



McLeod County

1805 Ford Avenue
Glencoe, Minnesota 55336

Social Services Direct Line (320) 864-3144
Public Health Direct Line (320) 864-3185

2014 HCBS Waiver/AC Review Corrective Action Plan

1. Beginning immediately, ensure that each participant case file includes signed documentation that participants have given informed consent to release private information. It is required that all HCBS participants have a completed documentation of informed consent included in their case file. Currently, five out of 5 CAC cases, six out of 10 CADI cases, two out of 2 BI cases, 12 out of 14 EW cases, nine out of 10 AC cases, and three out of 12 DD cases did not include informed consent documentation in the case file. In addition, one out of 10 CADI cases did not have documentation that the participant had given informed consent to release private information within the past year.

County Response: McLeod County has understood that our county contracts have allowed us to share information with contracted providers in order to coordinate the delivery of services. This understanding has been based on the following:

- The Minnesota Government Data Practices Act, Minn. Stat. 13.46, subd. 1 (c), includes in the definition for welfare system, entities under contract with the county social service and welfare agencies. Subd. 2 (a)(5) and (7) of the statute allow the sharing of data within the welfare system.
- The MN DHS Data Practices Manual also states “If an agency has provided a Notice of Privacy Practices to an individual, it does not need to get signed consent to disseminate the data to the agencies or individual listed on the form.” (the list includes health care providers and anyone else to whom the law – MN Government Data Practices Act - says we must or can give the information)
- The DHS required training, Protecting Information Privacy, has specifically stated the following as an exception to the need to get a signed release form: “When you are sharing information within the welfare system as a part of providing services for the client.”

Our plan to shift this practice includes:

- Fully executed informed consent documents have immediately been put in place, per the file compliance worksheet, for all files found to be out of compliance.
- From this point forward, informed consent documents will be secured on an ongoing basis where needed.
- Workers will continue to complete annual training on “Protecting Information Privacy,” as currently required.
- The Social Service supervisor and Public Health Community Care Team Leader will review the concepts and requirements of informed consent with all waiver staff.



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2. Beginning immediately, ensure that LTC screenings for the EW program occurs within 20 days of referral. As of August 1, 2012, MN Statute 256B.0911 requires that LTCC assessments be conducted within 20 days of the request. Fifty percent (50%) or six out of 12 assessments for new EW participants occurred within this timeframe. When at least 80% of screenings are occurring within this timeframe, it is considered evidence of a compliant practice.

County Response: Beginning immediately, McLeod County Social Services and Public Health will ensure that LTC screenings for the Elderly Waiver will occur within 20 days of the referral. Staff have been trained to note that the referral date auto fills in MMIS if a previous screening document has been entered and to ensure that the correct referral date is entered for all screening documents. If staff are unable to assess the participant within the 20 day timeframe, the reason for the late assessment will be documented on the LTCC form or within MnCHOICES assessment.

Submitted by:

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