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### Discussing Return to Community Living: Best Practices for MDS Section Q

March 21, 2019



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### Featured Speakers

- Suzanne de Beaumont, MPA
  - Project Director, Open Doors Program
  - New York Association on Independent Living
  - Albany, NY
- Robin Chiaravalle, LMSW
  - Director of Social Work
  - Warren Center for Rehabilitation and Nursing
  - Queensbury, NY

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### Learning Objectives

- Identify the steps to take when an individual expresses interest in returning to community living from an institution;
- Explain the proper administration of the MDS Section Q interview with nursing home residents;
- Describe when a referral to the Local Contact Agency is appropriate.

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### Minimum Data Set (MDS) 3.0

What is the Minimum Data Set (MDS)?

- A mandated quarterly comprehensive assessment administered to all nursing home residents



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### Section Q- Participation in Assessment and Goal Setting

What is Section Q?

- Asks nursing home residents about their interest in discussing options to return to community living
- Long term care facilities are required to make referrals to the **Local Contact Agency (LCA)** whenever a resident would like more information about community living

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### Local Contact Agency (LCA)

- What is an LCA?
  - A Local Contact Agency (LCA) is a local community organization responsible for providing information to nursing facility residents on community support options
  - The Open Doors program has been designated by the New York State Department of Health as the LCA for Section Q referrals

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### *New York State Local Contact Agency = Open Doors*

- Role is to:
- Identify potential participants living in nursing homes and other institutional settings
  - Facilitate successful transitions to one's community of choice



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### Section Q and Olmstead

- Olmstead Supreme Court Decision (1999)
- "Individuals have a right to receive care in the least restrictive (most integrated) setting and that governments have a responsibility to enforce and support these choices."
  - "An individual in a nursing home can choose to leave the facility at any time."
  - "Unjustified isolation" of persons with disabilities is a form of discrimination in violation of Title II of the Americans with Disabilities Act (ADA)

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### Section Q and Olmstead

- Shared goal of affording people with disabilities the opportunity to live in integrated community-based settings
- Individuals must be provided the opportunity to make an informed decision
- Section Q and LCA referrals help facilities meet their Olmstead-related responsibilities

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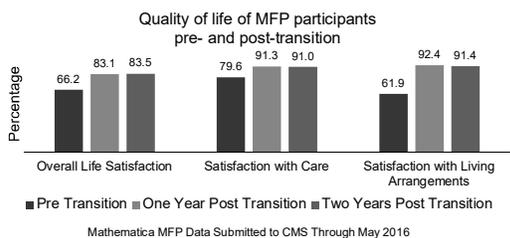
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### Improvements in Quality of Life




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### Benefits of Section Q Questions

- Proper administration of MDS Section Q provides the opportunity to discuss the resident's goals and expectations
- Facilitates the process of exploring options for community resources and receiving services in the most integrated setting

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### Section Q Guidance

In May 2016, the U.S. Department of Health and Human Services, Office for Civil Rights issued guidance on MDS Section Q.

<http://www.hhs.gov/sites/default/files/mds-guidance-2016.pdf>

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### Misconceptions

Facilities must not deny residents a referral to the Local Contact Agency for inappropriate reasons, including but not limited to:

- The facility inserts its judgment and overrides the resident's expressed interest based on factors such as a belief that the resident's disability is too severe to transition;
- A belief that discharge is not possible because the resident has no home or support in the community, or a previous transition was not successful; and/or
- The family or caregiver does not want the resident to move.

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### Tips for Section Q

- Ask the question matter-of-factly
- Don't judge whether a person can be discharged to community
- Focus on creating a person centered care plan which involves expectations and goals regarding discharge



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### Q0100: Participation in Assessment

**Q0100. Participation in Assessment**

Enter Code  **A. Resident participated in assessment**  
1. No  
2. Yes

Enter Code  **B. Family or significant other participated in assessment**  
1. No  
2. Yes  
9. Resident has no family or significant other

Enter Code  **C. Guardian or legally authorized representative participated in assessment**  
1. No  
2. Yes  
9. Resident has no guardian or legally authorized representative

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### Q0300: Resident's Overall Expectation

**Q0300. Resident's Overall Expectation**  
Complete only if A0310E = 1 | A0310E=1: Admission assessment

Enter Code  **A. Select one for resident's overall goal established during assessment process**  
1. Expects to be discharged to the community  
2. Expects to remain in this facility  
3. Expects to be discharged to another facility/institution  
9. Unknown or uncertain

Enter Code  **B. Indicate information source for Q0300A**  
1. Resident  
2. If not resident, then family or significant other  
3. If not resident, family, or significant other, then guardian or legally authorized representative  
9. Unknown or uncertain

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### Q0300 TIPS

- Avoid trying to guess what the resident might identify as a goal or to judge the resident's goal
- Do not infer a response based on a specific advance directive, e.g., "do not resuscitate" (DNR)

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## Q0400: Active Discharge Planning

