

Policy and Procedure for Tribal Entities to Become a Long-Term Care Functional Screen Screening Agency

I. Policy

The initial long-term care functional screen (LTCFS) must be performed by either a Tribal aging and disability resource specialist (ADRS) or an aging and disability resource center (ADRC), per the Department of Health Services (DHS) federal waiver authority. A Tribe or Tribal entity may perform the initial LTCFS if it has either:

- A contract with the Department of Health Services (DHS) for a Tribal ADRS in which the Tribe or Tribal entity has elected the option in the Tribal ADRS Scope of Services to perform the LTCFS and enrollment counseling.
- A partner agreement with an ADRC in which the Tribe's designated employee to provide information and assistance completes the initial LTCFS and enrollment counseling for the Tribal members, if chosen. Under this agreement, the screens are entered under the ADRC.

II. Tribes or Tribal Entities Performing the LTCFS and Enrollment Counseling

If a Tribe or Tribal entity elects in their Tribal ADRS Scope of Services to perform the LTCFS and enrollment counseling, then certain requirements apply to the Tribe and Tribal ADRS.

A. Requirements for the Tribe or Tribal entity

If the Tribe or Tribal entity has elected for the Tribal ADRS to perform the LTCFS and enrollment counseling as part of their Tribal ADRS Scope of Service, then the following conditions must be in place.

- The entity that employs the Tribal ADRS must be independent from a managed care organization (MCO), IRIS consultant agency (ICA), or fiscal employment agency (FEA) to ensure that there is no conflict of interest. Federal regulation requires that entities that provide eligibility determination and enrollment counseling meet the independence and freedom from conflict of interest standards in [42 CFR § 438.810 \(b\) \(1\) and \(2\)](#).

- If the Tribe provides Tribal case management or operates an MCO, ICA, or FEA, the Tribal ADRS is prohibited from being co-located with the Tribal case managers, MCO, ICA, or FEA and from being supervised by the same individual who supervises the Tribal case managers or MCO, ICA, or FEA employees.
- The entity that employs the Tribal ADRS becomes a LTCFS screening agency and agrees to joint LTCFS oversight with DHS.
- The Tribal ADRS position is not vacant, this is the first time the entity employing the Tribal ADRS is applying to become a LTCFS screening agency, and the Tribal ADRS meets the qualifications to administer the LTCFS or has obtained DHS approval for alternative staff experience or training.

B. Required minimum qualifications for a Tribal ADRS

The Tribal ADRS must meet the minimum qualification requirements from DHS as described in [Wis. Admin. Code § DHS 10.23\(5\)](#). The Tribal ADRS must meet at least one of the following requirements for education and experience:

- Have a Bachelor of Arts or Science degree or a license to practice as a registered nurse, pursuant to Wis. Stat. § 441.06, and the equivalent of at least one year of full-time experience in a health or human services field working with one or more of the client populations served by the ADRC.
- Four years of postsecondary education and experience working with at least one of the target populations or an equivalent combination of education and experience, either in long-term support or a related human services field
- Other experience, training, or both, as approved by DHS based on a plan for providing formal and on-the-job training to develop the required expertise

If a prospective Tribal ADRS does not meet the education and experience requirements listed above, the employer of the Tribal ADRS must request and receive approval from DHS prior to making an employment offer. Requests for approval are made by using [F-00054](#) and submitting it to the [Office for Resource Center Development](#) (ORCD) prior to hiring. If a request is approved, the Tribal ADRS must complete the training requirements outlined in the approval letter from DHS within the agreed upon time frame.

Approval of the request for alternative education and experience is discretionary. DHS is not obligated to approve the application.

If approval for alternative education and experience had previously been requested and approved for a Tribal ADRS and at the time of the initial request, the Tribal ADRS was not performing the LTCFS, a new request must be submitted to DHS prior to the Tribal ADRS performing the LTCFS.

