medications?

**Speech:** Are there speech difficulties, slurring, word-finding problems, can't get ideas across? (May indicate dementia).

**Fractures/Dislocations:** Does the client have fractures/bruises and is hesitant to give the cause?

**Nutrition:** Does the client have problems with appetite--eating too much or too little? Does the client have an unhealthy diet?

**Hospitalization/Alcohol Use:** Does the client have problematic alcohol use?

**Cognitive:** Does the client appear confused, bewildered, confabulates answers, speaks irrelevantly or bizarrely to the topic? Is the client easily distracted, has poor concentration, responds inconsistently when questioned? Is the client aware of surroundings, time, place, and situation? Does the client misplace/lose personal possessions? (May or may not complain of this) Does the client have angry outbursts and agitation? Does the client have decreased recognition of family and familiar places?

**Emotional/Social:** Does the client appear sad, blue, or despondent? Have crying spells, complains of feeling sad or blue, speaks and moves slowly, suffers significant appetite and sleep habit changes, has vague/somatic complaints and complains of memory impairments without objective impairment? (May indicate depression) Does the client appear unusually excited or emotionally high? Show pressured, incessant and rapid speech? Brag, talk of unrealistic plans, and show a decreased need for food or sleep? (May indicate grandiosity, euphoria, mania) Does the client appear to be hallucinatory? Hear or see things that aren't there? Talk, mutter, or mumble to himself/herself? Giggle or smile for no apparent reason? (May indicate hallucinations) Does the client appear to be suspicious, feel that others are against him/her? Out to get him/her? Feel others are stealing from him/her? Feel he/she is being persecuted or discriminated against? Believe has special qualities/power? (May indicate delusions) Does client feel life is not worth living? Has she/he given up on self/ Does individual feel those who care about him/her have given up on him/her? Has the client ever considered ending his/her life? (May indicate suicidal thoughts, ideation, or gestures) Has the client ever considered harming someone? (May indicate homicidal ideation) Is the client fidgety, nervous, sweating, fearful, pacing, agitated, frightened, and panicky? (May indicate fearfulness, anxiety, or agitation) Inappropriate and disturbing (disruptive) behavior, particularly when it is more problematic for caretakers than the client (take note of how often the behavior occurs, when it began, and how much it currently upsets people in the immediate environment):

- Being suspicious and accusatory
- Verbally threatening to harm self or others
- Yelling out, screaming, cursing
- Taking others' things, hiding/hoarding possessions
- Being agitated, uncooperative and resistive with necessary daily routines
- Being a danger to self or others
- Exhibiting inappropriate sexual behavior

- Inappropriately voiding of urine or feces (voiding in non-bathroom locations)
- Being unaware of need to use bathroom or problems locating a bathroom
- Exhibiting intrusive or dangerous wandering (danger of getting lost, entering/damaging others' property, wandering into traffic)
- Exhibiting poor impulse control
- Exhibiting impaired judgment

Based on your assessment, if the client is currently exhibiting any of the following, a referral to the local CSB/BHA or other mental health professional should be considered:

Behavior	Thinking	Affective/Feelings
Aggressive/combative	Hallucinations	Helplessness
Destructive to self, others, or property	Delusions	Hopelessness
Withdrawn/social isolation	Disoriented	Feeling worthless
Belligerence/hostility	Seriously impaired judgment	Sadness
Anti-social behavior	Suicidal/homicidal thoughts, ideas, or gestures	Crying spells
Appetite disturbance	Cannot communicate basic needs	Depressed
Sleep disturbance	Unable to understand simple commands	Agitation
Problematic substance abuse	Suspicion/persecution	Anxiety
Sets fires	Memory loss	
	Grandiosity/euphoria	

If an individual is dangerous to self or others or is suicidal, an immediate call must be made to the local CSB/BHA or other mental health professional.

**Substance Abuse:** A referral to the CSB/BHA should be considered when:

- A client reports current drinking of more than 2 drinks of alcohol per day. Further exploration of the usage is suggested; or
- Any current use of non-prescription mood-altering substances (e.g., marijuana, amphetamines).

## **Intellectual Disability/Developmental Disability**

### **Intellectual Disability:**

Diagnosis if:

- The person's intellectual functioning is approximately 70 to 75 or below;
- There are related limitations in two or more applicable adaptive skills areas; and
- The age of onset is 18 or below.
- Use these questions or observations to assess undiagnosed but suspected ID:
  - Did you go to school?
  - What grade did you complete in school?
  - Did you have special education?
  - Does the individual have substantial functioning limitations in two or more of the following adaptive skill areas: communication, self-care, home living, social skills, community use, self-direction, health and safety, functional academics, leisure, and work?

If a person meets the above definition of intellectual disability, a referral should be made to the local CSB/BHA.

### **Developmental Disability**

**Definition:** A severe, chronic disability of a person that:

- Is attributable to a mental or physical impairment or combination of mental or physical impairments;
- Is manifest before age 22;
- Is likely to continue indefinitely; and

- Results in substantial functional limitations in three or more of the following areas of major life activity: self-care, receptive and expressive language; mobility; self-direction and capacity for independent living or economic self-sufficiency; or reflects the need for a combination and sequence of special interdisciplinary or generic care, treatment, or other services which are lifelong or extended duration and are individually planned and coordinated.

