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[Reserved]

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CHAPTER 6200. ROOM AND BOARD CHARGES

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Authority

The provisions of this Chapter 6200 issued under section 201 of the Mental Health and Mental Retardation Act of 1966 (50 P.S. § 4201), unless otherwise noted.

6200-1

(381811) No. 502 Sep. 16
GENERAL PROVISIONS

§ 6200.1. Purpose.
(a) This chapter specifies the requirements for charging room and board for clients living in community residential mental retardation facilities that receive funds through the County Mental Retardation Program.
(b) This chapter defines:
   (1) The amount of money the client shall contribute toward the cost of room and board.
   (2) The limit of State funds that the Department will contribute toward the cost of room and board.
   (3) The process and requirements for charging and collecting room and board revenue.

§ 6200.2. Applicability.
This chapter applies to County Mental Retardation Programs.

§ 6200.3. Definitions.
The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:
   Board—The client’s share of his food and food preparation costs.
   County Administrator—The administrator or designee of the County Mental Retardation Program.
   Department—The Department of Human Services of the Commonwealth.
   Room—The client’s share of lodging costs, utility costs—for example, electricity, heating, water and sewage—and annual upkeep costs of the community.
residential mental retardation facility—for example, trash collection, general
maintenance including necessary repairs and renovation costs.

SSI—Supplemental Security Income.

SSI maximum rate—The current maximum monthly supplemental security
income benefit rate.

Source
The provisions of this § 6200.3 adopted January 6, 1978, effective December 16, 1977, 8 Pa.B.
appears at serial page (131341).

§ 6200.3a. Social Security economic recovery one-time payment—
statement of policy.
The definition of “SSI maximum rate” does not include the American Recovery

Source

GENERAL REQUIREMENTS

§ 6200.11. Responsibility for compliance.
The county administrator shall comply with this chapter. The Department will
not reimburse the county program for income lost as a result of noncompliance
with this chapter.

Source
The provisions of this § 6200.11 adopted January 6, 1978, effective December 16, 1977, 8 Pa.B.
appears at serial page (131342).

(a) The county administrator has the authority to delegate the functions
required in this chapter to providers of community mental retardation services.
(b) If functions required in this chapter are delegated to providers of commu-
nity mental retardation services, the county administrator shall retain responsibil-
ity for compliance with this chapter.

Source
The provisions of this § 6200.12 adopted January 6, 1978, effective December 16, 1977, 8 Pa.B.
appears at serial page (131342).

§ 6200.13. County monitoring responsibilities.
(a) At least biannually, the county administrator shall monitor room and
board charges and collections by community mental retardation service providers.
(b) The county mental retardation program shall retain documentation of
biannually monitoring as specified in subsection (a).

6200-3

(381813) No. 502 Sep. 16

There may be no charge for room and board for respite care, as defined in § 6400.251 (relating to additional requirements for respite care), if respite care is provided for 30 or fewer consecutive days.

Source

§ 6200.15. Amount charged for room and board.

The total amount charged for room and board to each client may not exceed the actual documented value of room and board provided to the client.

Source

§ 6200.16. Room and board charges from SSI benefits.

If actual room and board costs are 72% or more of the SSI maximum rate, the following criteria shall be used in establishing room and board rates:

1. If a client is funded through the county mental retardation program exclusively, the client’s share of room and board shall be 72% of the SSI maximum rate.

2. If a client resides in a jointly certified domiciliary care and licensed community residential mental retardation facility, the client shall be assessed 72% of the SSI maximum rate which includes the domiciliary care supplement for room and board.

3. If a client is funded through domiciliary care exclusively and resides in a certified domiciliary care facility, the Department of Aging’s regulations apply. See 6 Pa. Code Chapter 21 (relating to domiciliary care services for adults).

Source
§ 6200.17. Room and board charges from other sources of income.

(a) If a client has earned wages, personal income from inheritance, social security or other types of income, the provider shall assess the client for his room and board according to the standard room and board contract as specified in § 6200.35 (relating to standard room and board contract) not to exceed the 72% of the SSI maximum rate.

(b) If a client is ineligible for SSI benefits, assistance shall be provided to the client in applying to the appropriate County Assistance Office for public assistance benefits.

(c) If available income is less than the SSI maximum rate, 72% of the available income shall be charged to fulfill the client’s monthly obligations for room and board.

(d) The client shall always be guaranteed at least $30 per month for spending money.

(e) If actual room and board charges to a client are less than 72% of the SSI maximum rate, the county mental retardation program shall retain on file documentation that:

(1) The actual value of the room and board is less than 72% of the current maximum SSI monthly benefit.

(2) The Social Security Administration not only denied the client’s initial application for SSI benefits, but also upheld that initial denial as a result of at least one appeal.

(3) Assistance has been provided in applying to the appropriate County Assistance Office for public assistance benefits.

Source

Cross References
This section cited in 55 Pa. Code § 4000.251 (relating to payments for room and board charges).

§ 6200.18. Food stamps, energy assistance, rent rebates or similar benefits.

(a) A client shall be encouraged to apply for and be assisted in applying for food stamps, energy assistance, rent rebates and similar benefits.

(b) If energy assistance, rent rebates or similar benefits are received, the county mental retardation program shall deduct the value of these benefits from the county supplementation of the room and board costs, before reductions are made to the client’s share of room and board costs.

