



COMMISSIONER
Adelaide Horn

July 12, 2007

To: All Nursing Facility Administrators

Re: Information Letter # 07-67
Relocation Contractor Staff Access to Nursing Facility Residents and Clinical Records

This Information Letter updates Provider Letter # 04-18 issued on June 18, 2004.

The Promoting Independence Initiative (Initiative) was developed in response to the United States Supreme Court Ruling in *Olmstead v. L.C.*, 110 S. Ct. 2176 (1999), and is supported by two Governor's Executive Orders (GWB 99-2 and RP 2002-13) and state legislation (Senate Bill 367, 77th Legislature, Regular Session, 2001). The purpose of the Initiative is to provide enhanced community options so individuals will have more residential choices in receiving their long term services and supports.

Money Follows the Person (MFP) is a significant policy resulting from the Promoting Independence Initiative. MFP allows nursing facility (NF) residents to move back into the community to receive services without being on an interest list or using a community "slot" to access services in the community.

One aspect of MFP is the creation of "relocation specialist" activities. Relocation specialists perform outreach and education activities for NF residents and identify individual residents who want to access community services through MFP. In addition, relocation specialists can assist in the facilitation and coordination of transition activities into the community.

The Department of Aging and Disability Services (DADS) contracts with relocation contractors; the contractors hire relocation specialists to perform activities related to community transition. As contractors of the state, relocation specialists have the authority to enter a NF and work with residents to explore interest in MFP; *this activity is not considered solicitation.*

NF administrators must allow relocation specialists access to their facilities and support them in this activity. Relocation specialists must provide adequate identification. DADS expects each NF administrator and NF staff to support and assist in all MFP activities, including the relocation specialists, relocation specialist activities, and transitional services.

It should be noted that NF residents are under no obligation to speak to relocation specialists. NF residents must be *provided with the opportunity* to interact with the relocation specialists to obtain further information, should they so desire.

Relocation specialists will be visiting nursing facilities throughout the state. Upon entering a NF, a relocation specialist must identify themselves, request to speak to the Administrator or the person designated in charge in the absence of the Administrator, and explain the purpose of the visit.

Relocation specialists should be granted access to visit with residents, along with the resident's family members or other representatives with the resident's approval, and have access to clinical records and any other documentation, with the resident or resident's legal representative's written approval, and those activities and processes necessary to facilitate the residents' transition into a community setting.

DADS contracts with the following organizations to provide relocation services for nursing facility residents, including children residing in a nursing facility:

Relocation Contractor	DADS Region(s)	Subcontractors
ARCIL INC. (512) 832-6349	Regions 4, 5, 7	<ul style="list-style-type: none"> • Crockett Resource Center for Independent Living • East Texas Center for Independent Living • Heart of Central Texas Independent Living Center • Resource, Information, Support, and Empowerment
The Valley Association for Independent Living, Inc. (956) 668-8245	Regions 8, 11	The Center on Independent Living (COIL)
Houston Center for Independent Living (713) 974-4621	Region 6	None
LIFE/RUN-1 (806) 795-5433	Regions 1, 2	Panhandle Independent Living Center (PILC)
LIFE/RUN-5 (806) 795-5433	Regions 9, 10	VOLAR Center for Independent Living ABLE
North Central Texas Council of Governments (NCTCOG) (817)695-9193	Region 3	<ul style="list-style-type: none"> • REACH • Community Council of Greater Dallas' Area Agency on Aging • United Way of Metropolitan Tarrant County's Area Agency on Aging • Texoma Council of Governments' Area Agency on Aging of Texoma

MFP is an important DADS' policy initiative that requires the cooperation of all of our contractors. If you have any questions about this letter, Promoting Independence, or the MFP policy, please contact Steven Ashman, MFP Program Specialist, at (512) 438-4135.

Sincerely,

[signature on file]

Tommy Ford
Section Director
Institutional Services

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