Developmental disability includes, but is not limited to, severe disabilities attributable to autism, cerebral palsy, epilepsy, spinal bifida, and other neurological impairment where the above criteria are met. People who have mental health, intellectual disability, or substance abuse problems should be assisted to achieve the highest level of recovery, empowerment, and self-determination that is possible for them. In order to achieve this, applications to and residents of facilities such as assisted living facilities may need mental health, intellectual disability, or substance abuse services.

If a need for these services is identified, the client should be referred to the CSB/BHA, or other appropriate licensed provider that serves the locality in which the person resides. It is not necessary to make a diagnosis or to complete a clinical assessment to make a referral to a CSB/BHA/licensed provider, but it is important to describe the behavior and/or symptoms that are observed on the screening matrix.

**SCREENING FOR MENTAL HEALTH/INTELLECTUAL DISABILITY/SUBSTANCE ABUSE NEEDS**

Concerns/Symptoms/Behaviors	Refer to CSB/BHA or appropriate Licensed Provider for MH services	Refer to CSB/BHA or appropriate Licensed Provider for ID services	Refer to CSB/BHA or appropriate Licensed Provider for SA services	Refer 1 <sup>st</sup> to PCP for Medical Screening/ Services	Please record info. on most appropriate UAI sections noted below
1. Received a diagnosis of intellectual disability, originating before the age of 18 years, characterized by significant sub-average intellectual functioning as demonstrated by performance on a standardized measure of intellectual functioning (IQ test) that is at least two standard deviations below the mean and significant limitations in adaptive behavior as expressed in conceptual, social, and practical skills.		X			#1- Demographic Info/Education #1-Current Formal Services #2-Functional Status- Comments #3-Diagnoses #5- Client Case Summary
2. Currently engaging in I.V. drug abuse and is willing to seek treatment.			X		#4-Drug Use #5-Client Case Summary
3. Currently pregnant and engaging in substance abuse to the degree that the health/welfare of the baby is seriously compromised, and is willing to seek treatment.			X		#4-Drug Use #5-Client Case Summary
4. Currently expressing thoughts about wanting to die or to harm self or others.	X Call immediately				#4-Emotional Status #5-Client Case Summary
5. Currently under the care of a psychiatrist and taking medications prescribed for serious mental health disorders (e.g. schizophrenia, bi-polarity, or major affective disorders.)	X				#1-Current Formal Services #3-Physical Health #4-Emotional Status #4- Hospitalization #5-Client
6. Past history of psychiatric treatment (outpatient and/or hospitalizations) for serious mental health disorders (e.g. schizophrenia, bipolarity, or major affective disorders.)	X				#4- Hospitalization #5-Client Case Summary
<ul style="list-style-type: none"> <li>• Currently exhibiting the following behaviors that are not due to medical or organic causes:</li> <li>• Reports hearing voices, and/or talks to self, giggles/smiles at inappropriate times).</li> </ul>	X				#3-Sensory Functions #4-Emotional Status #5-Client Case

					Summary
• Reports seeing things that are not present.	X				#3-Sensory Functions #4-Emotional Status #5-Client Case Summary
• Inflicting harm on self by cutting, burning, etc.	X Call immediately				#4-Emotional Status #5-Client Case Summary
• Has difficulty staying physically immobile, insists on constantly moving physically within the environment, paces rapidly, and/or talks in a very rapid fashion, and may express grandiose and obsessive thoughts.	X				#3-Sensory Functions #4- Behavior Pattern #4-Emotional Status #5-Client Case Summary
• Confused, not oriented/aware of person, place, and time; may wander in or outside of facility/ home.				X	#4-Cognitive Functions #4-Behavior Pattern #5-Client Case Summary
• Significant mood changes occur rapidly within one day and are not related to the environment.	X				#4-Emotional Status #5-Client Case Summary
• Becomes easily upset and agitated, exhibits behaviors others find intimidating, threatening, or provocative, may destroy property, and may feel others will "hurt" them.	X				#4-Emotional Status #5-Client Case Summary
• Cries often, appears consistently sad, and exhibits very few other emotions.				X	#4-Emotional Status #5-Client Case Summary
• Has little appetite or energy, consistently sleeps more than 9-10 hours /day, or has problems sleeping, and has little interest in social activities.				X	#3-Nutrition #4-Emotional Status #4-Social Status #5-Client Case Summary
• Level of personal hygiene and grooming has significantly declined.				X	#3-Functional Status #5-Client Case Summary
7. Displaying behaviors that are considered very unusual in the general population and a medical exam has found no physical basis (i.e. Alzheimer's Disease, brain injury, MR, etc.) Behaviors may include:	X				#5-Client Case Summary

