

County of Financial Responsibility (COFR) Dispute Resolution Committee - Case 2015-4

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 setting in County A for seven years with only clubhouse services from County A's CHHSP. In June 2014, the family wanted her to live closer to family and opted to move her to live with her sister in County B. Three months later, the family requested group home services 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 dependent 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 dependent 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 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 for moves from independent to dependent.