<b>Q0400. Discharge Plan</b>	
Enter Code	Answer YES ONLY if:
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• DC date &lt; 3 months and referral to Open Doors cannot improve on plan</li> <li>• Open Doors already involved</li> </ul>
<b>A. Is active discharge planning already occurring for the resident to return to the community?</b> 1. No 2. Yes → Skip to Q0600, Referral	
<b>Q0490. Resident's Preference to Avoid Being Asked Question Q0500B</b>	
Complete only if A0310A = 02, 06, or 99	
Enter Code	Does the resident's clinical record document a request that this question be asked only on comprehensive assessments?
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Only applies to Quarterly Assessments</li> <li>• Q0500 MUST be asked on annual or change of status assessments</li> </ul>
1. No 2. Yes → Skip to Q0600, Referral	
<b>Q0490. Resident's Preference to Avoid Being Asked Question Q0500B</b>	
Complete only if A0310A = 02, 06, or 99	
Enter Code	Does the resident's clinical record document a request that this question be asked only on comprehensive assessments?
<input type="checkbox"/>	1. No 2. Yes → Skip to Q0600, Referral

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## Q0400 Tips

- Answer YES ONLY if:
  - Resident has expected discharge of 3 months or less
  - Resident is actively working with Open Doors towards discharge
  - Staff are taking active steps to accomplish discharge
  - A referral to Open Doors cannot improve on the plan
- If no active discharge plan, *must ask* Q0500
- Nursing home staff cannot make the choice to skip Q500 *unless* there is an active discharge plan

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## Q0500: Information on Options for Community Living

<b>Q0500. Return to Community</b>	
Enter Code	
<input type="checkbox"/>	1. No 2. Yes 9. Unknown or uncertain
<b>B. Ask the resident (or family or significant other or guardian or legally authorized representative if resident is unable to understand or respond): "Do you want to talk to someone about the possibility of leaving this facility and returning to live and receive services in the community?"</b>	
MUST ASK Q0500 unless resident has an ACTIVE discharge plan!! DON'T judge whether a resident can be discharged to the community. If YES, REFER TO LCA. LCA will provide information and explore possibility of alternate settings so resident can make informed choices.	

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### Q0500 TIPS

- Must ask question Q0500 unless the resident has an ACTIVE discharge plan with a target date within 3 months
- Facility must not judge resident's ability to transition based on disability, community support, previous transition attempts or family preference

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### Q0500 TIPS

- Review current policies, or develop new policies regarding discharge planning, MDS administration, and the Local Contact Agency referral process
- When an individual responds "yes" to Q0500, the facility is required to make a referral to a LCA

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### Q0600: Referral to Local Contact Agency

**Q0600. Referral**

Enter Code

Has a referral been made to the Local Contact Agency? (

0. No - referral not needed

1. No - referral is or may be needed (For more informati

2. Yes - referral made

Use 1. if Q500="yes" and referral has not been made yet.

Use 2. when LCA is already involved or the referral has already been made.

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### Q0600 TIPS

- First referrals will be coded as 1 “No referral is or may be needed”
- Code 1 will trigger the Care Area Assessment (CAA) in section V
  - Must be completed before the MDS can be submitted

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### Transition Specialist Role

- Collaboration
  - Nursing Home Discharge Planners
  - Care Managers
  - Service Coordinators
- Create person-centered transition plan
- Identify community resources
- Follow up with individual after transition

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### Action Steps for Building Relationships and Coordination

- ✓ Develop a relationship with the Transition Center in your area
- ✓ Discuss referral process and details of Local Contact Agency/Open Doors process
- ✓ Maintain open, frequent communication between nursing home staff and transition specialist

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### Next Steps For Facilitating Section Q Compliance

- Make referral to LCA when Q0500 = YES
- Explore barriers to discharge to the community with the Transition Specialist
- Review polices and procedures to assure compliance with MDS and Olmstead

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### Referral to *Open Doors*

- Call Open Doors central office: 1-844-545-7108
- Call Local Contact Agency
  - List of Regional local contacts:  
<https://ilny.us/transition-center>
- Email: [secq@ilny.org](mailto:secq@ilny.org)
- Fax: 1-518-465-4625



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### MDS 3.0 Section Q Summary

#### MDS Section Q

- If an individual responds "yes" to Question 0500 providers MUST refer them to the Open Doors unless there is an ACTIVE discharge plan

#### Open Doors is the LCA

- Open Doors provides transition assistance to individuals who wish to transition from long term care facilities to community settings

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## Resources

- Open Doors Referral Form: <https://iny.us/phocadownload/48%20Open%20Doors%20referral%20form%2011-29-17.pdf>
- Local Transition Centers: <https://iny.us/phocadownload/Regional%20Lead%20and%20Aux%20chart%20%2011-13-17.pdf>
- Public Health Live! Money Follows the Person, Feb 2017: [www.phlive.org](http://www.phlive.org)
- Section Q: [https://www.health.ny.gov/professionals/nursing\\_home\\_administrator/dal\\_nh\\_16-10\\_mds\\_version\\_3\\_section\\_q.htm](https://www.health.ny.gov/professionals/nursing_home_administrator/dal_nh_16-10_mds_version_3_section_q.htm)
- HHS Guidance: <https://www.hhs.gov/sites/default/files/mds-guidance-2016.pdf>

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