



COMMISSIONER  
Chris Traylor

May 23, 2011

To: All Nursing Facility Administrators

Re: Information Letter No. 11-57  
Provider Letter No. 11-20  
Minimum Data Set (MDS) 3.0 Section Q: Referral to the Community-Responsibilities and Local Contact Agencies Information

*This Information Letter replaces Information Letter No. 11-37 and Provider Letter No. 11-08 issued March 17, 2011.*

NOTE: Please also review Information Letter No. 11-38 regarding the role of the Nursing Facility and the Relocation Contractor. You must review these letters together to ensure all Medicaid nursing facility residents receive relocation services if they indicate a desire to return to a community-based setting.

**Local Contact Agencies for nursing facility residents who expressed a desire to relocate to a community residence through the Minimum Data Set 3.0 Section Q:**

- **For Medicaid eligible nursing facility residents who want a referral: Contact the relocation services contractor for your area (see listing below).**
- **For non-Medicaid nursing facility residents who want a referral: Contact the Aging and Disability Resource Centers (ADRCs) for your area (see listing below).**

The Centers for Medicare and Medicaid Services (CMS) recently completed a revision to the Minimum Data Set (MDS) 2.0. The MDS 3.0 became effective October 1, 2010. The MDS 3.0 is a different document both in substance and in philosophy. The MDS 3.0 approaches the nursing facility (NF) resident assessment from a more person-centered planning perspective in which the resident is required to take a more active role in determining his or her individual service plan.

One of the major changes to the MDS 3.0 is Section Q, the "relocation/referral" section. The original Section Q was minimal and dependent on others to respond to the question. The MDS 3.0 Section Q is more robust and actively engages the NF resident to determine his or her goals in pursuing going back to a community residence or remaining in a NF setting. The "new Section Q" directly asks if an individual wants to relocate back to the community and if they want a referral to a third-party independent community organization (local contact agency) to provide them information and potential assistance in relocating from the NF. The NF is required to make the referral to the local contact agency (LCA) within 10 business days and to ensure that there is a follow-up response by the LCA within 14 calendar days. In Texas, there are two different types of LCAs. The first is known as the Relocation Services contractor who assists Medicaid NF residents. The second is known as ADRCs who assist non-Medicaid NF residents. All individuals in Medicaid-certified NFs, regardless of payment source, must respond to Section Q and have a referral made on their behalf if they respond affirmatively to Section Q: Q0500.

The NF survey process does not include a discrete task for Section Q follow-up or discharge planning. However, prior to, or during the onsite survey, the NF Ombudsman can be asked about Section Q results and their follow-up. For example, the Ombudsman may be asked if they have any information from residents or others about whether or not residents say they want to talk to someone about community care and whether there was any follow-up. Any issues or findings that demonstrate residents are not being referred, that LCAs are not making contact with them, or that person-centered discharge planning is not being conducted will be further investigated. If warranted, a deficiency may be cited using the appropriate F Tag, depending on the information gathered as a result of the investigation. The NF is responsible for ensuring the referral has been made and that the LCA has responded. If the LCA does not respond after a second call, then please report this situation to the Texas Department of Aging and Disability Services (DADS) at: 512-438-3550 or at [communityservicescontracts@dads.state.tx.us](mailto:communityservicescontracts@dads.state.tx.us).

Texas has an established comprehensive network of Relocation Services contractors that act as DADS LCAs for Medicaid NF residents and provide statewide outreach, education, facilitation, and case management for individuals who have expressed a desire to relocate from the NF. This coverage is available for the Medicaid eligible population. Please see listing below for information on the Relocation Services contractor that covers your NF.

Texas established an “options counseling” system for those who are non-Medicaid or in a spend-down mode. These “options counselors” are part of the Aging and Disability Resource Centers (ADRCs) system and will provide statewide coverage. Please see listing below for information on the ADRC that covers your NF.

Texas is a national leader in NF relocation through its Money Follows the Person program. The new MDS 3.0 Section Q supports the U.S. Supreme Court’s *Olmstead* decision (June 1999) and Texas’ own Promoting Independence Initiative and Promoting Independence Plan. An individual’s stated goal to relocate back to the community is one of choice and no one is required nor forced into this decision. However, for those who want to relocate, the state, the NF, the LCA, the managed care organization (if appropriate) and the home health agency must work collaboratively to make the choice viable.

Additional information will be forthcoming regarding how to assist NF staff in supporting the new MDS 3.0 Section Q.

<b>Local Contact Agency for Medicaid NF Residents</b>		
<b>Relocation Contractor</b>	<b>DADS’ Region(s)</b>	<b>Subcontractors</b>
ARCIL, Inc. (512) 832-6349	Region 4	<ul style="list-style-type: none"> <li>• Crockett Resource Center for Independent Living</li> <li>• East Texas Center for Independent Living</li> </ul>
ARCIL, Inc. (512) 832-6349	Region 5	<ul style="list-style-type: none"> <li>• Crockett Resource Center for Independent Living</li> <li>• Resource, Information, Support, and Empowerment</li> </ul>
ARCIL, Inc. (512) 832-6349	Region 7	<ul style="list-style-type: none"> <li>• Crockett Resource Center for Independent Living</li> </ul>

The Center on Independent Living, Inc. (COIL) (210) 655-2333	Region 8	None
Costal Bend Center for Independent Living (CBCIL) (361) 883-8461	Region 11	None
Houston Center for Independent Living (HCIL) (713) 974-4621	Region 6	None
LIFE/RUN (806) 795-5433	Regions 1,2	None
LIFE/RUN (806) 795-5433	Regions 9, 10	VOLAR Center for Independent Living
North Central Texas Council of Governments (NCTCOG) (817) 695-9193	Region 3	<ul style="list-style-type: none"> <li>• REACH Independent Living Centers</li> <li>• NCTCOG Independent Care Coordinators</li> <li>• Easter Seals</li> <li>• Pecan Valley MHMR</li> </ul>

<b>Local Contact Agency for NON-Medicaid NF Residents</b>		
<b>Aging and Disability Resource Center</b>	<b>Telephone Number</b>	<b>DADS Region(s)</b>
East Texas ADRC	(903) 295-5922 1-877-237-2268	4, 5, and 6
Central Texas ADRC	(254) 770-2342 1-800-447-7169	7 and 8
Lubbock Regional MHMR Center	(806) 767-1740 1-800-687-7581	1, 2, 9, 10 and 11
ADRC of Tarrant County	1-888-730-ADRC (2372)	3

For additional information:

Please refer to DADS' MDS 3.0 Section Q website at:  
<http://www.dads.state.tx.us/providers/NF/secqreferrals/index.html> for further information.

Also, you may want to refer to the following other CMS sites for:

- Brochure: <http://www.medicare.gov/publications/pubs/pdf/11477.pdf>
- Section Q Return to Community Resources:  
[http://www.cms.gov/CommunityServices/10\\_CommunityLivingInitiative.as#TopOfPage](http://www.cms.gov/CommunityServices/10_CommunityLivingInitiative.as#TopOfPage)
- Section Q Conference Video: <http://www.youtube.com/watch?v=vfCSdpeK9F0>

Information Letter No. 11-57  
Provider Letter No. 11-20  
May 23, 2011  
Page 4

If you have any questions about this letter, please contact Steven Ashman, MFP Program Specialist, at (512) 438-4135.

Sincerely,

*[Signature on file]*

Marc S. Gold  
Special Advisor for Policy and Promoting Independence  
Office of the Commissioner

BC:mg