

CHAPTER 6-000 SUPPORTIVE SERVICES

6-001 Adult Family Home

6-001.01 Introduction: This section contains material which relates to -

1. Recruitment, evaluation, and approval of adult family homes; and
2. Providing case management services for all adult family home guests.

Adult family homes provide a living arrangement to meet the needs of guests who are unable to live independently but who can function adequately with minimal supervision and protection in a home-like living arrangement. Adult family homes enable adults to continue maximum normal functioning within a community.

6-001.02 Adult Family Home Definitions

Adult Family Home: An adult family home (AFH) is a residential living unit certified by NDSS to provide full-time residence and minimal supervision and guidance to not more than three guests age 19 or older. Service includes board and room with meals, standard furnishings, equipment, household supplies, laundry service, and facilities to ensure client comfort.

Adult Family Home Guest: An adult family home guest is a resident, age 19 or older, whose needs are most appropriately met in an adult family home.

Adult Family Home Sponsor - An adult family home sponsor is an adult, age 19 or older, who manages and provides caretaker responsibilities in an adult family home. The sponsor accepts responsibility for maintaining the facility and meeting the needs of the guests.

Supervision: Each sponsor defines supervision for his/her home by indicating acceptable guest conditions on Form DSS-0750, "Adult Family Home Application."

6-001.03 Self-Administration of Medication: The sponsor and the worker assigned responsibility for case management shall ensure that no adult family home guest has health conditions or handicaps which require ongoing medical treatment and supervision other than self-administered medications and physician office visits. An adult who requires an occasional reminder to take medications may be appropriate for adult family home care.

If a guest requires temporary assistance with administration of medication, the guest's physician shall provide written approval for the guest to reside in the adult family home and for the sponsor to assist with the administration of the medication.

6-001.04 Complaints of Suspected Abuse/Neglect Occurring in Adult Family Homes: Staff shall report all complaints of adult abuse/neglect occurring in adult family homes. (See 473 NAC 5-015.)

6-001.04A Complaint Status: Upon receipt of a completed investigative report (except unfounded) in an adult family home, the resource development worker shall arrange a conference with the worker who completed the investigation. This conference must include -

1. A discussion of the nature and extent of the abuse/neglect;
2. The duration;
3. Whether the guest is a high risk or in a life-threatening situation; and
4. Development of a plan of action.

If the sponsor is responsible, either fully or in part, for the abuse/neglect, the worker shall explore all possible remedies with the sponsor and the guests and develop a plan of action. If the abuse/neglect has not been alleviated after a reasonable period of time not to exceed 30 days, the worker shall terminate the AFH certification.

6-001.04B High Risk Situations: In situations where the abuse/neglect is life-threatening or of high risk to the guest or it is court substantiated that the sponsor perpetrated the abuse/neglect, the worker shall terminate the AFH certification immediately.

The worker shall refer all guests or their guardians to Alternate Care Services whenever an AFH certificate is terminated as the result of abuse/neglect.

See 473 NAC 6-001.07F for termination procedures.

6-001.05 Adult Family Home Sponsor Responsibilities: Each adult family home sponsor shall -

1. Accept guests only through the direction of, or in cooperation with, local service unit staff;
2. Comply with the provisions of Title VI of the Civil Rights Act of 1964 and its amendments;
3. Agree to share required information with, and follow the directions and suggestions of, agency representatives regarding the guest's functioning;

4. Allow agency staff to visit the adult family home at any reasonable time;
5. Arrange for substitute supervision in the home (e.g., if the sponsor is absent because of illness or a death in the family). The sponsor shall notify and receive prior approval from the local unit before arranging substitute supervision. The sponsor shall accept responsibility for reimbursing any substitute care provided;
6. Arrange for guests' access to the home (e.g., in the event of a guest's illness);
7. Maintain a record of important information about each guest including the name and telephone number of the guest's doctor, or clinic, the guest's hospital and pharmacy preference, and his/her medication schedule (if any);
8. Report any changes in the sponsor's address, family members, telephone number or number of guests to resource development before the change occurs;
9. Contact the Internal Revenue Service to determine, if additional information is necessary, whether income from adult family home care will need to be considered for tax purposes; and
10. Contact his/her insurance agent when looking for a policy to protect from liability in case a guest is injured. Insurance companies vary in the type of benefits and coverage offered.

