



Presentation to the 2023 Senate Committee on Human Services,
2023 Legislative Session

Office of Developmental Disabilities Services (ODDS)

Anna Lansky, Interim Director, ODDS

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Outline

- I. **ODDS program overview**
- II. **History**
- III. **Medicaid authorities**
- IV. **Eligibility**
- V. **Enrollment**
- VI. **Services**

ODDS program overview

- Oregon's system of supports for people with intellectual and developmental disabilities (I/DD) provides services across the lifespan.
- The Office of Developmental Disabilities Services (ODDS) oversees Oregon's I/DD system.
- The system is built on critical partnerships between the state and local governments, Tribal Nations, self-advocates and families, nonprofits, provider agencies and other community organizations.



Overview: Our mission and vision

- **Mission:** ODDS, partners and the developmental disabilities community come together to provide services, supports and advocacy to empower Oregonians with intellectual and developmental disabilities (I/DD) to live full lives in their communities.
- **Vision:** People and families access quality supports that are simple to use and responsive to their strengths, needs and choices, while they live and thrive as valued members of their community.



Overview: Who we serve

We serve nearly **33,000 people** in Oregon who experience intellectual and developmental disabilities (I/DD).

- **10,239 children**
- **22,755 adults**

ODDS provides services and advocacy for the full inclusion of people with I/DD in their communities and throughout the state's systems of supports.



History of I/DD system in Oregon

- **1981:** Oregon was first state to apply for home- and community-based services 1915 (c) waiver.
- Oregon closed institutions:
 - **2000:** Fairview Training Center
 - **2009:** Eastern Oregon Training Center
- **2001:** Support services waiver and brokerages established (Staley v Kitzhaber settlement).
- **2008–09:** Model waivers for children with intensive medical and behavioral needs established.
- **2013:** K Plan implemented, Medicaid funding authority that ensures services for all eligible individuals according to their level of need.
- **2008:** Oregon became Employment First state promoting competitive integrated employment.
 - **2013:** Supported by Executive Order 13-04
 - **2020:** Closed sheltered workshops
 - **2021:** Fulfilled requirements of Lane v Brown settlement agreement
 - **2022:** Lane v Brown dismissed

History of I/DD system in Oregon — children

- Before the K Plan, personal care and Children's Intensive In-home Services (CIIS) waivers provided the only Medicaid-funded in-home services to children.
- Family support — General fund flexible program (up to about \$1,400 annually).
- So far as ODDS is aware, paying parents to be caregivers for their children wasn't considered when the CIIS waivers were initiated in the late 2000s.
- That remained the case even after attendant care services were removed from the CIIS waivers and moved to the K Plan in 2013.
- Oregon does not consider parental income for children when determining Medicaid financial eligibility for I/DD services.



Current Medicaid authorities

- Funding for I/DD services in Oregon primarily comes from Medicaid.
- Medicaid is a partnership between federal and state governments.
- State provides matching funds to federal dollars.
- Oregon uses Community First Choice Option (K Plan) 1915 (k) authority for most services.
- Oregon also has five 1915 (c) waivers.
- Federal Medicaid regulations for home- and community-based services for these authorities affect state program design and operations.



