


To: Listserv

For: Area Administrators/Human Service Area Coordinators
County Department of Community Program Directors
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Tribal Chair Persons/Human Services Facilitators
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County Fiscal Contacts
DLTC Bureau Directors

From: Sinikka Santala 
Administrator

Subject: Adult Protective Services Allocation for Family Care Counties

The purpose of this memo is to provide information to counties regarding a plan developed by the Department of Health Services to establish and distribute a state-funded Adult Protective Services allocation for each Family Care county.

SUMMARY

In recognition of the on-going county responsibility to operate both the adult protective services (APS) and adults-at-risk (AAR) reporting systems, each Family Care county will be provided a state-funded APS allocation. Information regarding the APS allocation was previously provided in the DLTC Fiscal Update Memo #4 from November 14, 2007. The Department has the authority to make an APS allocation to Family Care counties under Wisconsin State Statute § 46.40(9)(ar)2.

BACKGROUND

Prior to Family Care, community-based waiver administrative and case management funds, in addition to county funding, were used in part to fund adult protective services. With the implementation of Family Care, managed care organizations (MCOs) will be the most common provider of services for adults with long-term care needs and county long-term support funds will be transferred to Family Care operations. Long-term care services, including long-term care services that are court ordered or APS related, will be provided to individuals at risk who are participating in Family Care by the MCO that they are enrolled with. The county would continue to be responsible for the provision of court-ordered services for individuals at risk who are not enrolled in Family Care.

Statutorily, the county is still responsible for serving the general public through the elder adults-at-risk, adults-at-risk and adult protective services systems. The MCO is not responsible for these related services and activities including: adults-at-risk investigations, service and placement responsibilities under Chapter 55; emergency detention responsibilities under Chapter 51; elder abuse investigations under Chapter 46 and guardianship responsibilities under Chapter 54.

APS ALLOCATION WITH FAMILY CARE EXPANSION

The Department recognizes that adult protective services and related activities are a major part of the responsibilities that counties will retain after transitioning to Family Care, and intends to provide an allocation to support these activities.

This funding will be allocated to each Family Care county as part of the state and county contract for social services and community programs under Appendix O. Counties will be eligible for this allocation after they start enrolling participants for services under Family Care. For those counties starting enrollment in a Family Care MCO during the course of a year, the allocation will be pro-rated based on the number of months in operation.

Once Family Care starts in a county, the department will amend the State-County contract by adding Appendix O and will alert the Community Aids Reporting System (CARS) of the new allocation. Once processed, the county will receive a pre-payment in an amount equal to three months of their maximum eligible allocation. Monthly reporting of APS costs will be consistent with the existing CARS payment process. Costs will be reported in CARS Profile 312 and reimbursed up to the eligible annual allocation. There is no county match requirement for this allocation. When a county has fully expended its APS allocation, any additional expenses reported to the 312 profile will roll to the county's Basic County Allocation (BCA), and be reimbursed from there.

Until a county begins Family Care, it may continue to report APS expenditures against its BCA, as it has in the past. The pilot Family Care counties (Milwaukee, Portage, La Crosse, Fond du Lac, and Richland) will continue to use profile 313 for calendar year 2008. Their existing match requirement remains in place for the current calendar year 2008 contract. Beginning in 2009, they will no longer have a match requirement, and will report APS costs to CARS profile 312

For those counties currently due an APS allocation, an amendment to the state county contract, Appendix O, will be completed and counties will receive a pre-payment in an amount equaling three months of their maximum eligible allocation. The county should report expenses incurred from the start date of the amendment, consistent with the existing CARS reporting process. Costs will be reimbursed up to the contract level.

See the attached schedule for the amount of the allocation identified for each county.

USE OF FUNDS

Uses of APS funds provided may include, but are not limited to:

- Response and reporting of alleged abuse, neglect or exploitation,
- Petitions for guardianship and protective placement,
- Completion of court-required reviews,
- Operation of Adults-at-Risk Interdisciplinary Team,
- Provision of direct services. and
- Submission of adults-at-risk cases on the state's web-based data system, the Wisconsin Incident Tracking System.

As with elder abuse funding, this allocation is intended for short term needs to stabilize a situation and address immediate concerns.

PROPOSED STATE AND COUNTY CONTRACT LANGUAGE SPECIFIC TO APS

APPENDIX O TO THE STATE AND COUNTY CONTRACT FOR SOCIAL SERVICES AND COMMUNITY PROGRAMS: RELATING TO ADULTS-AT-RISK AND ADULT PROTECTIVE SERVICES FUNDING.

II. Purpose and Service Conditions on the Use of the Additional Funds

THESE ADDITIONAL FUNDS MAY BE USED BY THE COUNTY TO ADMINISTER ADULTS-AT-RISK (AAR) ACTIVITIES AND ADULT PROTECTIVE SERVICES (APS). AAR/APS DUTIES, IN CHAPTER 55, DEFINE USES OF THESE FUNDS. AAR/APS ENCOMPASSES SUCH "CORE" SERVICES AS RESPONSE AND REPORTING OF ALLEGED ABUSE, NEGLECT OR EXPLOITATION; SHORT-TERM PROTECTIVE INTERVENTIONS, INCLUDING PETITIONING FOR GUARDIANSHIP AND PROTECTIVE PLACEMENT WHEN NECESSARY; COURT-REQUIRED REVIEWS, INCLUDING AN ANNUAL REVIEW OF COURT-ORDERED PLACEMENTS (I.E., WATTS REVIEWS); AND, TO THE EXTENT A FAMILY CARE PARTICIPANT WITH APS NEEDS REFUSES CARE MANAGEMENT OFFERED BY THE MCO, CORE SERVICES MAY ALSO INCLUDE LONGER TERM CASE MANAGEMENT. THE COUNTY MAY PROVIDE AAR/APS SERVICES DIRECTLY OR IT MAY CHOOSE TO CONTRACT WITH THE RESOURCE CENTER TO ADMINISTER SERVICES.

If you have questions regarding the fiscal impact of funding moves in light of your county's transition to Family Care, please contact a member of the Fiscal Management and Business Services Section:

- Kay Lund, State Adults-at-Risk and Adult Protective Services Staff – (608) 261-5990 or Kay.Lund@wisconsin.gov
- Rebecca Hotynski, Fiscal Unit Supervisor – (608) 264-9870 or Rebecca.Hotynski@dhs.wisconsin.gov
- Julie Schroeder, Budget & Policy Analyst for the Bureau of Aging & Disability Resources – (608) 261-8338 or Julie.Schroeder@wisconsin.gov

