



COMMISSIONER  
Jon Weizenbaum

## Memorandum

To: Community Services Regional Directors  
Community Services Program Managers

From: Dana Williamson  
Manager  
Long Term Services and Supports Policy

Subject: New Procedures for Individuals Disenrolled From STAR+PLUS

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Effective Date: February 4, 2014

This memorandum applies to the Community Care for Aged and Disabled (CCAD) Program.

This memorandum advises DADS staff of new policy and procedures when an individual who is disenrolled from STAR+PLUS due to behavioral issues regarding threats to health and safety applies for a DADS program.

DADS Community Care rules support the immediate termination of services when there is a threat to health and safety of providers or staff. Additionally, DADS has rules for working with the individual who exhibits offensive behavior to advise him of the need to comply with policy and the consequences of possible suspension of services or termination of services. When an individual on STAR+PLUS personal attendant services or STAR+PLUS Waiver services is disenrolled from STAR+PLUS due to threatening behaviors, the individual may immediately apply with DADS for services.

When a Managed Care Organization (MCO) requests disenrollment for a STAR+PLUS member due to non-compliance, including behavioral issues, the MCO submits a disenrollment request to Health and Human Services Commission (HHSC) Health Plan Management (HPM). HPM team reviews the request to determine if there is sufficient information to send to the HHSC Disenrollment Committee. The Disenrollment Committee reviews the information and determines if disenrollment is appropriate. If so, the STAR+PLUS member is disenrolled from STAR+PLUS.

Effective with this memorandum, HPM will send an email to the DADS Regional Support and Program Improvement (RSPI) manager advising when a STAR+PLUS member has

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been disenrolled from STAR+PLUS due to threats to health and safety and will provide information on the nature of the behavioral issues. This is to protect the health and safety of service providers and DADS staff that will assess the individual for DADS services. The RSPI manager will send the information to the Regional Director of the region where the individual lives advising that the individual has been disenrolled from STAR+PLUS and may be calling DADS to apply for services. The Regional Director will establish procedures for disseminating this information to staff that perform intakes.

If the individual calls DADS requesting services, the intake is assigned to a case manager. The intake staff must note in the Comments section on the Form 2110, Community Care Intake, this individual has been disenrolled from STAR+PLUS due to threats to health and safety and include all information provided from the Regional Director.

The case manager conducts the initial interview and assessment according to standard procedures, but during the initial interview the case manager advises the individual:

- he must comply with program guidelines; and
- any threatening behavior may result in immediate termination of services.

Unless the individual displays threatening behavior during the initial interview, the case manager proceeds with the application process and authorizes services if the individual meets eligibility requirements. The case manager must issue a written notice to the individual at the initial authorization advising the individual he must comply with service delivery provisions or his services may be terminated immediately on the first report of any behavior that threatens health or safety.

If the DADS case manager encounters threatening or non-compliant behavior or receives a report from the Home and Community Services Supports Agency (HCSSA) or other providers of threatening behavior or non-compliance with services delivery provisions, services are immediately suspended.

The case manager must consult with the supervisor regarding the alleged behaviors. If the supervisor determines the alleged behavior does not warrant termination, the case manager follows the policy in the *CM CCAD Handbook*, Section 2831, Suspensions Due to Refusal to Comply with Service Delivery Provisions.

If the supervisor agrees the individual is a threat to health or safety, then services are terminated. The case manager sends Form 2065-A, Notification of Community Care Services, to the individual terminating services on the date of the suspension. The case manager cites the Texas Administrative Code (TAC) rule §48.3903 (b) and enters a statement in comments that services are terminated due to threats to health and safety.

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The individual has the right to appeal, but services do not continue during the appeal process. The case manager must document the consultation and all other actions in the case record.

If you have any questions regarding this memorandum, your regional representative may contact [PDO@dads.state.tx.us](mailto:PDO@dads.state.tx.us).

LAO:cw