Our current Medicaid authorities

Adult's
waiver

Children's
waiver

Medically
Involved
Model waiver

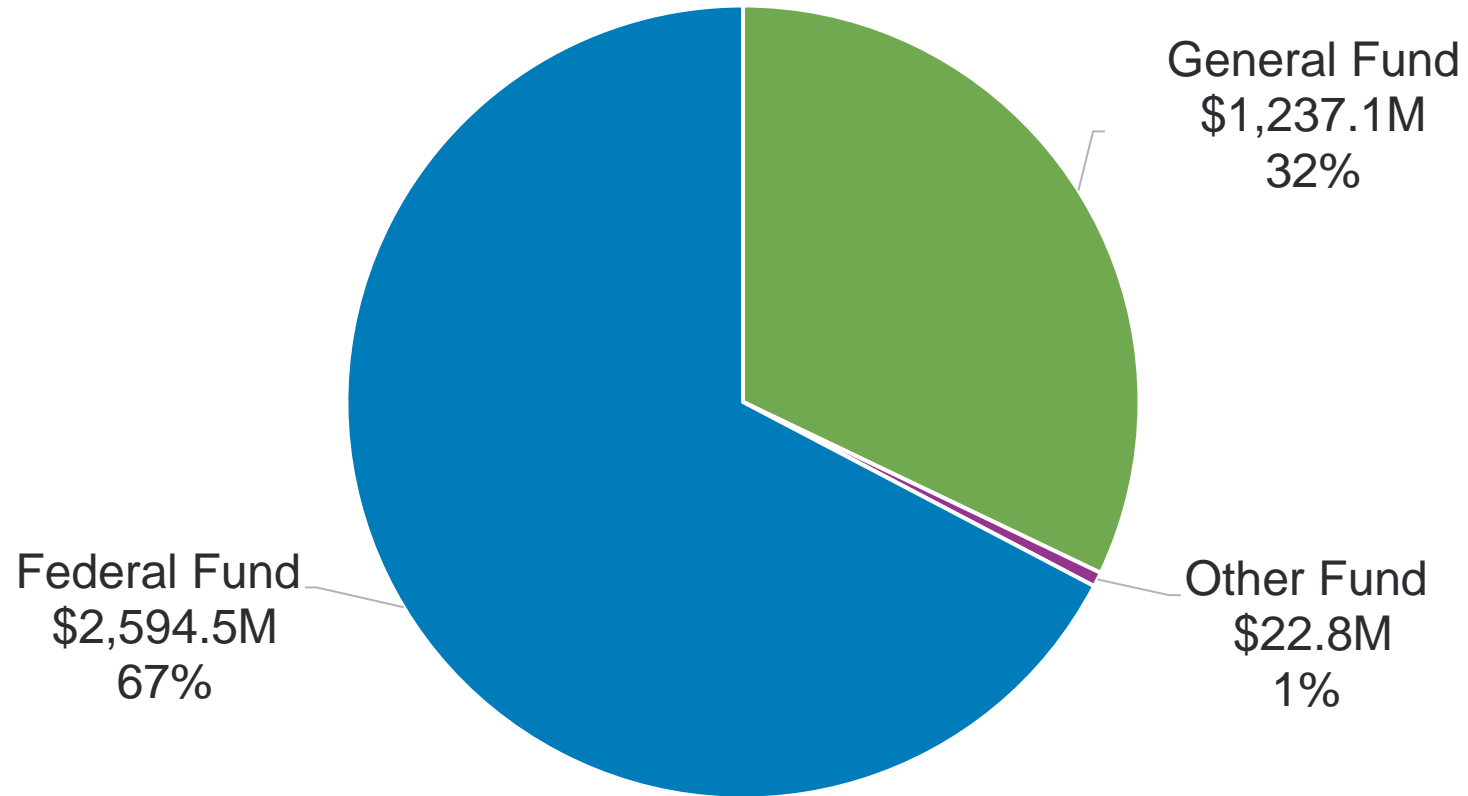
Medically
Fragile Model
waiver

Behavioral
Model waiver

Community First Choice Option or K Plan

Other State Plan services

Funding sources (2021–23 LAB) — \$3,854,399,491



Medicaid Authorities 1915 (c) and 1915 (k)

Characteristic	1915 (c) Waiver	Community First Choice State Plan 1915 (k)
Financial eligibility	Income may be as high as 300% of Supplemental Security Income (SSI) Parental income disregard for children	Income not to exceed 150% of federal poverty level or, if greater, income level applicable for an individual who has been determined to require an eligibility group under the State Plan that includes nursing facility services
Statewide	Allows states to target areas of the state	Must be statewide
Targeting	Must be in one of the following groups: 1) Aged or disabled 2) Intellectual or developmental disability 3) Mentally ill 4) Any subgroup of the above	May not consider individual's age, type or nature of disability, severity of disability or the form of HCBS required
Limitation on number served	Allowed: State can set caps and create waiting lists	Not allowed

