

County of Financial Responsibility (COFR) Dispute Resolution Committee - Case 2015-2

Committee:	Doug Ward	Community Mental Health for Central Michigan
	Heather Garcia	Kalamazoo Community Mental Health
	Kendra Binkley	Department of Community Health
	Kathy Zurvalec	CMH for Clinton-Eaton-Ingham

The Committee met on May 12, 2015 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 had lived in a dependent placement in County A for several years. In June 2012, the family wanted her closer to family and opted to move her to live with her mother in County B. In late July 2012, they decided that this was too much for her elderly mother and she was placed in a dependent setting near the mother in County B.

County B argued that County A is the COFR because services were requested from County B within 120 days of the move into County B – the “120 day rule.” It was noted that the move was ultimately from dependent to dependent which would assign the COFR to County A as well.

County A stated that County B should be the COFR because this was a voluntary move from dependent in County A to an independent setting in County B when the needed services could be supplied in County A. They also maintained that the request for a COFR was invalid because it needed to be filed within 30 days of the move.

Resolution: County B is the COFR. This was a voluntary move from dependent in County A to independent in County B. The General Rule (IIA) states that “the financially responsible CMHSP is the one that served them in the county where they last lived independently.” The “120 day rule” does not apply in this situation because it applies only to moves from independent to dependent.

The reference to 30 days in the amendment reads “the COFR's liability shall be limited to 30 days prior to notification by the serving board.” The 30-day notice was not an issue because County B was not requesting reimbursement for services provided prior to the notification.