

County of Financial Responsibility (COFR) Dispute Resolution Committee - Case 2006-4

Committee:	Mark Kielhorn	Department of Community Health
	Pam Pekelder	Ottawa Community Mental Health
	Doug Ward	Community Mental Health for Central Michigan

The Committee met in Lansing on November 16, 2006 concerning a dispute between two county CMHSPs. CMHSP representatives from the two counties participated to explain the case and the rationale for each CMHSP's position.

Issue: In 2005, an individual was living in County A and receiving services from County A CMH. She was seriously injured in an auto accident in August, 2005 and was moved to County B for physical rehabilitation. In November 2005, she returned to her home in County A, but had lost her job and her relationship as a result of the accident. Despite efforts by County A CMH, she was unable to retain her residence or find another because she had no income. In February 2006, she moved to live with her sister in County B. In June she began to receive services from County B CMH. They found her a slot in a crisis residential facility after her sister stated that she was unable to continue to care for her. The placement was caused by her lack of income, continuing physical disabilities and a need for psychological services.

County B stated that County A should be COFR for the crisis residential costs because all the moves were from dependent to dependent situations. They felt that the individual was really in a dependent relationship to her boy friend in County A initially. Also, the rehab and living with her sister were dependent situations. If a move is from dependent to dependent, the COFR is the initial county. Also, the move to County B in February was temporary because it was initially expected that she would move back to County A in two weeks. Thus, County B said that the COFR relationship is with County A.

County A maintained that the person was living independently at the time of her accident and that the first move to County B was related to her physical problems, not mental health concerns. The second move to County B was due to loss of residence and thus was an independent move to living with family. Also, a move to family does not constitute a temporary or transient situation under the contract. Since the move was from independent in County A to independent in County B, County A asserted that County B should be the COFR.

Resolution: A dependent situation is defined in the Mental Health Code as an adult foster care facility, a licensed nursing home, or a licensed home for the aged. The individual was living independently in County A until she lost her home due to lack of income. The second move to County B was an independent move to an independent situation with her sister. The move to a dependent situation did not take place until June 2006 when the person moved from the sister's home in County B to a group home in the same county. Finally, the move to her sister's home in County B lasted four months so this was not temporary or transient. County B is the COFR.