Funding Authorities: K Plan and waivers

Waivers

- Case management
- Employment services
- Ancillary Services
 - Specialized medical supplies
 - Vehicle modifications
 - Family training
 - Home modifications-outdoor
 - Benefits counseling
 - Direct nursing services (Adult waiver only)
 - Individual directed goods and services (CIIS only)

K Plan

- Attendant care (in-home, residential, foster care, day support, on the job)
- Assistive technology
- Professional behavior services
- Community nursing services
- Home modifications, indoor
- Community transportation
- Relief care

Attendant care

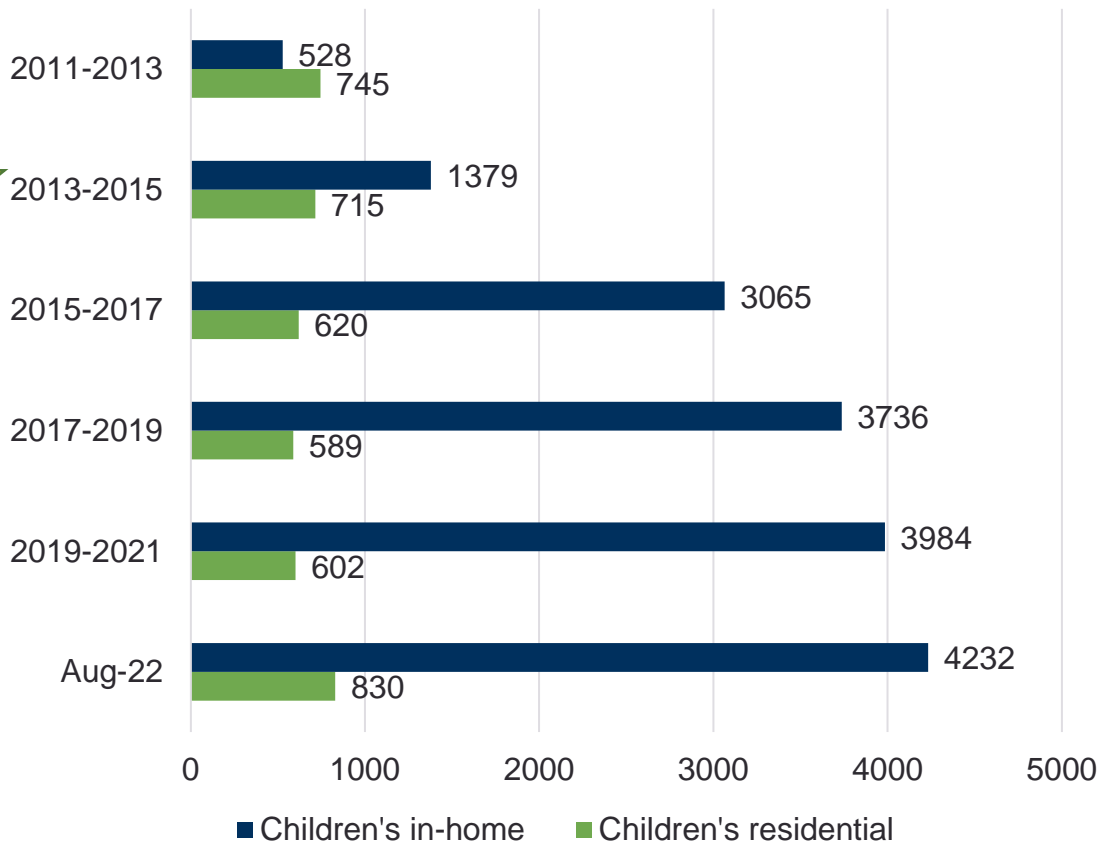
Attendant care assists with activities of daily living (ADL), instrumental activities of daily living (IADL) and health-related tasks through cueing, monitoring, reassurance, redirection, set-up, hands-on, standby assistance, and reminding.

