

Guidance for Individuals and Families on Out of Service Units effective July 1, 2023

What are Out of Service Units?

Out of Service (OOSvc) units are available for a provider agency to bill when an individual is unexpectedly not attending services as outlined in their Individual Service Agreement (ISA), but the provider was expecting to offer services and was ready. The services that include OOSvc units are Residential Habilitation, Community Participation Services (CPS) and Supported Employment (SEP).

Person-Centered Planning and ISA Development

While facilitating person-centered planning to develop the ISA, the individual, their family/guardian and service coordinator (SC) work together to document the individual's goals for the coming year and what services will be necessary to support their progress towards those goals. While discussing the type and amount of services one needs, it is essential that the individual/family and SC acknowledge and document planned, known absences from services (therapeutic leave) in the ISA. Planned leaves can be for many things, such as, but not limited to vacations, trips, holidays, and/or weekends with family. By accurately reflecting the scope and duration of services needed, the individual and family are helping the provider understand the full array of services needed; ensuring the provider is prepared to meet the individual's needs and can commit to offering the services outlined. Providers should inform individuals of their planned closures for holidays, vacations, and/or training during the selection process.

Does This Mean My Provider Agency Receives Less Money?

No. Providers develop a budget based on the scope, duration and frequency of the service(s) outlined in the ISA. Providers review the ISA, identify the planned therapeutic leaves and adjust for that in their budget calculations. If you are away one weekend a month, your provider agency can plan for your typical staff to work at another site since you will not need service that weekend. By knowing your planned leave, it helps your provider plan accordingly.

I take a two-week vacation every year with my family. I've heard I cannot do that anymore or else I will lose my spot because I'm only allowed 30 OOSvc for the year. Is that true?

No. OOSvc units are able to be billed for unexpected absences from services. As the example identifies, a family vacation is planned each year. It is a planned absence, otherwise known as therapeutic leave. This should be documented in the ISA. Instead of using 52 weeks (365 days) of Residential Habilitation, the individual only needs 50 weeks (351 days) due to the vacation. The service authorization (PA) will be authorized for 50 weeks of direct service for the provider to bill. The individual is issued 30 days of OOSvc units, in the event that they have other trips that come up unexpectedly or there is a family emergency that causes them to not receive Residential Habilitation services for a few days. Planned absences are factored into the PA. If plans change, you should work with your SC to amend your ISA and PA.

Unexpected Absences

As stated above, planned absences from services are noted in the ISA, so that the PA is accurate. Does that mean that individuals cannot have an unexpected absence? Absolutely not! If a provider committed to and was expecting to provide Residential Habilitation to a person for 365 days a year, but the individual is unexpectedly absent, the provider cannot bill for those days. The provider incurs the

expenses of having staff ready to offer services and maintain the home site so they are able to bill OOSvc units. Additionally, if a person requires hospitalization for a week and the Residential Habilitation provider is not supporting them in the hospital at all, OOSvc units can be billed for that week.

Planned activities that fall outside of program hours

Planned trips should be documented in your ISA and your provider should be aware of your travel plans. If you are expected to be out of program for 84 days, your ISA and PA will reflect that. You will still have 30 units of OOSvc issued for your provider to bill for any other days that you are unexpectedly absent. Continue working with your SC to amend your ISA when necessary as your plans change.

Can Provider Agencies Close for the Day and Still Be Paid for Out of Service Units?

If a provider agency closes services unexpectedly (i.e. for a weather event, family emergency, short-staffed, etc.) the provider cannot bill OOSvc for that closure, since the provider was not ready, willing and able to provide the services as agreed to in the ISA. If the provider has scheduled closures throughout the year for events such as holiday observances, vacations or training, the provider cannot bill OOSvc for those days, as they were not ready, willing and available to provide services. All parties should have acknowledged those program closures during the provider selection process and it should be noted in the ISA.

Questions about this resource? Please email bds@dhhs.nh.gov