

STATE OF WISCONSIN
 Department of Health and Family Services
 Division of Long Term Care

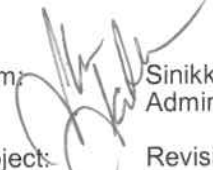
DDES Info Memo Series 2007-05

Date: May 3, 2007

Index Title: Revision to COP-W/CIP II variance policy

To: Listserv

For: Aging and Disability Resource Centers
 Area Agencies on Aging
 County COP Coordinators
 County Department of Community Program Directors
 County Departments of Developmental Disabilities Services Directors
 County Departments of Human Services Directors
 County Departments of Social Services Directors
 County Waiver Coordinators
 County DD Coordinators
 County Mental Health and AODA Coordinators
 County Aging Unit Directors
 Family Care CMOs
 Independent Living Centers
 Tribal Chairpersons
 Human Services Facilitators

From:  Sinikka Santala
 Administrator

Subject: Revision to COP-W/CIP II variance policy

Document Summary

This memo revises the Department's COP-W/CIP II variance policy to allow for placement of clients in a community-based residential facilities (CBRF) attached to nursing homes provided the lead agency requesting a variance from the policy attests that the proposed living arrangement is in a home-like setting and that the consumer indicates that he or she has chosen the arrangement.

Existing COP/COP-W/CIP II waiver policy imposes limitations on the use of CBRFs that are larger than 20 beds or attached to a nursing home. The intent of these limitations was to ensure that funds intended for use in community settings were not diverted to institutional settings. The Department already provides for a variance for use of CBRFs with more than 20 beds. This variance process is specified in DSL Memo 2002-25, issued January 3, 2003.

Since the last revision of this policy, CBRFs have generally become easily distinguishable from nursing homes, even if attached. At the same time, the Department has encouraged current nursing homes to consider diversifying their offerings in long-term care and reducing the number of nursing home beds in the state as demand has declined. In addition, Family Care has operated successfully without these limitations on the choice of residential settings by encouraging supporting consumers with good information as they exercise their choice of living arrangement within the provider network.

For all these reasons, we propose to allow for a variance from existing waiver policy to allow consumers to choose a CBRF attached to a nursing home provided that: 1) the consumer indicates that he or she has chosen this living arrangement and 2) the lead agency attests that the CBRF provides a home-like setting for its residents.

We will soon reissue the DSL memo 2002-25 with procedures for obtaining this variance and will revise waiver manual provision accordingly. In the meantime, any waiver care plan or relocation plan submitted for an individual who has chosen a CBRF attached to a nursing home should indicate whether, in the opinion of the lead agency, the setting is home-like. The request you received on April 6, asking you to update the list of waiver participants currently residing in CBRFs attached to nursing homes, need not be completed.

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MEMO WEB SITE: http://dhfs.wisconsin.gov/dsl_info/

Attachments: [DDES 2002-25 memo: Use of COP/COP-W/CIP-II in CBRFs](#)

cc: Wisconsin Association of Homes and Services for the Aging
Disability Rights Wisconsin
Board on Aging and Long Term Care
Wisconsin Health Care Association