

DSS-4357EL
WGIUPD

GENERAL INFORMATION SYSTEM
DIVISION: Office of Continuing Care

04/28/99
PAGE 1

GIS 99 MA/010

TO: Personal Care Services Program Directors; Social Services Attorneys

FROM: Robert W. Barnett, Director, Office of Continuing Care

SUBJECT: Task-based Assessment Plans, Rodriguez et al. v. DeBuono and Wing (S.D.N.Y.), Permanent Injunction Issued April 19, 1999,

EFFECTIVE DATE: Immediately

CONTACT PERSON: Personal Care Program Monitoring Staff

This is to advise you of the permanent injunction decision and order in Rodriguez et al. v. DeBuono and Wing (S.D.N.Y.) that was issued April 19, 1999. This decision applies to social services districts which use task-based assessments (TBA) (assessment tools which lists tasks and includes task time frames or guidelines for completion of the task) in their personal care programs.

To comply with this decision, a social services district that uses a TBA plan must include safety monitoring as a separate task on its TBA form, assess the need for safety monitoring as a separate task and calculate any minutes allotted for safety monitoring as a part of the total personal care services hours authorized for both applicants and recipients. This requirement is effective as of April 19, 1999, and will remain in effect until further notice from the Department.

Districts having questions regarding this message should contact the Bureau of Medicaid Operation's Personal Care Services Program Monitoring staff: Shirley Gnacik or Margaret Willard at (518) 478-1091.