## Transition into Adulthood



Transition Guidebook for IRC Parents



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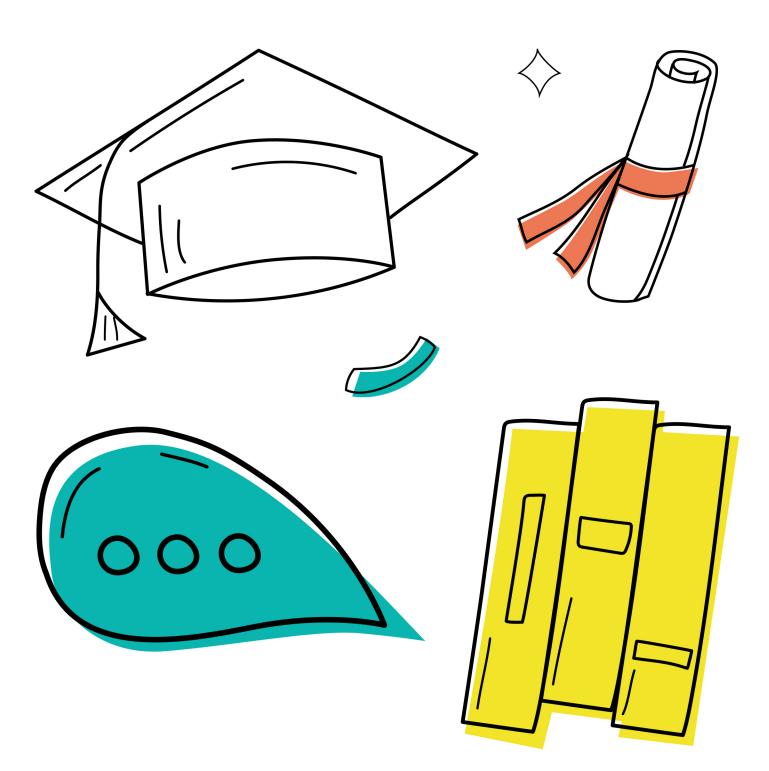
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Individualized Education Program (IEP)

#### Individualized Education Program (IEP) Overview

The IEP, Individualized Education Program, is a written document that's developed for each public school child who is eligible for <u>special education</u>. The IEP is created through a <u>team effort</u> and reviewed at least once a year.

Before an IEP can be written, the child must be eligible for special education. By federal law, a multidisciplinary team must determine that (1) they are a child with a disability and (2) they require special education and related services to benefit from the general education program.

The Individuals with Disabilities Education Act (IDEA), a federal law, requires certain information to be included in the IEP but doesn't specify how the IEP should look. Because states and local school systems may include additional information, forms differ from state to state and may vary between school systems within a state.

#### **Summary of the IEP Process for Parents**

- 1. **Initial Contact and Invitation**: Schools no longer invite the Consumer Service Coordinator (CSC) directly to the IEP meeting. The family should contact the (CSC) with at least a 2-week notice. If the scheduled date doesn't work, parents can request a new date in writing. The school must respond within 15 days and reschedule the meeting within 30 days.
- 2. **Prepare for the Meeting**: Parents should make sure that all relevant parties, particularly from the school, are involved in the decision-making process. It's important to discuss any concerns with the CSC before the meeting to develop a strategy for advocating for the child.
- 3. **Goals and Plans**: Ensure that the IEP includes **specific, individualized goals** that meet the child's needs (not generic goals). Review the **transition plan** to make sure it's up-to-date and appropriately integrated into the child's daily curriculum.
- 4. **Addressing Disagreements**: If there are any disagreements or unresolved issues, they should be documented in the comment section of the IEP. Action steps to resolve these issues should be noted before the parent signs the IEP.

