



STATE OF MARYLAND

DHMHOffice of Health Services
Medical Care ProgramsMaryland Department of Health and Mental Hygiene
201 W. Preston Street • Baltimore, Maryland 21201

Robert L. Ehrlich, Jr., Governor – Michael S. Steele, Lt. Governor – Nelson J. Sabatini, Secretary

**MARYLAND MEDICAL ASSISTANCE PROGRAM
Nursing Home Transmittal No. 190**

September 30, 2004

TO: Nursing Home Administrators

FROM: Susan J. Tucker, Executive Director
Office of Health Services

NOTE: Please ensure that appropriate staff members in your organization are informed of the contents of this transmittal.

RE: House Bill 946/Senate Bill 620

House Bill 946/Senate Bill 620

House Bill 946/Senate Bill 620, passed during the 2004 legislative session, places new requirements on nursing facilities and requires the Department of Health and Mental Hygiene to reach out to nursing facility residents who have indicated a preference to return to the community. This transmittal is intended to explain the new legislative requirements. A copy of the bill is enclosed for your reference.

Options Counseling for Nursing Facility Residents

Beginning in September, registered nurses from the Delmarva Foundation for Medical Care will seek out nursing facility residents who are eligible for Medicaid and who have expressed a preference to live in the community. Upon identifying appropriate residents, the Delmarva nurses will talk to residents about their options for accessing home and community-based services. Where appropriate, nurses will contact family members of the resident. In many cases, the nurses will make referrals to community programs. The nurses will perform this service in conjunction with quarterly on-site reviews of medical records.

A nursing facility resident may express a preference to return to the community at any time, to any type of nursing facility staff. Section Q of the Minimum Data Set also includes an indicator regarding preference to return to the community. State law requires that nursing facilities refer all residents who have expressed a desire to return to the community to the Department or its designee. Therefore, when



Delmarva arrives for the on-site reviews, social work staff at the facility should be prepared to refer residents to Delmarva. Nursing facility staff may also make immediate referrals at any time by contacting the facility's regular Delmarva reviewer or calling Karen Mesko at 1-800-999-3362. Please note that this process does not negate a nursing facility's ongoing responsibility to assist with discharge planning for residents.

Information on Community-based Services

Since October 2002, State law has required that social workers in nursing homes present residents with information on home and community-based services waivers and other programs that might help them live in the community. Specifically, social workers are required to share a document that describes Medicaid programs that could enable the resident to live in the community. The information sheet must be made available to residents "upon admission or discharge of the resident," and "when the resident indicates a preference to return to the community, either during the resident's quarterly assessment or at any other time."

The law further requires that the social worker request that the resident sign an acknowledgement of receipt of the information sheet. This acknowledgement should be kept in the resident's medical record.

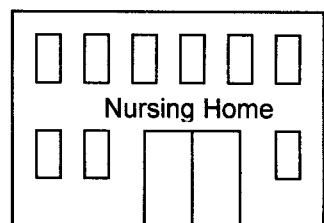
House Bill 946/Senate Bill 620 updates this section of statute and requires DHMH to add additional information to the information sheet. A copy of the updated information sheet is enclosed. You will be responsible for copying the information sheet as necessary and continuing to ask each resident to sign an acknowledgement of receipt of the information sheet.

Any questions regarding this transmittal should be directed to the Nursing Home Section of the Division of Long Term Care Services at (410) 767-1444.


Enclosures

cc: Area Agencies on Aging
Centers for Independent Living
Delmarva Foundation for Medical Care
Department of Aging
Department of Disabilities
Department of Human Resources
Long Term Care Ombudsmen
Nursing Home Liaison Committee
Office of Health Care Quality

**If you want to go home,
there may be a way!**



Nursing Home

I wish I could get the
help I need in my own
home... 

Get long term care services in the community!



If Medical Assistance pays for any part of your nursing home care, you may be able to get care and services in your own community home instead of in a nursing home.

In the last few years, hundreds of people have moved out of nursing homes to receive services in the community. There are several programs that provide services in the community. We can help you decide which one may be right for you and help you apply. **Just let us know.**

If you would like to learn more about services that may help you move back to the community, ask a social worker at your nursing home, or contact one of the places listed on the back of this page.

State Government

Department of Disabilities (NEW)	410-767-3660
Department of Human Resources Office of Personal Assistance Services	410-767-7479
Maryland Department on Aging	1-800-AGE-DIAL
Adult Evaluation and Review Services (AERS)	410-767-6767
Developmental Disabilities Administration	Central MD 410-902-4509 Western MD 301-791-4670 Southern MD 301-362-5100 Eastern Shore 410-334-6920

Advocacy

Making Choices for Independent Living (Central MD)	410-444-1400
Independence Now (PG & Montgomery Counties)	301-277-2839
Eastern Shore Center for Independent Living	800-705-7944
Southern MD Center for L.I.F.E.	301-884-4498/5110
Freedom Center (Frederick & Carroll Counties)	301-846-7811
Resources for Independence (Western Maryland)	800-371-1986
Brain Injury Association of Maryland	800-221-6443
Statewide Independent Living Council	877-543-3344

Legal Resources

<p>Legal Aid Bureau Assisted Living/Nursing Home Program 1-800-367-7563 www.mdlab.org</p> <p>The Assisted Living/Nursing Home Program provides legal assistance to financially eligible nursing home residents anywhere in Maryland.</p>	<p>Maryland Disability Law Center (MDLC) 1-800-233-7201 TDD number: 410-727-6387 www.mdlcbalto.org</p> <p>MDLC is a non-profit legal services established by federal and state law to advocate for the rights of persons with disabilities in Maryland</p>
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This document is produced by the Maryland Department of Health and Mental Hygiene. By law, nursing homes must give this information to every nursing home resident who indicates a preference to return to the community.