



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF AGING  
Harrisburg, PA 17101

**PENNSYLVANIA DEPARTMENT OF AGING**

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**Bureau of Advocacy**

**7. Contact:**

**Protective Services Division  
(717) 783-8975**

**AGING PROGRAM DIRECTIVE**

**SUBJECT: PROCEDURES FOR INTAKE, REFERRAL, DOCUMENTATION, AND PAYMENT FOR REPORTS OF NEED REGARDING INDIVIDUALS 18 TO 59 YEARS OF AGE**

**TO: EXECUTIVE STAFF  
AREA AGENCIES ON AGING  
PA COUNCIL ON AGING  
PA ASSOCIATION OF AREA AGENCIES ON AGING**

**FROM: TERESA OSBORNE, ACTING SECRETARY  
DEPARTMENT OF AGING**

**PURPOSE:** The purpose of this directive is to notify Area Agencies on Aging (AAAs) on departmental procedures to be followed in order to receive payment for the intake, referral, and documentation of reports of need (RON) regarding individuals 18 to 59 years of age.

**BACKGROUND:** In accordance with the Older Adults Protective Services Act (OAPSA) (35 P.S. §§ 10225.101 *et. seq.*), and the Adult Protective Services Act (Act 70 of 2010), 35 P.S. §10210.101, *et. seq.*, and protective services regulations (6 Pa. Code Chapter 15), and Aging

Program Directive #10-24-01 entitled “Protective Service Reports of Abuse, Neglect, Exploitation and Abandonment for Individuals Under Age 60” issued August 30, 2010, AAAs are required to receive reports of abuse, neglect, exploitation and abandonment for all individuals regardless of age. All abuse reports must be entered into the statewide reporting system, Social Assistance Management System (SAMS), and referred to an appropriate agency.

**DIRECTIVE:** The following procedures are to be followed in order for AAAs to receive payment for the intake, documentation and referral of reports for individuals 18 to 59 years of age. All forms created must be protected with the designated password provided to each agency.

### **Receiving Reports and Agency Intake Process**

In accordance with OAPSA and the Memorandum of Understanding between Pennsylvania Departments of Aging (PDA) and Human Services (DHS), formerly Department of Public Welfare, each AAA will receive RONS and document reports into SAMS and follow standard intake procedure as referenced in 6 Pa. Code §§15.24—15.27. All reports regarding individuals 18 to 59 years of age will be categorized as “*no need for OAPS*” and “*referred to another entity*”.

AAAs will continue to be required to refer No Need for OAPS reports in accordance with 6 Pa. Code §15.26(b)(5)(ii) (regarding community agencies), §15.27(c) (regarding licensing agencies), §15.42(a)(4) (regarding timing of referrals) and §15.45(a)(4) (regarding ombudsman), §15.45 (b)(1) (regarding licensing agencies), and §15.45(c) (regarding state-operated mental health and intellectual disability facilities). Referrals made to the investigative agency are adequate for RON received for adults 18-59.

Any RON received for an adult 18 to 59 years of age must be linked to the Adult Protective Services (APS) Care Enrollment in SAMS. AAAs are required to follow PDA’s policies and professional standards of documentation.

All documentation for adult protective services reports must follow guidance outlined in the most current version of the *Adult Protective Services Documentation Procedural Manual*.

### **Referrals**

The following procedures are to be followed for referrals.

- 1) Notify the investigative agency, Liberty Healthcare Corporation once the RON is received and entered into SAMS, and the service delivery is completed. This notification should be completed by e-mail. The consumer’s SAMS ID#, initials, DOB, and county must be included in the e-mail.

1. **E-mail for ALL RONS: [apsron@libertyhealth.com](mailto:apsron@libertyhealth.com)**

a) The AAA is still responsible for informing providers, such as nursing facilities, personal care homes, or home care agencies, of additional reporting requirements. Providers may fax or e-mail written reports within 48 hours directly to Liberty Healthcare Corporation. The AAA should provide the following information to providers making an oral report:

1. Fax: (484) 434-1590
2. E-mail: mandatoryron@libertyhealth.com

- 2) Do **not** terminate the APS-Act 70 Care Enrollment.
- 3) Do **not** delete information in the RON.
- 4) Do **not** deactivate the APS-Act 70 Care Plan (if created).

The Liberty Healthcare Corporation is responsible for the maintenance and record retention of the case record once the report is received.

### **Reporter/Alleged Perpetrator Information and Record Retention:**

Do not delete reporter or alleged perpetrator information from APS RONs before referring for investigation. The investigative/referral agency will redact the information once final categorization or determination is made. In addition, RONs are to be retained in accordance with the general one year provision provided by the Adult Protective Services Act §303(c), until regulations are promulgated by DHS. The AAA will not delete any APS records for individuals 18-59 years of age from SAMS.

### **Confidentiality:**

Both OAPSA and APS laws contain confidentiality provisions that indicate that the information contained in reports, records of investigation, assessment and service plans shall be considered confidential. Information shall not be disclosed to anyone outside the agency other than to a court of competent jurisdiction or pursuant to a court order.

Once the AAA has completed the RON, created the APS Care Enrollment, recorded the RON service delivery, and has sent the completed RON to the investigative agency, the AAA may no longer access the case.

### **Immunity and Liability:**

Under OAPSA §305, protective services workers or employees of the department shall not be civilly or criminally liable for decisions or actions or resulting consequences of decisions or actions when acting under and according to the provisions under the law.

**NOTE: In the absence of willful misconduct or gross negligence, the agency, the director, employees of the agency, protective services workers or employees of the Department shall not be civilly or criminally liable for any decision, action or resulting consequence of decisions or action when acting under and according to the provisions of the OAPSA or APS laws.**

### **Invoice and Payment Information:**

Utilizing funding provided through the Department of Human Services, PDA will provide AAAs payment for each RON and related service deliveries as outlined in the *Adult Protective Services Documentation Procedural Manual*, beginning April 1, 2015.

- i. For a RON and related service delivery **completed during the Commonwealth's normal business hours** (8:00 a.m. to 5:00 p.m.), Monday through Friday, the reimbursement rate is \$25.00.
- ii. For a RON and related service delivery **completed outside of the Commonwealth's normal business hours** of 8:00 a.m. to 5:00 p.m., weekends, or on a federal holiday, the reimbursement rate is \$35.00. Federal Holidays are listed below:
  - New Year's Day
  - Martin Luther King Day
  - President's Day
  - Memorial Day
  - Independence Day
  - Labor Day
  - Columbus Day
  - Veterans Day
  - Thanksgiving Day
  - Christmas Day
- iii. On the first work day following the 15th of each month, PDA will run SAMS and OMNIA reports for the previous month in order to verify each invoice submitted for reimbursement.
- iv. Payment for each RON will be based on completed steps outlined above (completed RON, RON service delivery, and the data from SAMS and OMNIA reports). RONs must be completed in full to receive reimbursement.

### **Record Protection and Retention**

In accordance with 6 Pa. Code §15.101—105, all records are considered confidential and shall follow record retention procedures. Any and all RONs may not be disclosed except under OAPSA (§15.105 regarding limited access to records and disclosure of information). Records may be ordered to be produced by court at any time; therefore, all records should contain factual, concise information describing all investigative activities and findings.

Payment for intake of RONs for individuals 18 to 59 years of age will begin April 1, 2015. Questions should be addressed to your agency's assigned OAPSA specialist.

Attachments:

- 1) PA's Adult Protective Services Documentation Procedural Manual
- 2) Appendix A—Protective Services Report of Need Instructions
- 3) Appendix B—Protective Services Requests for Deletion Process and Form