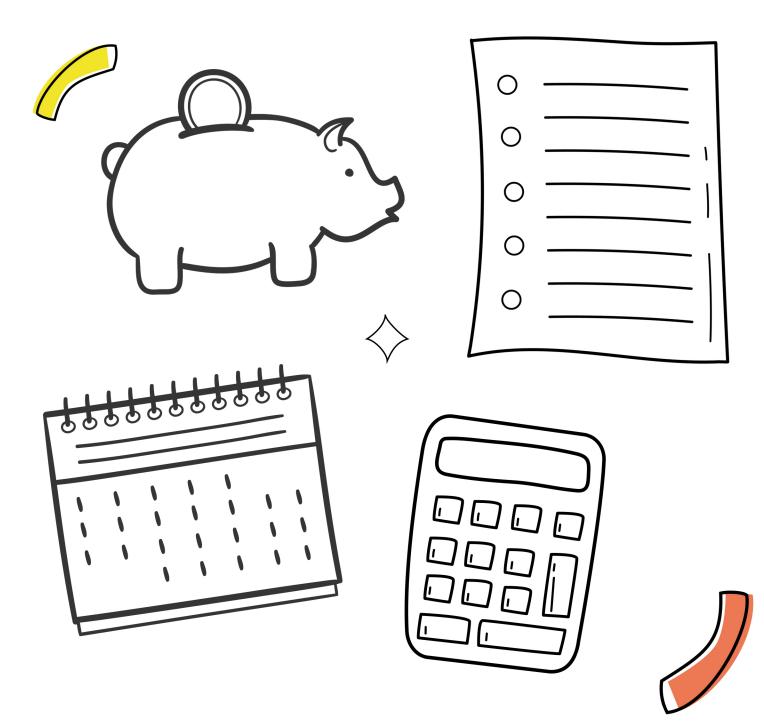
- 5. **Signing the IEP**: Parents can sign the IEP to acknowledge their attendance, but they do not have to agree with the content. If they disagree, the previous IEP will remain in effect until the issues are resolved.
- 6. **Responsibility for Services**: Note that the **school district** is responsible for providing any necessary services (e.g., behavior support, therapy) to the child. IRC does not fund school services.
- 7. **Medi-Cal Box**: The Medi-Cal box on the IEP should only be checked if the child is receiving services such as speech, occupational, or physical therapy through the school district. This allows the district to bill Medi-Cal for these services. This is optional which mean to personal choice not required or Mandatory.
- 8. **Interpreter Services**: If needed, the family has the right to ask for district interpreter. If the school cannot provide one, the IEP meeting must be rescheduled.
- The family can also contact Disability Rights California at 3602 Inland Empire Blvd., Ste. C-110, Ontario, CA 91764: telephone number (213) 213-8000. The fax number (213) 213-8001. The email address is https://www.disabilityrightsca.org.

#### **Important Information for Parents of Graduating Students**

If your child is approaching graduation, here are some important options to consider:

- 10. **Graduating with a High School Diploma**: If your child is graduating with a diploma at age 18, they can choose to:
  - 1. Attend college
  - 2. Participate in an IRC-funded day program
  - 3. Pursue supported employment
  - 4. Gain independent employment
  - 5. Access Department of Rehabilitation (DOR) services
- 11. **Graduating with a Certificate of Completion**: If your child is graduating with a certificate of completion and entering the **adult transition program** (ages 18-22), they may qualify for additional services through the IRC or other community resources, including employment opportunities.

# MEDICAID WAIVER



#### Medicaid Waiver (HCBS MW) Eligibility and Support for Parents

At our agency, we are dedicated to supporting the **health**, **safety**, **and wellbeing** of individuals with developmental disabilities. We monitor and ensure case compliance with the guidelines of the **Home and Community-Based Services (HCBS) Medicaid Waiver** to provide access to vital services that help consumers thrive in their communities. The **HCBS Waiver** is a federal program that allows each state to offer community-based services to individuals with developmental disabilities.