- Available through the Community First Choice State Plan
- Provided by direct support professionals (DSPs) and personal support workers (PSWs)
 - 18+ years of age
 - Background check
 - Mandatory training
 - CPR and first aid certification

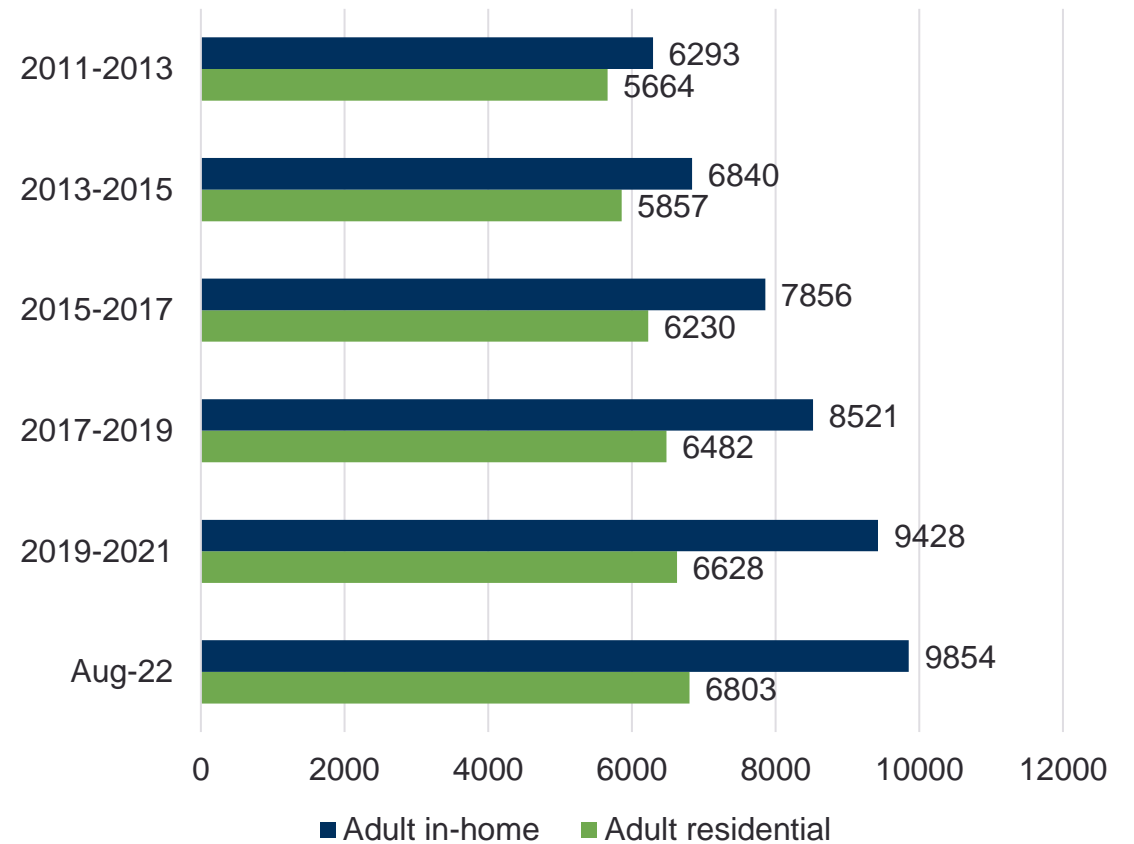


History: Children's enrollment changes

Children's services enrollment



Adult services enrollment



Eligibility

In order to be eligible for ODDS services, a person must have one of the following:

- **Intellectual disability**
 - IQ of 75 or less
 - Onset and verification by age 18
 - Limited ability to handle day-to-day activities
- **Developmental disability**
 - Onset and verification by age 22
 - Neurological condition that originates in and directly affects the brain, including autism, down syndrome, cerebral palsy.
 - Limited ability to handle day-to-day activities
 - Must have adaptive impairment due to the condition
 - Must be expected to last indefinitely
- **Must meet Medicaid financial eligibility criteria to access services beyond case management and family support.**



