



# Room and Board Public Comment Presentation

7-23-2021

## Public Comment:

1. Type your comments in the chat box
2. Leaving time at the end to hear your verbal comments
3. Through mail: Denise Adams-Moore, Department of Human Services, Office of Developmental Programs, 625 Forster Street, Room 510, Harrisburg, PA 17120.
4. Through email should be sent to [RA-odpcomment@pa.gov](mailto:RA-odpcomment@pa.gov) using subject header " Room and Board Bulletin Public Comment."

The bulletin provides clarification on Room and Board (R&B) policies and procedures and for completing the Room and Board Residency Agreement.

- Applicable to individual's in the Intellectual Disability/Autism (ID/A) Waivers and Adult Autism Waiver (AAW)

Must be completed for  
unlicensed or licensed:

- Residential Habilitation
- Life Sharing

(Not for individuals who rent or own their own home OR for individuals who receive Supported Living)



Services for Individuals with an Intellectual Disability or Autism  
**Room and Board Residency Agreement § 6100.687**  
55 Pa. Code Chapter 6100

I. THIS AGREEMENT, made on \_\_\_\_\_  
EFFECTIVE DATE OF AGREEMENT between \_\_\_\_\_,  
NAME OF INDIVIDUAL  
hereinafter referred to as individual, and \_\_\_\_\_ at  
PROVIDER AGENCY ADMINISTERING PROGRAM  
\_\_\_\_\_  
ADDRESS OF ADMINISTERING PROVIDER AGENCY hereinafter referred to as provider agency.

Whereas, the individual is participating in a residential program administered by the provider agency; and room and board is furnished by the provider agency at:

\_\_\_\_\_  
ADDRESS OF RESIDENCE

II. INDIVIDUAL'S RESPONSIBILITIES:

1. Individual agrees to pay provider agency a total of \$ \_\_\_\_\_ for room and board. Individual shall pay no more than 72 percent of the SSI maximum rate plus the Pennsylvania Supplement. (This section should be completed if provider agency provides both room and board to individual.)
2. Individual agrees to pay provider agency \$ \_\_\_\_\_ for board. Individual shall pay no more than 32 percent of the SSI maximum rate plus Pennsylvania Supplement. (This section should be completed if individual pays their own rent directly to a landlord, but food is supplied through provider agency.)
3. Individual agrees to pay provider agency \$ \_\_\_\_\_ for room. Individual shall pay no more than 40 percent of the SSI maximum rate plus Pennsylvania Supplement. (This section should be completed if the individual pays rent to provider agency, but individual purchases their own food.)
4. If individual's available income is less than the SSI maximum rate plus Pennsylvania Supplement, provider shall charge 72 percent of individual's available monthly income as individual's monthly obligation for room and board; 32 percent for board if food is supplied through provider agency; or 40 percent for room if individual purchases their own food. Individual shall receive at least the monthly amount as established by the Social Security Administration related to the specific type of setting, for the individual's personal needs

### Form Completed:

- Annually - within 12 months from previous year (example: May 1, 2020, May 1, 2021, May 1, 2022)
- When there is a change in the individual's income that would affect the amount the individual would owe for room and board costs

If a change is made, a new Room and Board Form must be given to the individual with a 15 day notice. Form will be effective the first of the following month.

Example:

- R&B Form was completed July 1, 2020
- A change was made on November 19, 2020
- Individual given 15 day notice until December 1, 2020.
- The change is effective on January 1, 2021

Room and Board Form Completed with signatures from:

- A provider and a witness.
- The individual, or person signing on individual's behalf (include relationship to individual).
- The representative payee, if the individual is 18 years of age or older and has a representative payee for his or her benefits.
- The individual's court-appointed legal guardian if the individual is adjudicated incompetent to handle finances.



# DOCUMENTATION MUST BE KEPT



Files

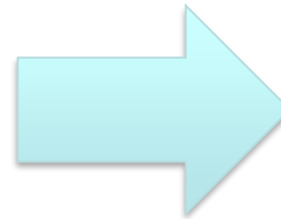


“In accordance with 55 Pa. Code § 6100.686, the provider may not charge the individual in excess of 72% of the Supplemental Security Income (SSI) maximum rate plus the Pennsylvania (PA) supplement even if the room and board exceeds that amount.”