III. Process to Become a LTCFS Screening Agency

1. A Tribe must either select the option in the Tribal ADRS Scope of Services to perform the LTCFS and enrollment counseling or enter into a partner agreement with an ADRC to perform the LTCFS and enrollment counseling for Tribal members. If the Tribe elects the option to perform the LTCFS and enrollment counseling as part of its contract with DHS, the Tribe must indicate the selection of this optional service prior to signing the Scope of Services or in an executed amendment to the Scope of Services. This is overseen by ORCD.
2. When determining which organization within the Tribe will oversee the Tribal ADRS activities, the Tribe must identify an entity or Tribal department that does not have an interest in the results of the LTCFS and is independent from MCOs, ICAs, FEAs, and Tribal case management units under contract with any of those entities. This is overseen by ORCD.
3. If the employing entity or Tribal department for the Tribal ADRS is not an already established LTCFS screening agency with DHS, the entity or Tribal department must provide the following information to the Division of Medicaid Services (DMS) to initiate the process. The Tribe or Tribal entity should contact their assigned regional quality specialist with the following information:
 - Name of the screening agency
 - Contact name, phone number, and email address for the individual who can answer questions about agency set up
 - Name and screener ID for the Tribal ADRS, if applicable

The assigned regional quality specialist will connect them with DMS to establish the screening agency in the Functional Screen Information Access (FSIA).

4. Once the LTCFS screening agency has been approved and set up in the FSIA, the LTCFS quality oversight will be established. The Tribal ADRS is operated independently, therefore the screening oversight will be divided between the LTCFS screening agency, which is the Tribal entity, and the DHS LTCFS liaison.

III. Quality Oversight

A. Responsibilities of the Tribal entity

The LTCFS screening agency, which is the Tribal entity employing the Tribal ADRS, is responsible for the following activities related to having an individual administering the LTCFS:

- Designate a supervisor to act as the functional screen authorized submitter. The authorized submitter for screener access requests is the person each agency must identify as the authorized submitter on the [Authorized Signer Designation for Access to the Program Participation System \(PPS\) and Functional Screen Information Access \(FSIA\)](#) (F-02118) that is on file with DHS.
- Add new screener(s) to the screening agency in FSIA. Instructions for how to add a new screener are found in [Adding Long Term Care Functional Screeners to Functional Screen Information Access \(FSIA\)](#) (P-02783a).
- Ensure that all screen users have appropriate training in confidentiality of records containing personally identifiable information.
- Maintain an up-to-date listing of all individuals with FSIA access by type of access at the agency.
- Maintain up-to-date information about the agency and each screener in the FSIA application.
- Change or eliminate screener access to FSIA based on the status of the agency and each individual screener. FSIA must be updated within three business days of any change. If the screener's employment is terminated, FSIA must be updated within one business day

of the termination date. Instructions for how to delete a screener are found in [Deleting Long Term Care Functional Screeners from Functional Screen Information Access \(FSIA\)](#) (P-02783b).

- Participate in any State Fair Hearings and support the Tribal screener as needed.
- Ensure that each screener meets the screener qualifications specified in contracts between DHS and the screening agency or has an approved application of education or experience on file.
- Ensure that each screener performs the initial LTCFS certification course, continuing skills testing (CST), and other trainings as required by DHS.
- Respond to quality assurance findings of DHS and work with the Tribal LTCFS liaison to resolve, as required.

B. Responsibilities of the DHS LTCFS liaison

The DHS LTCFS Tribal liaison is responsible for the following activities related to a Tribal ADRS administering the LTCFS:

- Oversee all aspects of screening and use of FSIA by the Tribal ADRS. This includes providing initial and ongoing training and mentoring, reviewing screens performed by screeners prior to calculation, and performing ongoing quality improvement and quality assurance activities.
- Consult with the assigned regional quality specialist, as needed.
- Inform the screener's supervisor of any performance issues that need to be addressed through follow-up or quality improvement activities.
- Create and provide trainings to help the Tribal ADRS prepare for CST.
- Ensure that all screeners are receiving LTCFS Adult Screen listserv messages and copies of technical assistance or other informational bulletins from DHS.
- Ensure that all screeners are aware of the internet address and contents of the DHS website for the LTCFS.

IV. Additional Requirements for Tribal ADRS Performing the LTCFS

If a Tribal ADRS performs the LTCFS and enrollment counseling, they are required to complete 100% time and task reporting for Medicaid administrative claiming. They are also required to complete client tracking. If these activities are not completed by the Tribal ADRS, they will be prohibited from completing the LTCFS and enrollment counseling.

V. Additional Assistance

For questions about the process or additional assistance, please contact your assigned regional quality specialist.