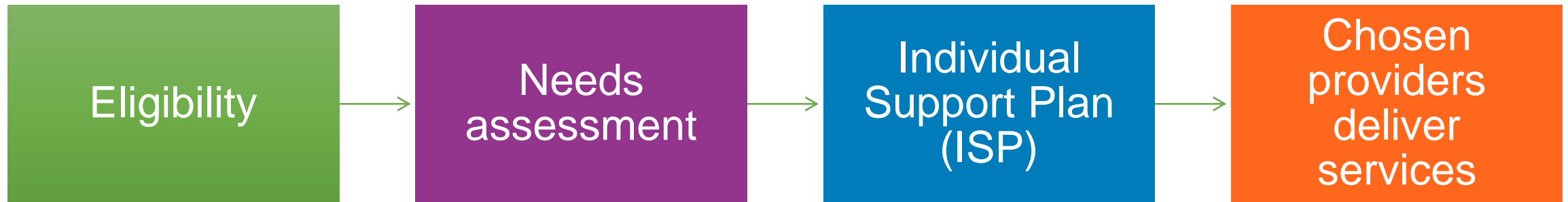
CIIS model waivers eligibility

Eligibility requirements vary:

- **Medically involved** — Requires care similar to what is provided in a nursing facility.
- **Medically fragile** — Requires care similar to what is provided in a hospital setting.
- **Behavioral** — Requires care similar to what is provided for other ODDS services for children with behavioral challenges.



Path to receiving services



- ISP helps each person with I/DD live the good life that they want.
- Each person's ISP is different because each person is unique.

How we serve: State responsibilities

ODDS

- Oversee the delivery of I/DD services
- Work with partners to develop and follow strategic plan
- Provide funding.
- Develop policies.
- Provide general oversight.
- Certify and license providers

CDDP state functions

- Carry out certain state functions on behalf of the state:
 - I/DD eligibility process
 - Abuse investigations
 - Foster home licensure and certification reviews

How we serve: Case management entities (CMEs)

Community Developmental Disabilities Programs (CDDPs)

- 25 CDDPs cover every county in Oregon.
- Services coordinators provide case management services to adults living in home and supported living settings, residential facilities and adult foster homes.
- Services coordinators provide case management services to children living in home settings and I/DD foster homes.

Brokerages

- 14 brokerages statewide.
- Personal agents provide case management services to adults living in their own home or their family home.

Specialized case management for children

State staff provides case management for children served through Children's Intensive In-home Services (CIIS) program.

- Flexible, family-centered, culturally sensitive case management services for children enrolled in ODDS model waivers.
- Helps families care for their children with significant disabilities in their homes.
- Services capped due to waiver authority.

State staff provides case management to children served in 24-hour residential settings.

- Flexible, responsive case management for children who live in 24-hour residential group homes.
- Helps children stabilize in their placements for long-term support or a return to the family home.



Role of case managers

Case managers assist individuals in accessing needed I/DD services and other community resources.

Services

- Assessment of needs and preferences
- Development of the individual support plan
- Service referrals
- Health, safety, and service monitoring
- Follow-up



Individualized Support Plans

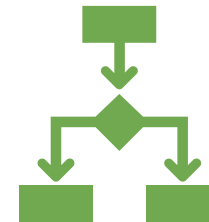
Through an Individualized Support Plan (ISP), a services coordinator or personal agent:



Helps a person identify their desired outcomes/goals.



Assists in addressing assessed needs.



Helps choose services to support their goals and needs.



Follows up with the person to make sure the ISP is working for them.

In-home services

In-home services empower and support children and adults who live in their own or family home. By far, most people eligible for I/DD services receive in-home services.