6-001.06 Financial Arrangements for Adult Family Home Care: Guests who are clients of NDSS, may be paying for adult family home care with public assistance funds. These funds are unrestricted; there is no stipulation as to how the money is spent. The Department suggests that the amount be reserved for the client's personal needs. Therefore, the reimbursement each adult family home receives is negotiated between the sponsor and the guest (and/or his/her legal representative or worker).

Sponsors may assist guests in money management, but may not act as guardians, conservators, representative payees, or have power of attorney for any of their guests. Exception: A sponsor may act in an above capacity for a guest to whom s/he is related.

6-001.07 Resource Development Functions

6-001.07A Recruitment Responsibilities: Local staff shall -

1. Recruit adult family home sponsors;
2. Promote the Adult Family Home Program through an ongoing public information campaign.
3. Inform interested sponsors about adult family home orientation and training opportunities; and
4. Maintain records which identify vacancies in AFHs, give description of the AFH, etc.

6-001.07B Evaluation and Certification Procedures: Local staff shall -

1. Receive referrals for adult family home approvals from case management staff, other agencies, clients' relatives, or other individuals;
2. Conduct an interview visit with each applicant;
3. Explain evaluation process of both the home and sponsor(s) and yearly evaluation requirement to each applicant;
4. Explain and interpret policies, requirements, and standards with which each applicant and home must comply;
5. Assist each applicant to complete Parts I and II of Form DSS-0750, "Adult Family Home Application."
6. Provide applicants with Form DSS-0751, "Medical Report," when necessary;
7. Complete the evaluation procedure using Form DSS-0754, "Evaluation of Adult Family Home," and a written narrative containing pertinent information regarding the evaluation of the home and the sponsor(s). In completing the evaluation, the resource developer shall determine whether each applicant meets the necessary standards in 471 NAC 6-001.09 and shall assess the ability of the sponsor(s) to -
 - a. Provide a stable home life for the guest;
 - b. Understand the guest's strengths and weaknesses;
 - c. Exhibit concern for the guest's welfare;
 - d. Help the guest reach his/her personal goals; and
 - e. Work willingly with social services workers, community organizations, and people interested in the Adult Family Home Program;
8. Secure each applicant's signature on Form DSS-0752, "Adult Family Home Agreement";
9. Determine whether a fire inspection or health department inspection is necessary (e.g., when the adult family home use basement bedrooms for guests, the sanitation of the home is questionable, or there are exposed wires in the home), and arrange for the inspection(s) using Form DSS-0753, "Adult Family Home Inspection Referral." If any other inspections are necessary, the worker shall instruct the sponsor to arrange for the required inspection(s);
10. Determine approval or disapproval;
11. Complete Part III of Form DSS-0750;
12. If approved, issue Form DSS-0755, "Adult Family Home Certificate," effective up to 12 months;
13. If disapproved, notify applicant; and
14. Route proper forms to the sponsor, the local service unit, Central Office, and each guest's county of legal settlement.

6-001.07C Annual Certification: Staff shall re-evaluate approved adult family homes annually before the expiration of the certification. Upon re-evaluation, the worker at his/her discretion may require another medical examination if the sponsor's physical or local staff believe it is necessary.

6-001.07D Change of AFH Address: Whenever an AFH sponsor changes his/her address, the resource development worker shall complete an evaluation of the new home. The evaluation must be completed before the move or within five days after the move, if the sponsor's certification is to continue.

