

**MEMORANDUM**

TO: AAA Executive Directors **NOTICE#:** 022717-1-PC-SWCBS

FROM: Jeffrey S. Bragg, Secretary

DATE: February 27, 2017

SUBJECT: Notice of Policy Clarification: 701D and 701S Caregiver Definition and Designation

The purpose of the Notice of Clarification is to provide guidance to the Aging and Disability Resource Centers (ADRCs) regarding the appropriateness of a caregiver designation and/or a caregiver in crisis determination on the DOEA 701S Screening Form.

According to the DOEA 701D Instructions, question #21 of the 701S Screening Form, "Is there a primary caregiver?" should be marked as "Yes" if the following definition applies:

"A primary caregiver is defined as any person who regularly can be depended on to provide or arrange help as needed with Activities of Daily Living (ADLs) and Instrumental Activities of Daily Living (IADLs). This person:

- May or may not be related by birth or marriage;
- May or may not live with the client or live nearby; and,
- Does not include operators of assisted living facilities, nursing homes, adult family care home sponsors, home health agencies, service provider staff or other paid care providers."

As stated above, the ADRC screener must mark "Yes" to #21 of the 701S screening whether or not the primary caregiver physically or remotely provides services or coordinates services by paying or arranging for payment on the client's behalf in order for services to be provided by a paid caregiver. This applies to all clients residing in a community setting, including a private residence, adult family care home, or assisted living facility. For example, if services are being arranged by a primary caregiver for a client residing in an assisted living facility (ALF), question #21 must be checked "Yes."

In the case where an individual other than someone meeting the above definition of a caregiver is coordinating the provision of services, then an exception to the above definition regarding a paid provider's ability to be the caregiver may be made to the extent that the coordinator of care has been appointed the client's financial power of attorney and documentation is made available to the ADRC substantiating this appointment. In this case, the "funds" are considered the caregiver, and if the funds are no longer available to provide the necessary care, the individual's caregiver may be considered in financial crisis. This exception applies to individuals who may become at risk of being displaced from an ALF due to the inability to sustain funding for services where the ALF administrator or other paid caregiver coordinates the client's payment for services as the legal financial power of attorney.

Additional requirements for a caregiver-in-crisis determination are as follows:

- In order for a caregiver to be considered in crisis, question #49 on the 701S, the caregiver questions #46, #47, and #48, must substantiate the crisis determination for the corresponding crisis type.
 - For all types of caregiver crisis determinations, financial, emotional, and/or physical, the corresponding question #48 must be checked as "not very confident," and the additional question under #48 (a) answered with as much detail as possible.
 - For an **emotional crisis** determination, the corresponding question #46 must be checked as "a lot of strain."
 - For a **physical crisis** determination, the corresponding question #47 must be checked as "a lot of difficulty."
 - For a **financial crisis** determination, if the client is residing in an ALF and meets the above caregiver criteria, the caregiver must indicate that he or she is assisting with the payment and will no longer be able to continue providing financial assistance or the client's funds are being depleted, but no eviction notice has been issued.
- A supervisor at the ADRC must review and approve all caregiver-in-crisis determinations.

The above requirements for a caregiver-in-crisis determination are minimum requirements, and additional information may be needed to support a crisis determination. If the validity of a caregiver crisis determination is unclear to the ADRC supervisor during the supervisory review, the client information may be sent to the Department contract manager for review on a case-by-case basis.

The above changes have been incorporated into the attached 701D Instructions for ADRC reference when completing the 701S screening.

Thank you very much for your cooperation. If you have any questions, please contact your contract manager.