

Things You Need to Know

About the Colbert Consent Decree

General Information

Persons who live in nursing homes can choose to move back to the community. If you want and are able to move to the community, you will get help moving out of a nursing home as described below.

- Participation in the Colbert Consent Decree and moving to the community is voluntary.
- You have indicated an interest in moving. No one is making you move if you do not want to move. However, if you want and are able to move to the community, the assistance provided under the Colbert Consent Decree will be a benefit to you and will help to ensure your health and safety.
- The people speaking with you about moving from the nursing home to the community are here to help you. Your key contact person is your Care Coordinator.
- The information that the Care Coordinator has about you is protected by law. The Care Coordinator and others on his/her team who are helping you will only share information they are allowed to share under law. If you have any questions, please ask your Care Coordinator.
 - If you tell us you are being abused, neglected, or exploited when living in the nursing home or in the community, this information may be shared with others responsible for these types of investigations.
- Your Care Coordinator is responsible to work with you to develop a realistic Service Plan of Care that will meet your needs in the community. This Service Plan of Care will be based upon what you tell your Care Coordinator, what your Care Coordinator learns about you, medical reports and consultations, and what services are available in the community to help you. When the Care Coordinator puts together the Service Plan of Care, he/she may require you to help identify people, housing and programs that will enable you to live and stay in the community.

- Putting together a Service Plan of Care that will meet your needs is not easy. A successful transition will depend on your motivation, your commitment and the resources that you and your Care Coordinator can identify in the community to meet your needs.
- There are Housing Resource Specialists who will receive information and work with you to find affordable housing.
 - Keep in mind that finding affordable housing is challenging and may take time. Sometimes it is difficult to find affordable housing options in the areas where you may want to live. As a result, you may be asked to reconsider some of your preferences and you may be asked to assist in locating housing options. Your patience, cooperation and understanding during the process is appreciated.

Grievance and Appeal Rights

- You should always first speak with your Care Coordinator to discuss any complaints, decisions about which you are unhappy, or feelings about filing an appeal or grievance. Often times, concerns can be easily resolved once a conversation about them has taken place.
- A grievance is an informal process to hear your complaints outside the State's fair hearings process. If you want to file a grievance, contact your Care Coordinator. If the Care Coordinator cannot resolve the grievance, you will be referred to the Department for final resolution.
- Disagreements with any decision made related to Transition Costs, Housing Assistance, or placement in a Community-Based Setting will be handled as a grievance.
- An appeal is formal and is conducted through the State Fair Hearing process. Appeals are available if you disagree with an adverse eligibility or service plan decision. When you are notified of an adverse decision, your Notice will give you information on where to file your appeal with the State. The time to file an appeal may be as short as 60 calendar days from the date of the adverse decision. Contact your Care Coordinator for more information on the appeal process.
- You may designate a person to represent you for an appeal (such as a friend, family member, or attorney). This person will become your Authorized Representative for the appeal.