

## **Interim Settlement Agreement (ISA) Frequently Asked Questions**

### ***Q: What is the Interim Settlement Agreement?***

A: The Interim Settlement Agreement is an agreement between the Cabinet for Health and Family Services and Kentucky Protection & Advocacy in which the Cabinet agrees to support the voluntary transitioning of up to 600 individuals from personal care homes (and other institutional or at risk situations) to integrated community based housing, over a three year period. The Agreement was entered into to further the state's compliance with the "integration mandate" of the American's with Disabilities Act (ADA). It is not an official lawsuit nor does it involve any federal agencies, such as the U.S. Department of Justice.

### ***Q: Who is eligible to be served under the ISA ?***

A: Any individual with a serious mental illness (SMI) who is living in a personal care home and receiving a state supplemental payment is eligible to voluntarily participate. Other individuals with SMI who may be living in other institutional settings (state psychiatric hospital for example) or at risk of institutionalization are also eligible, but are considered a lower priority. All an individual has to do is voluntarily express their desire to move to the community (to a Long-term care ombudsman, CMHC staff, state guardian, etc.) or refer themselves on line at <https://dbhdid.ky.gov/isa> or by email at [ISA@KY.GOV](mailto:ISA@KY.GOV) or by calling toll free to 1-800-374-9416 ext. 8.

### ***Q: What is the role of the Community Mental Health Centers in implementing the terms of the ISA?***

A: The 14 community mental health centers (CMHCs), as contractors of the Cabinet (DBHDID) are responsible for providing in-reach and transition services, along with a specific set of specialty mental health services. They are receiving additional funding to carry out these responsibilities and will visit individuals of Personal Care Homes to assist them in the transition into the community as outlined in their Person Centered Recovery Plan

### ***Q: What is Community Integration Supplementation?***

A: Community Integration Supplementation (CIS) is a newer living arrangement category in the State Supplementation Program for persons who are aged, blind, or have a disability. The State Supplementation Program provides financial support to qualified individuals who have insufficient income to meet their needs in an eligible living arrangement category (i.e., personal care home, family care home, caretaker services, CIS). CIS is designed to support private residential housing and services to qualified individuals with a serious mental illness as an alternative to care in a licensed personal care home. The Department for Community Based Services, part of the Cabinet for Health and Family Services, determines a person's eligibility for the State Supplementation Program.

### ***Q: Who is eligible for the Community Integration Supplement (CIS)?***

A: To be eligible for the State Supplementation Program (for persons who are aged, blind, or have a disability), an adult person must meet the criteria of the Supplemental Security Income (SSI) Program related to age, blindness, or disability, administered by the Social Security Administration, as well as additional requirements associated with citizenship, Kentucky residency, living arrangement, and special needs. An individual who does not receive SSI may be eligible for State Supplementation, but the

individual must meet criteria for SSI technical eligibility criteria for age, blindness, or disability. There is a resource limit of \$2,000 per individual or \$3,000 per couple. In particular, CIS requires that the individual has a verified serious mental illness and resides in a private residence or intends to reside in a private residence and has needs above and beyond room and board.

The amount of State Supplementation is based upon whether the applicant/recipient has countable income and the applicant/recipient's living arrangement category (i.e., personal care home, family care home, caretaker services, CIS). The individual's amount of State Supplementation is determined by subtracting countable income from the standard of need for the living arrangement category. The standard of need for CIS is equivalent to the standard of need for a person in a personal care home.

***Q: "I have not been able to get an appointment at the local DCBS office"; "They don't know what I am talking about"***

A: When approaching the front desk/intake of the Department for Community Based Services, the applicant or his/her representative should request to make application for the State Supplementation Program (for persons who are aged, blind, or have a disability). The Community Integration Supplement (CIS) is a new living arrangement category within the State Supplementation Program, but it is not the title of the program. Once you are speaking with a case worker, the worker will be familiar with CIS. In addition, speaking to a benefit amount (e.g., \$520) may prove problematic, because the benefit to which a person may be entitled is contingent upon any income the person has. Department field staff also has limited knowledge regarding the interim settlement agreement between the Cabinet for Health and Family Services and the Division of Protection and Advocacy. While measures are underway to reinforce the new living arrangement category with staff of the department, approaching the department in this way will help you or your client avoid complication or delay.

Applications for the State Supplementation Program are taken from 8 a.m. to 2 p.m. at local offices of the Department for Community Based Services. You are, however, encouraged to make application by calling: (855) 306-8959. Under the call tree for the 1-855 number, you should select "adult medical" for the State Supplementation Program. An applicant who wishes to initially designate an authorized representative must do so in person; however, subsequent interactions can take place by phone. It is helpful for authorized representatives to identify themselves as such.

***Q: How can one make a referral for services under the ISA?***

A: Referral for services under the ISA may be made by staff of the Cabinet for Health and Family Services, Community Mental Health Centers, State owned/operated psychiatric hospitals, Protection & Advocacy staff. Referrals may also be made by the individual, guardian, advocates and others. Referrals may be made by one of three methods: 1.) On-line at <https://dbhdid.ky.gov/ISA>, 2.) by telephone at 1-800-374-9146 (select "8" to talk with a live operator after selecting language preference in the main menu) or by email at [ISA@KY.GOV](mailto:ISA@KY.GOV). When at all possible, referrals should be made directly through the on-line referral process.

***Q: What is the role of the In-Reach Specialist?***

A: The In-Reach Specialist provides engagement, education and support to inform adults who have a serious mental illness (SMI) and are living in personal care homes and other facilities about community-

based housing options and available behavioral health and other services. They are the people who will make initial contact with someone who expresses an interest in moving to the community, typically within 14 days but often sooner.

***Q: What housing resources are available and designated for individuals transitioning to permanent housing ?***

A: The goal of the ISA effort is to help individuals who want to return to their home community or other location to live in regular housing (apartments, houses; rental or ownership) near amenities such as grocery stores, libraries, medical clinics and recreational opportunities. Individuals will be asked about their housing preferences (e.g. location, size, number of bedrooms, desired amenities) and assisted in selecting a suitable dwelling. Every effort will be made to secure Section 8 rental assistance through private housing owners, public housing authorities or other agencies. This way the rent should be affordable to individuals at roughly 30% of one's income.