**1** Identifies all costs

**2** Divides actual cost amount by 12 months

**3** Divides that amount by the # of people residing in home



**Actual Cost Room:**

Described on page 5 in the bulletin *with the exception of food and beverages*

**Actual Cost Board:**

Cost of food and beverages

## 4

### Must deduct the value of benefits

- Energy Assistance
  - Rent Rebates
  - SNAP Benefits - Food and nutrition Assistance
  - Any other similar benefits
- ❖ The provider may **NOT** increase Room and Board costs by adding the value of benefits
- ❖ Provider responsible for assisting the individual(s) with applying for benefits

# Items Included in R&B Cost (pg. 5)



**Everyday life products**

**Maintenance and house keeping**

**Meals outside of home requested not by individual**

**Local telephone service**

**Laundry**

**Incontinence products**

**Internet**

**Food choices**

**Building / equipment repair**

**Cleaning products**

**Household furniture**

**Rent, taxes, utilities, and property insurance**

- Everyday life products – Individual has choice of scent, color, pattern, brand, etc.
- Internet – Individual may not be charged extra for internet.
- Food choices – Individual has choice on preference, culture, religion, and beliefs, prescribed diet (if not covered by health care plan) such as products used to thicken food, meal replacements, diabetic food, etc.
- Laundry – Individual has choice of detergent, dryer sheets, etc.. This also includes washing and drying.
- Meal arranged not by individual outside of home – included in R&B if it was not the individual's idea or choice

# Examples of Items in R&B

Tom prefers:

- Blue bedding
- Dove soap for men

Denise prefers:

- Bedding with plants and flowers
- Dove Soap for sensitive skin



Steven prefers:

- Dinosaur Bedding
- Suave Body Wash

Katie prefers:

- bedding with books on it
- Lavender scented body wash

Individuals have the right to use personal funds to purchase their own more expensive items such as:

- designer brand sheets,
  - a specific brand of shampoo that costs more than the standard shampoo,
  - their own personal furniture such as a lazy-boy recliner chair, or
  - food that is not the provider's responsibility such as extra snacks or beverages (outside of what is provided by the provider), such as soda, alcohol, sparkling water, energy drinks, or an extra snack such as a specialty made food item, etc.
- ❖ These items are for the individual's use, belong to the individual, and must be documented.

The provider must assist an individual to apply for SSI if he or she is not currently receiving this income as stated in §6100.682.

- If an individual is denied SSI benefits, the provider must assist the individual in filing an appeal.





If there is a delay in the individual's income:

- payment is not required for Room and Board, or
- a negotiated amount will be required.

This must be in writing for the individual, the individual's designated person or the court-appointed legal guardian.

When an individual receives income:

- The provider can collect the R&B charges that were owed.
- If individual paid a negotiated amount, the individual must only pay the difference owed

- If the individual does not pay rent to the provider, but the provider supplies his/her food, the individual will pay 32% of the SSI maximum rate plus the PA supplement for the board.
  - “Room” cost can not be charged; “board” cost will be charged.
- If the individual pays rent to the provider, but purchases his/her own food, the individual will pay 40% of the SSI maximum rate plus the PA Supplement.
  - “Board” cost can not be charged; “Room” cost will be charged
- ❖ In both situations, if the individual is receiving less than the SSI maximum rate, the provider will charge the appropriate % of the individual’s available monthly income.

If an individual:

- does not take food by mouth, there must not be a charge for “board” to the individual
- Is receiving respite services, the provider may not charge room or board

- If the individual is paying “**board**” costs and is on leave for a consecutive 8 days or more, the provider must pay the individual back (prorate) the board costs.
  - Example: If an individual is out of the residential home for 15 consecutive days, the provider may collect *board* costs from the individual on day 1 through 8. Starting on the 9<sup>th</sup> day through the 15<sup>th</sup>



day, *board* costs may not be collected from the individual, or if they were, must be paid back to the individual.

If an individual is in a:

- Medical hospital, Psychiatric Hospital, Rehabilitation care Program, Nursing home

For more than 30 consecutive days, the provider may not charge **“room” or “board”**.

Example: During the individual’s hospitalization, the provider may collect room and board for the first consecutive 30 days. Starting on the 31<sup>st</sup> day, **“room” and “board”** may not be charged.



- If an unexpected circumstance occurs, such as:
  - an individual moving immediately from the home or
  - an unexpected deaththe provider may not charge **”room”** or **“board”** starting the day after the circumstance occurred.
- The provider may not charge a fee for managing the individual’s finances
  - Example: if an individual is receiving services from a Life Sharing provider and that same provider is managing the individual’s finances or as their representative payee, that Life Sharing provider may not charge a fee.

- The individual support plan (ISP) team will need to discuss any issues or concerns related to room and board costs.
- Items included as part of the room and board costs may not be authorized in the ISP as a service and support.
- Issues identified with room and board costs may require an incident report to be filed in accordance, with ODP's incident management policy.



## QUESTIONS







# PUBLIC COMMENT (5 MINUTES EACH)



Until 11:59 PM on August 13, 2021:

1. From chat box from today's webinar
2. Verbal comments received today
3. Through mail: Denise Adams-Moore, Department of Human Services, Office of Developmental Programs, 625 Forster Street, Room 510, Harrisburg, PA 17120.
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