

TITLE 464 RESPITE SUBSIDY PROGRAM ACROSS THE LIFESPAN

Chapter 1-000 SCOPE AND AUTHORITY

1-001 Introduction: The Respite Subsidy Program (RSP) Across the Lifespan is designed to provide funding for caregivers to purchase respite services.

1-002 Legal Basis: The Nebraska Department of Health and Human Services, Central Office, is responsible for administering the RSP based on Neb.Rev.Stat. §§68-1520 through 1528 and 71-7611.04.

Based on available funds, the Department has the authority to:

1. Determine the maximum monthly subsidy amount to be paid to each eligible person/family;
2. Determine the number of persons/families to be served through the RSP, based on available funding for the Lifespan (see definition);
3. Establish waiting lists;
4. Establish priorities based on needs and population; and
5. Move funds from one population to another for the purpose of ensuring all budgetary funds may be utilized.

1-003 Philosophical Basis: Respite is a service that is designed to give caregivers a break from the demands of providing ongoing care for another individual. The basic intent of respite is to:

1. Prevent and/or postpone out-of-home placements;
2. Reduce family and caregiver stress;
3. Enhance the family and caregiver's coping abilities;
4. Strengthen the family and caregiver's ability to meet the challenging demands of caring for family members; and
5. Reduce the risk of abuse/neglect of children, elderly, and other vulnerable groups.

1-004 Confidentiality: HHS staff must keep all information regarding applicants, clients, or caregivers confidential. See 465 NAC 2-005 ff.

1-005 Non-Discrimination: HHS staff must not discriminate against any person applying for or receiving benefits through the RSP on the basis of race, color, national origin, sex, age, handicap, religion or political belief. See 465 NAC 2-001 ff.

1-006 Department Responsibilities: Central Office staff will:

1. Make a determination regarding eligibility of each applicant;
2. Process billings; and
3. Provide notifications to the client regarding eligibility, changes of eligibility, and the need for annual reviews.

1-007 Fraud: Any person who knowingly provides false information or knowingly withholds pertinent information to obtain or attempt to obtain services under this program may be prosecuted for fraud in a court of law and, if found guilty, be punished accordingly. Neb.Rev.Stat. §68-1017.

1-008 Definitions:

Caregiver means a friend, family member, or legal guardian residing with and providing ongoing care for an individual unable to care for himself or herself.

Client means an individual who has been referred to, has applied for, or has been authorized to receive Respite Services through the RSP.

Department means the Nebraska Department of Health and Human Services.

Nebraska Respite Network means a statewide network responsible for the creation of a statewide system for the coordination of respite resources through six offices located in HHS Service Area offices.

Nebraska Respite Network Coordinator means one of six coordinators across Nebraska responsible for the coordination of respite resources within a multiple-county area. This shall also mean the Nebraska Lifespan Respite Services Program.

Ongoing Care means continuous, full-time supervision/care for a person with special needs.

Reside means the caregiver lives with the person with special needs in the same house or apartment.

Respite means the provision of short-term relief to primary caregivers from the demands of ongoing care for an individual with special needs.

Special Needs means a person of any age with needs resulting from an emotional, behavioral, cognitive, physical, or condition that necessitates receipt of care or supervision in order to meet the person's basic needs or to prevent harm from occurring to him or her. Such conditions include, but are not limited to, (a) developmental disabilities; (b) physical disabilities; (c) chronic illness; (d) physical, mental or emotional conditions that require supervision; (e) special health care needs; (f) cognitive impairments; (g) situations in which a high risk of abuse or neglect exists.

Vulnerable means an individual who is susceptible to physical injury due to a substantial mental or functional impairment.

Waiting List means a list of applications for individuals who cannot receive benefits due to limited funding availability.