

## STANDARDIZED ICF-IID GATEKEEPING POLICY

<b>Policy Name:</b>	Standardized ICF-IID	<b>Policy Number:</b>	
<b>Division:</b>	Community Services and Programs (CSP)	<b>Date Established:</b>	4/15/2004
<b>Applicability:</b>	ICF-IID Facility	<b>Date Last Revised:</b>	5/1/2015
<b>Contact:</b>	ICF-IID Program Manager	<b>Date Effective:</b>	5/1/15
<b>Policy Location:</b>	<b>External</b>	<b>Date Posted:</b>	10/1/2014
<b>Status/Date:</b>	Final 5/1/15	<b>Number of Pages:</b>	4

### Summary

This Standardized ICF-IID Policy is designed to provide the standardized requirements and a procedure for admission into public and private Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF-IID).

### REASON FOR POLICY

The purpose of this Policy is to ensure compliance with the gatekeeping regulations K.A.R. 30-64-29 K.A.R. 30-63-21, and K.S.A. 39-1801 *et seq.* (D.D. Reform Act), and the core values of the Kansas Department for Aging and Disability Services (KDADS/CSP), which emphasize opportunities of choice, person-centered planning, independence, integration, and inclusion in the community.

The state plan requires that an ICF-IID placement is consistent with the preferred lifestyle of the person as specified by the person, in consultation with the person's guardian, if one is appointed, before authorizing admission and Medicaid reimbursement for ICF-IID services. This principle is also reflected in K.A.R. 30-64-29. Payment may be denied in situations where the guardian's choice of an ICF-IID is contrary to the person's expressed preference.

### ENTITIES AFFECTED BY THIS POLICY

Kansas Department of Aging and Disability Services (KDADS)

Community Development Disability Organizations (CDDOs)

Public and Private Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF-IIDs)

Managed Care Organizations (MCO)

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## Policy

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Gatekeeping applications requesting admission to an ICF-IID can only be initiated by a CDDO in Kansas. The CDDO, with participation from the consumer/legal guardian, and MCO (if applicable), must submit a referral and prescreen to KDADS prior to the submission of the Gatekeeping application. Any gatekeeping application that is submitted without the referral and prescreen will be automatically denied. The gatekeeping summary with recommendations of the CDDO and MCO, if applicable, will be submitted to KDADS for final review. A CDDO submitting gatekeeping application on behalf of the consumer must ensure that all community options have been explored and exhausted.

All pertinent parties are invited to participate in a face-to-face meeting to complete the gatekeeping summary prior to submission to KDADS for review. At a minimum, the pertinent parties should include the consumer, guardian (if applicable), CDDO representative, and MCO care coordinator (if applicable). Any gatekeeping summary submitted without participation from the consumer, guardian, and/or MCO (if applicable) will be denied and the CDDO will be responsible for scheduling a new meeting with participation from the required parties. Additionally, the consumer or guardian may elect for other selected representatives to participate in the gatekeeping meeting. If a guardian has been appointed for the person, gatekeeping summary applications will not be reviewed until proof of the guardian's current authority to admit the person to an ICF-IID is provided in written form with the gatekeeping summary.

The CDDO will submit the completed prescreen and referral form and supporting documentation to State ICF-IID Program Manager for comprehensive review. If the referral is approved, the CDDO will work with the consumer, guardian (if applicable), MCO (if applicable), and/or representatives to schedule a face-to-face meeting to complete the gatekeeping summary. Final admission determinations will be communicated in writing within 10 business days, dependent on the receipt of the fully completed gatekeeping summary. If approved for admission, the ICF-IID Program Manager will communicate available options to the CDDO. The CDDO is responsible for presenting the available options to the consumer/guardian for choice selection.

The CDDO and MCO, if applicable, are responsible for collaborating to complete the referral and prescreen, supporting documentation, and gatekeeping summary. The CDDO will be responsible for the submission of these documents to the appropriate party at the State in a timely manner. Failure to provide all required documentation will result in an automatic ICF-IID admission denial for the consumer. Following the automatic denial, the consumer, guardian, MCO, or CDDO is responsible for providing the missing documentation within 6 months or a new referral and prescreen will be required.

