

County of Financial Responsibility (COFR) Dispute Resolution Committee - Case 2010-2

Committee:	Doug Ward	Community Mental Health for Central Michigan
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The Committee met on February 5, 2010 concerning a dispute between two adjoining county CMHSP's. CMHSP representatives from the two counties participated to explain the case and the rationale for each CMHSP's position.

Issue: An individual lived for several years in County A, usually homeless. On November 4, 2008, he was banned from the homeless shelter in County A. He refused to use his available SSI funds to pay for other possible housing options in County A. Since there were no other suitable housing options in County A, a peer support specialist from County A drove him to a homeless shelter in County B. He presented for services at the CMH in County B the next day and used their services intermittently over the next nine months.

County A maintains that the individual was living independently and made the choice to move to County B. And when asked subsequently, he reaffirmed his intention to stay in County B because of transportation and available services. Therefore, they assert that County B is the COFR.

County B says that County A facilitated the individual's move to County B because an employee of the CMH drove him from County A to the shelter in County B. They also indicate that they have heard him say that he would return to County A if housing were available. Therefore, the COFR responsibility should be County A's

Resolution: The COFR amendment says, in part: "The choice shall be considered to be the consumer's/guardian's when it is not instigated or facilitated by a service manager or provider." When County A's peer support specialist gave the individual a ride, he facilitated the move. Thus, it was not the consumer's choice.

The individual then lived for nine months in County B with no apparent attempt to move back to County A. This clearly demonstrated his intention to stay in County A for that time period.

The conclusion is that County A, because it facilitated the initial move, should be the COFR for sixty (60) days ending January 3, 2009. After that date, County B is the COFR because of his obvious intent to remain in County B.