(c) As stated in 7 CFR 272.1(a) (relating to general terms and conditions), food stamps may not be considered as part of a client’s income or resources. The value of food stamps may not be used to increase the client’s share of room and board costs.

6200-5

(381815) No. 502 Sep. 16
§ 6200.19. Actual room and board costs.

Actual room and board costs shall be computed and documented each time a client signs a new standard room and board contract as specified in § 6200.35 (relating to standard room and board contract). Documentation of actual room and board costs shall be kept on file.

§ 6200.20. Delay in client’s income.

If a portion or all of the client’s income is delayed for a month or more, the following apply:

(1) The requirements for the completion and signing of the standard room and board contract specified in § 6200.35 (relating to standard room and board contract) shall be fulfilled.

(2) The client, parent, guardian or representative payee, if applicable, shall be informed that no payment will be required or only a small amount of room and board costs will be required until retroactive monthly benefits are received. Back rent shall be charged to make up the accumulated difference between rent actually paid and rent charged according to the signed standard room and board contract specified in § 6200.35.

§ 6200.31. Room and board contract.

A client funded through the County Mental Retardation Program, or parent, guardian or representative payee, shall annually complete and sign the standard room and board contract as specified in § 6200.35 (relating to standard room and board contract).

§ 6200.32. Modifications to the standard room and board contract.

(a) If a client pays his own rent directly to a landlord, but food is supplied through a provider agency, the word “room” shall be deleted from the standard room and board contract. The client shall pay 32% of the SSI maximum rate for board.
(b) If a client pays his rent to a provider agency, but the client purchases his own food, the word “board” shall be deleted from the standard room and board contract. The client shall pay 40% of the SSI maximum rate for room.

Source

§ 6200.33. Completing and signing the standard room and board contract.
(a) If a client is adjudicated incompetent to handle his finances, the client’s legal guardian or representative payee shall sign the standard room and board contract.
(b) If a client is 18 years of age or older and is not the payee for his benefits, the representative payee, in addition to the client, shall sign the standard room and board contract.
(c) If the client is 17 years of age or younger, the client’s parent or legal guardian shall sign the standard room and board contract.
(d) The written standard room and board contract shall be completed and signed as follows:
   (1) Prior to a client’s admission to a community residential mental retardation facility.
   (2) Prior to a client’s transfer from one community residential mental retardation facility to another community residential mental retardation facility.
   (3) Within 15 days after an emergency placement or transfer.

Source

§ 6200.34. Copy of standard room and board contract.
(a) A copy of the completed and signed standard room and board contract shall be given to the client, parent, guardian or representative payee.
(b) A copy of the completed and signed standard room and board contract shall be filed in the client’s record in the County Mental Retardation Program.

Source

§ 6200.35. Standard room and board contract.
The following standard room and board contract shall be used for clients funded through the county mental retardation program:

6200-7
STANDARD ROOM AND BOARD CONTRACT

THIS AGREEMENT, made on ______________ between ____________, hereinafter referred to as client, and, ___________ (name of client) ___________, at ___________ (provider agency administering program) __________________________ (address of administering provider agency) hereafter referred to as provider agency.

WITNESSETH:

Whereas, the client is participating in a program furnished by the provider agency; and

Whereas, room and board is furnished by the provider agency at ______________ (address of residence)

(1) Client agrees to pay provider agency $________ (if client is funded through the County Mental Retardation Program exclusively, the client’s monthly share of room and board is 72% of the SSI maximum rate, or the actual cost of room and board if the actual cost is less than 72% of the SSI maximum rate; this is the total amount that client shall pay for room and board).

(2) Client agrees to pay provider agency $________ (if client resides in a jointly certified domiciliary care and licensed community residential mental retardation facility, the client’s share is 72% of the SSI maximum rate which includes the domiciliary care supplement for room and board).

(3) Client agrees to pay provider agency $________ (if client pays their own rent directly to a landlord, but food is supplied through a provider agency) for food. The client shall only pay 32% of the SSI maximum rate for board.

(4) Client agrees to pay provider agency $________ (if client pays rent to provider agency, but client purchases their own food) for board. The client shall only pay 40% of the SSI maximum rate for room.

(5) Payment shall be made on a monthly basis and shall be due and payable the first day of each month. Payments for periods of less than a month shall be pro-rated and shall be due and payable prior to leaving the facility.

(6) Monies for room and board shall be paid to the person designated by the provider agency. Such person shall issue a receipt showing amount of payment and period covered.

(7) If at any time the client’s total available income is less than the SSI maximum rate, 72% of the available income shall be charged to fulfill the client’s monthly obligation in Paragraph 1 of this Agreement. The client shall always be guaranteed at least $30 per month for spending money.
SIGNED:

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<tr>
<th>County or Provider Agency</th>
<th>Date</th>
<th>Client or Person Signing on</th>
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Source


Cross References

This section cited in 55 Pa. Code § 6200.17 (relating to room and board charges from other sources of income); 55 Pa. Code § 6200.19 (relating to actual room and board costs); 55 Pa. Code § 6200.20 (relating to delay in client’s income); and 55 Pa. Code § 6200.31 (relating to room and board contract).