Hourly attendant care

- Support at home and in the community
- Activities of daily living like hygiene or mobility support
- instrumental activities of daily living like cooking and shopping

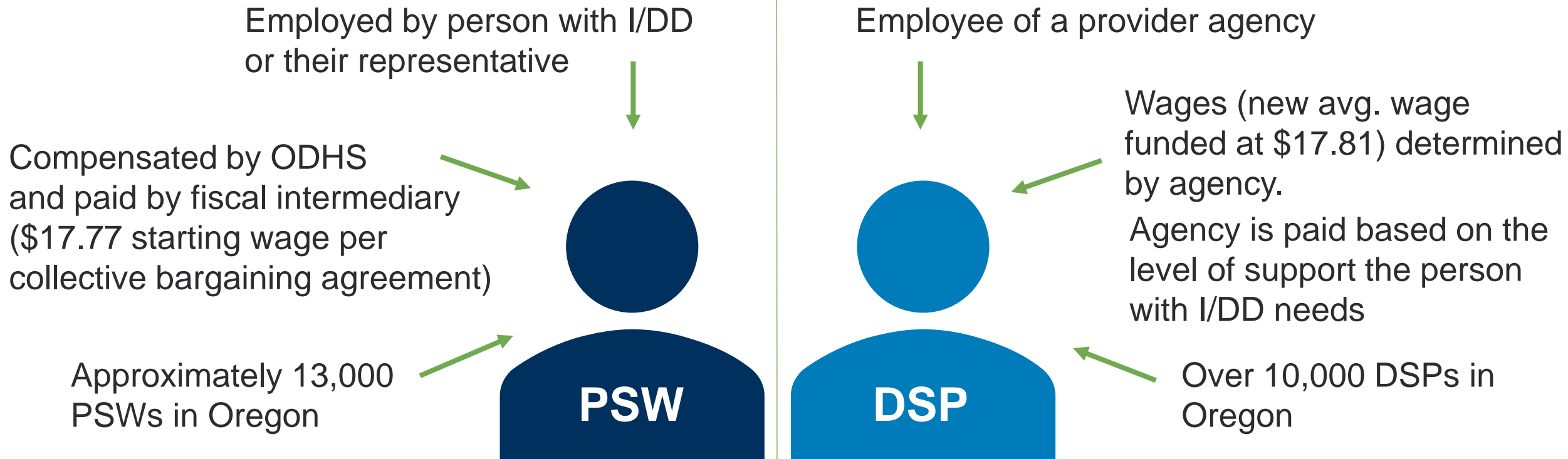
Other services

- Transportation
- Behavior supports
- Technology
- Home modifications



Who provides attendant care services

Both personal support workers (PSWs) and direct support professionals (DSPs) support individuals in their homes and in their communities.



Considerations for Children's Services

- Parents are their children's representatives.
- All children need support, guidance, and supervision.
- Community transportation is only available for driving-age youth and adults.
- Available hours for paid supports increases with age.
- Paid supports are 1:1 and must connect to a child's disability-related needs.



Residential services

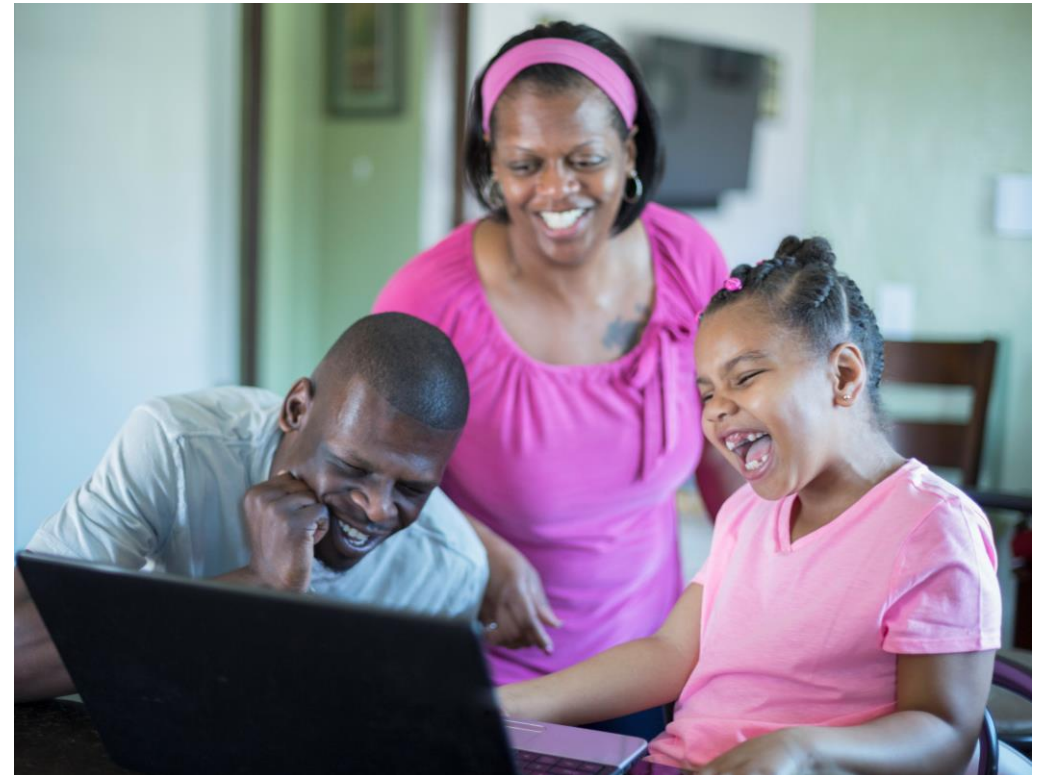
Residential services provide a 24-hour support setting and home for children and adults outside of their own or family homes.