• Eating non-food items	X				#5-Client Case Summary
• Voiding (urine and/or feces) in inappropriate places and/or inappropriately handling/disposing of these items.	X				#5-Client Case Summary
• Inappropriate sexual aggression or exploitation.	X				#5-Client Case Summary
• Combatively engaging in odd, ritualistic behaviors.	X				#5-Client Case Summary

## 1.66 Appendix L: Alzheimer's Assisted Living (AAL) Waiver

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The 2004 General Assembly mandated that the Department of Medical Assistance Services (DMAS) develop a home-and community-based care waiver for individuals with Alzheimer's disease or a related dementia. Participants must reside in an assisted living facility (ALF) licensed by the Virginia Department of Social Services, be in a safe and secure environment, meet Virginia's criteria for nursing facility placement, and be receiving an Auxiliary Grant (AG). In order to participate in the waiver program, the ALF must operate a safe and secure special care unit and meet additional DMAS requirements as an approved provider.

### Recipient Eligibility

To be eligible for the AAL waiver an individual:

- Must have Alzheimer's or an Alzheimer's-related dementia diagnosed by a licensed clinical psychologist or a licensed physician. The individual **must not** have a diagnosis of ID or a serious mental illness;
- Must not have a prohibited condition (see [Section 1.20](#))
- Must be receiving or applying for an AG;
- Must be elderly or disabled;
- Must meet nursing facility placement criteria as documented on the (UAI) by the PAS team.

### Providers

A list of [AAL providers](#) is located on the DMAS website. In the "Provider Type" box under the heading **Provider Type and General Preferences Search**, select "Assisted Living" from the drop down menu and click Search.

### Additional information

Visit the [DMAS website](#) or contact the Long-Term Care Division at 804-225-4222 for additional information on the AAL waiver.

## 1.67 Appendix M: Contact Information

<b>Virginia Department of Social Services Adult Services Program</b>  801 East Main Street, Richmond, VA 23219  <a href="http://www.dss.virginia.gov/family/as/">http://www.dss.virginia.gov/family/as/</a>	
<b>Adult Services Program Home Office Staff</b>	
Gail Nardi, Program Manager	804-726-7537
Tishaun Harris-Ugworji, Program Consultant	804-726-7560
Paige McCleary, Program Consultant	804-726-7536
Venus Bryant, Administrative Assistant	804-726-7533 804-726-7895 (fax)
<b>Adult Services Program Regional Consultants</b>	
Central Region, Marjorie Marker	804-662-9783
Eastern Region, Carey Kalvig	757-491-3983
Northern Region, Andrea Jones	540-347-6313
Piedmont Region, Angie Mountcastle	540- 204-9640
Western Region, Carol McCray	276-676-5636

<b>VDSS Division of Licensing Programs</b>  804-726-7154  <a href="http://www.dss.virginia.gov/facility/alf.cgi">http://www.dss.virginia.gov/facility/alf.cgi</a>	
<b>VDSS Division of Licensing Programs Field Offices</b>	
Central	804-662-9743
Eastern	757-491-3990

Peninsula	757-247-8020
Northern	540-347-6345
Fairfax	703-934-1505
Piedmont	540-204-9631
Valley	540-332-2330
Western	276-676-5490

**VDSS Division of Benefit Programs**

<http://www.dss.virginia.gov/benefit/>

**Department for Aging and Rehabilitative Services**

<http://www.vadrs.org/>

**Virginia Division for the Aging**

1610 Forest Avenue, Suite 100,  
Richmond, VA 23229

**Division for Rehabilitative Services**

8004 Franklin Farms Drive, Richmond, VA  
23229

**Department of Medical Assistance Services** Division of Long-Term Care

600 East Broad Street, Richmond, VA 23219

Long-Term Care Helpline: 804-225-4222

<http://dmasva.dmas.virginia.gov/default.aspx>

## 1.68 Appendix N: Forms

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The following forms may be used during the assessment process. Unless otherwise indicated all forms are located at <http://www.dss.virginia.gov/family/as/servtoadult.cgi>

### **Virginia Uniform Assessment Instrument (UAI)**

This form is used to assess public pay (Auxiliary Grant) individuals who are residing in or planning to reside an ALF.

### **Virginia UAI Attachment**

This form is to be used with the short form of the UAI to answer questions on medication administration and behavior pattern.

### **Medicaid-Funded Medicaid Funded Long-Term Care Services Authorization (DMAS-96)**

This form is used during initial assessment and for a change in level of care.

### **CMS-1500**

This form is submitted on line. See [Appendix I](#).

### **Worksheet to Determine ALF Level of Care** (Use of this form is optional.)

This form is used to determine an individual's level of care.

### **Assisted Living Facility Eligibility Communication Document**

This form is used to notify LDSS eligibility worker of an annual reassessment or other changes to an individual who is residing in an ALF.

### **UAI Plan of Care**

This form is used by a case manager to develop plan of care based on the completed UAI for individuals in an ALF who are receiving ongoing Medicaid-funded targeted case management.

### **Interagency Consent to Release Confidential Information about Alcohol and Drug Patients**

This form can be used to request information from or send information to a substance abuse program.

### **Consent to Release Information**

This form permits an assessor to share an individual's information with ALFs or other service agencies.