

County of Financial Responsibility (COFR) Dispute Resolution Committee - Case 2015-5

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 lived independently with his mother in County A. In June 2014, his mother was being evicted and requested that his aunt take care of him. The aunt moved the individual to live with her in County B and assumed guardianship. However, she learned that she could not care for him and needed help. In Sept. 2014, he moved to a dependent placement 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.” They noted that the move was ultimately from **independent** to dependent which would assign the COFR to County A as well.

County A maintained that County B should be the COFR because this was a voluntary move from independent in County A to independent in County B when the needed services could be supplied in County A.

Resolution: County B is the COFR. This was a voluntary move from **independent** 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.

Notes: Currently the parties to a COFR dispute provide the Committee with whatever information they feel sustains their case in the dispute. This can range from sparse to so voluminous that it is difficult for the committee to wade through. It can miss or obscure data needed by the Committee. The Committee should specify that both parties provide certain information prior to the meeting in a consistent format. This information would include:

- Clear timeline
- Level of services provided to determine independent versus dependent
- Copy of the person-centered plan
- Section of the contract amendment that supports their argument
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