The worker shall complete and properly route the following forms:

1. Form DSS-0750;
2. Form DSS-0752 (not necessary if the existing agreement covers the certification period);
3. Form DSS-0754; and
4. Form DSS-0755.

6-001.07E Increase in the Number of Residents: When an AFH sponsor wishes to increase the number of guests for whom s/he is certified, the worker shall complete an evaluation of the sponsor's ability to handle additional guests and whether there is adequate space available in the home.

The worker shall complete and properly route the following:

1. Form DSS-0750;
2. Form DSS-0751 (at worker's discretion);
3. Form DSS-0752 (not necessary if existing agreement covers the certification period);
4. Form DSS-0754; and
5. Form DSS-0755.

6-001.07F Termination of Approval: Whenever an AFH sponsor or home is in violation of AFH regulations, the worker shall allow the AFH sponsor the opportunity to correct the violation within a reasonable time, not to exceed 30 days. If the violation has not been corrected within that time, the worker shall terminate the AFH certificate.

To terminate an AFH approval, either at the sponsor's request or due to a resource development decision (i.e., in violation of regulations, abuse, neglect, or exploitation), the worker shall note the termination date on Form DSS-0750 and route it to the family home sponsor, to the county office, to Central Office, and to each guest's county of finance (when applicable). The worker shall notify the sponsor of the termination in writing and require the return of Form DSS-0755.

The worker shall notify all guests of termination and refer them for Alternate Care Service. (See 473 NAC 6-001.04 for abuse/neglect situations.)

6-001.08 Case Management Functions: Local staff assigned case management responsibilities shall complete the following procedures to ensure that adult family home guests receive appropriate care:

1. Require a potential adult family home guest or his/her representative to present any documentation regarding his/her medications which the worker feels is necessary to make a decision about the amount of care required in relation to the guest's medication needs. If the worker questions the guest's ability to self-administer his/her medication, the worker shall direct the guest to contact his/her physician. If the physician feels self-administration is safe, the guest shall obtain a written statement from the physician for the unit's files;
2. Inform the sponsor (with the consent and input of the guest) of the guest's background, medical history, special need, etc.;
3. Assist the sponsor to assess the client's needs and appropriateness for adult family care before admission. The worker may require the sponsor to furnish a written needs assessment;
4. Help arrange visits between potential guests and sponsors before admission to the adult family home in order for sponsors and guests to assess their compatibility;
5. Inform the guest's county of legal settlement (if applicable) if the guest moves;
6. Arrange, when necessary, for a guest's movement into an adult family home;
7. Explain payment procedures for adult family home care to sponsors and guests and assist them in making financial arrangements for the guest's living expenses;
8. Visit the AFH to assess the appropriateness of the living arrangement and the guest's adjustment; and
9. Offer services and develop a service plan with the guest when s/he has service needs beyond those the sponsor can meet (e.g., transportation and adult protective services).

6-001.09 Standards for Adult Family Home Approval: Adult family homes and sponsors shall meet the standards described in this subsection.

6-001.09A Adult Family Home Sponsors: All AFH sponsors shall -

1. Be physically and mentally capable of assuming the responsibilities and functions involved in adult family care. A medical examination is required before the initial certification. Thereafter, the examination is at the resource developer's discretion.
2. Be capable of exercising good judgment in supervising adults and in cooperating with the local service office;
3. Conform with all local, state, and federal fire, sanitation, and zoning standards;

4. Arrange for any inspection required by the resource developer (see 473 NAC 6-001.07B, item 9);
5. Accept responsibility and potential liability for guest safety and property security; and
6. Including other adult household members, not have engaged in or have an ongoing history of criminal activity that may be harmful or may endanger individuals for whom s/he provides an AFH living arrangement. This may include a substantiated listing as a perpetrator on the child and/or adult Central Registries of abuse and neglect.