Examples of services

- Develop skills to cook, shop, be safe
- Prepare for work, daily activities
- Interact with peers
- Behavior support
- Help accessing mental health and nursing services
- Day support

Provider types

- Foster care
- Group homes
- Supported living
- Host homes
- Stabilization and Crisis Unit (SACU)



ODDS children's residential settings

ODDS foster care

- Child placed in a certified, family home apart from their guardian.
- Foster families may be approved to support multiple children in one home.

Host homes

- Single-family dwellings managed by an in-residence caregiver.
- House one to two children who have their own bedrooms.
- Agencies provide supports for behavior, staffing and respite care services, as needed.

Group homes

- 24-hour residential care, supports, supervision and training in local communities.
- Each group home typically supports three to five children.
- Staff are trained to manage crises and challenging behaviors.



Employment services

ODDS partners with ODHS Vocational Rehabilitation and Oregon Department of Education to offer supported employment services.

ODDS' Employment First policy says **fully integrated jobs in the community** are the priority in planning employment services for working-age adults and youth who experience I/DD.

Services

- Job development
- Job coaching
- Discovery
- Small group supported services
- Employment Path Community
- Benefits counseling
- Career Development Path
- Core competencies and training
- Competitive integrated employment



Ancillary services

- Behavior consultation
- Home modifications
- Assistive devices and technology
- Direct nursing services for adults
- Community Transportation
- Medical supplies



ODDS services and schools

Federal regulations require that K Plan services, like ODDS-funded attendant care, do not supplant special education or related services provided under IDEA. 42 CFR § 441.525

- ODDS services cannot replace school services or be provided during the school day.
- Support workers cannot provide services in schools, on school grounds or on school buses.
- They cannot provide school transportation.
- They cannot perform educational tasks, even at home.



Service settings

Adults	22,834
Brokerage enrollment	7,524
CDDP enrollment	15,310
Services enrollment	
In-home support	9,854
24-hour residential	3,211
Adult Foster care	2,828
Supported living	764
Employment and day support	4,708
Stabilization and Crisis Unit	90

Children	10,239
CDDP enrollment	9,826
Case management (CM) only	4,384
CM with funded services	5,855
In-home support	4,232
Residential care	124
Host homes	6
Foster care	296
SACU	15

CIIS	375
CIIS: Intensive Behavior	98
CIIS: Medically Involved	177
CIIS: Medically Fragile	100

Closing remarks

- **All individuals of all abilities** deserve to live safe, healthy lives that are free from abuse and allow them to achieve their highest potential.
- Oregon's I/DD ecosystem is built on critical partnerships between the state, local governments, nonprofits, provider agencies, self-advocates and families to help persons with I/DD to live successfully in their communities.
- We continue to innovate, building a strong foundation of supports and laying the avenues to equity and community inclusion.





Questions?