Admission to an ICF-IID facility (public and private) will be approved for 6 months, if the consumer continues to meet active treatment needs at the facility. At the 6 month deadline, the interagency team will review the consumer's active treatment needs, goals, and progress to determine if the consumer should remain in the ICF-IID or if community options would be more appropriate.

The criteria and processes described in this Policy must be met and followed any time admission is requested to an ICF-IID. If a person is placed in an ICF-IID before formal approval from KDADS, funding will not be approved for the time the person was in an ICF-IID without KDADS approval. If immediate placement is necessary to protect health, safety, and welfare of the person, a request for an expedited determination by KDADS can be requested on the gatekeeping summary.

**The CDDO through the gatekeeping summary must be able to demonstrate the following before recommending that a person be admitted to an ICF-IID:**

1. That the CDDO, in consultation with the person and the person's managed care organization, has explored all alternative options to admission to an ICF-IID and no opportunity to divert the person from an ICF-IID exists, if an opportunity for diversion is present, KDADS will facilitate with managed care health plans to explore alternative options to admission to an ICF-IID.
  - The CDDO should explore community options in the consumer's residential county and surrounding counties. Failure to explore and exhaust community options will result in automatic ICF-IID admission denial.
2. That services in an ICF-IID setting would be the least restrictive, most appropriate service setting for the person at this time, including the anticipated length of stay.
3. That the person is in need of Active Treatment as defined by 42 CFR 483.440.
4. That the person has a diagnosis of an intellectual disability with an IQ below 70.
5. That admission to an ICF-IID and the provision of services from an ICF-IID is essential to the person's health and safety. (The CDDO must provide supporting documentation).
6. That the request for admission to an ICF-IID is made by the person and approved by the person's guardian and the appointing Court pursuant to K.S.A. 59-3077.
7. That the person meets the age criteria for ICF-IID.

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**Procedures**

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1. CDDO, in partnership with MCO (if applicable), completes prescreen and referral form and submits to the ICF-IID Program Manager at the State.
2. ICF-IID Program Manager will review prescreen and referral to determine if community services have been explored and exhausted.
3. ICF-IID Program Manager completes KDADS Review Section of prescreen and referral form and submits determination to CDDO and MCO.
4. If referral is denied, the CDDO and MCO will need to provide additional documentation to support that community services and supports have been exhausted.
5. If referral is approved, CDDO will schedule a face-to-face meeting with MCO, consumer, guardian, and any other selected representatives to complete gatekeeping summary.
6. CDDO representative will submit gatekeeping summary to ICF-IID Program Manager for final approval. ICF-IID Program Manager will submit referral, supporting documentation, and gatekeeping summary to Secretary/designee for final admission approval.
  - a. The CDDO will need to obtain the discharge plan/active treatment plan from the proposed ICF-IID and submit with the gatekeeping summary.
7. Within 10 business days of the submitted gatekeeping summary, KDADS will send notification letter to family, CDDO, and MCO of final admission determination.

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**Contact Information**

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**HCBS Programs**  
**503 S. Kansas Ave**  
**Topeka, Kansas 66603**  
[HCBS-ks@kdads.ks.gov](mailto:HCBS-ks@kdads.ks.gov)

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**Related Information**

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**Code of Federal Regulations:**

**42 CFR 483.440:**  
**§ 483.440 Condition of participation: Active treatment services.**

<http://www.gpo.gov/fdsys/pkg/CFR-2009-title42-vol5/pdf/CFR-2009-title42-vol5-sec483-440.pdf>

*\*\*Note: Federal regulations take precedent over state regulations.\*\**

**Workflows:**

**CDDO Gatekeeping Process to Public ICF-IID**  
**ICF-IID Public Discharge to Community Process**  
**End to End Access to DD services**  
**Money Follows the Person Process**

**Other:**

**Gatekeeping Summary**  
**ICF-IID Referral and Prescreen**

Approved by:

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Home & Community Based Services Director

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Date

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Community Services and Programs Commissioner

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Date

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KDADS Legal

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Date