6-001.09B Adult Family Home Environmental Requirements

6-001.09B1 Bedrooms: The AFH sponsor shall furnish each guest with a private or semi-private bedroom having -

1. A minimum of 80 square feet per occupant in a single room;
2. A minimum of 60 square feet per occupant in a double room;
3. A single or double bed for each guest with a mattress and springs in good condition;
4. At least three feet between beds at all points;
5. Adequate and convenient room, closet, and drawer space and clean, adequate bedding which is changed at least weekly;
6. Adequate provision for the guest's privacy. Guests of opposite sexes must not be required to share a bedroom; and
7. A first floor location for any guest for whom another location might be unsafe.

6-001.09B2 Bathrooms: Bath, lavatory, and toilet facilities must be easily accessible and available to residents. Adequate amounts of bar soap, toilet tissue, and facial tissue must be provided.

6-001.09B3 Common Areas: A well-lighted, well-ventilated, and heated living room must be available for the use of guests and their visitors for social and recreational purposes.

6-001.09C Fire Safety Requirements: All homes must meet existing state and local fire prevention standards. The AFH sponsor shall ensure that the adult family home is in sufficient repair to not constitute a fire hazard. Smoke detection devices, in good working order, are recommended.

Sponsors shall develop a written fire evacuation plan which is routinely explained to and practiced with the guests. If the basement has no outdoor exit, the resource development worker shall evaluate the guests' physical limitations and the sponsor's evacuation plan before approving the home. The worker may require a fire inspection to determine the appropriateness of having basement bedrooms for guests' use.

6-001.09D Sanitation Requirements: AFH sponsors shall carry out accepted sanitation practices, provide necessary household cleaning supplies, and meet state and local health standards.

6-001.09E Meal Preparation: The AFH sponsor shall observe adequate nutrition standards and food handling sanitation practices in preparing and serving meals. Three meals a day must be available for guests.

6-001.09F Laundry Facilities: Sponsors shall provide laundry services for their guests using either facilities in the home or commercial laundry facilities. The sponsor is not responsible for dry cleaning costs.

6-001.10 Adult Family Home Forms and Instructions: Staff shall use the following forms and instructions for initial and annual evaluations and certification of adult family homes:

1. Form DSS-0750, "Adult Family Home Application" (473-000-70);
2. Form DSS-0751, "Medical Report - Adult Family Home Sponsor" (473-000-71);
3. Form DSS-0752, "Adult Family Home Agreement" (473-000-72);
4. Form DSS-0753, "Adult Family Home Inspection Referral" (473-000-73);
5. Form DSS-0754, "Evaluation of Adult Family Home" (473-000-74); and
6. Form DSS-0755, "Adult Family Home Certificate" (473-000-75).

6-002 Reporting Unlicensed Facilities and Homes

6-002.01 Local Unit Responsibilities: Any NDSS staff person who determines that a facility or home serving more than three individuals is not licensed by the Nebraska Department of Health shall submit Form DSS-0926, "Request for State Health Department Investigation," to -

Director, Division of Licensure and Standards
Department of Health
301 Centennial Mall South, Third Floor
Lincoln, NE 68509

The referral must include -

1. The facility's name, address, and telephone number;
2. The names and number of individuals being served by the facility; and
3. The name, office, and telephone number of a worker the health department may contact, if necessary. Coordination must take place within the office to avoid duplicate referrals. One staff person may be assigned responsibility for notifying the health department.

6-002.02 Department of Health Responsibilities: The Division of Licensure and Standards will, upon receipt of a referral -

1. Investigate the report;
2. Report the results of the investigation on the referral form and submit it to Central Office; and
3. Report updates to the licensed facilities roster to Central Office on a monthly basis.

6-002.03 Central Office Responsibilities: Central Office staff shall -

1. Receive completed referrals from the Department of Health;
2. Send an update of facility rosters to county offices on a routine basis; and
3. Provide technical assistance to counties.