#### Who Qualifies for the HCBS Medicaid Waiver (MW)?

To be eligible for the **HCBS Medicaid Waiver**, the consumer must meet the following criteria:

- 1. **Diagnosis**: The individual must have a **developmental disability** diagnosed by a Regional Center.
- 2. Medi-Cal Eligibility: The consumer must have full-scope Medi-Cal eligibility.
- 3. Deficits or Medical Conditions: The individual must have at least 2 qualifying deficits under the Client Development Evaluation Report (CDER), developmental disabilities or a chronic medical or psychiatric condition that requires routine treatment or medication and meets an acceptable level of care.
- 4. Living Situation: The individual must live in one of the following:
  - The **family home**
  - Their own home
  - A community facility of their choice
- 5. **12 Months of Request:** This suggests that, in order to qualify for certain benefits or eligibility under a specific program, the individual must have been using billable HCBS through a POS request within the last 12 months. This condition likely ties into maintaining continuous eligibility for services or access to specific funding.
- 6. **Consumer Choice Form**: The individual (or their guardian) must complete and sign the **MW Consumer Choice Form (DS2200)**.

#### Institutional Deeming (ID) Eligibility

**Institutional Deeming** is a special Medi-Cal rule that allows consumers under 18 years old, or married adults, to qualify for **full-scope Medi-Cal** benefits, even if their parental or spouse's income is too high.

- This rule **waives parental or spousal income** when determining Medi-Cal eligibility.
- It ensures that only the consumer's or spouse's income is considered for eligibility, making it easier for individuals to qualify for Medi-Cal benefits.
   Institutional Deeming provides easier access to Medi-Cal benefits and may also make consumers eligible for additional services, including:
- In-Home Supportive Services (IHSS)
- Early and Periodic Screening, Diagnosis, and Treatment (EPSDT)
- Rehabilitation Services and more.
  Required Documents for Enrollment in the HCBS Waiver
  To request or reapply for the HCBS Waiver, ensure the following documents are completed and submitted:
- 1. Contact your Consumer Services Coordinator (CSC) to Request.
- 2. Signed and dated DS2200 (Consumer Choice Form).
- 3. Signed and dated Parental Agreement.
- 4. **Proof of Billable HCBS POS**: Ensure that the consumer is using HCBS services through a billable Purchase of Services (POS).

As a parent or client, it is your responsibility to follow **Medi-Cal guidelines** to ensure continuous eligibility for services. This includes keeping Medi-Cal updated on income, living situations, and health status, attending required meetings, and cooperating with case management. By adhering to these guidelines, you can help ensure that your loved one receives the care and services they need without interruption.

If you have any questions or need help understanding Medi-Cal rules, it's important to reach out to your **local Medi-Cal office** or case manager for assistance.

The **Medicaid Waiver** program provides essential support and services for families, offering resources to help individuals with developmental disabilities succeed and thrive. If you have any questions or need assistance, please don't hesitate to reach out to us for further guidance.



#### **Overview of the IHSS Program**

The **In-Home Supportive Services (IHSS)** program helps eligible individuals who are **over the age of 65**, **blind**, and/or **disabled** receive the support they need to live safely in their own homes. The goal of the IHSS program is to prevent the need for out-of-home care, allowing individuals to remain in their own homes, whether it's a house, apartment, hotel, or the home of a relative.

If you receive **Supplemental Security Income (SSI)** or meet the income eligibility requirements for **Medi-Cal**, you may qualify for IHSS services. **IHSS** is a **Medi-Cal program**, funded by **federal**, **state**, and **county dollars**.

#### **Services Covered by IHSS**

The IHSS program can provide a range of services to support you in your daily life. Some of the services include:

- Personal Care Services: Assistance with activities like dressing, bathing, feeding, and toileting.
- **Paramedical Services**: Help with tasks such as **injections**, **wound care**, **colostomy care**, and **catheter care** (under the direction of a licensed medical professional).
- Household Support: Help with house cleaning, cooking, shopping, and laundry.
- Medical Appointments: Assistance with accompanying you to and from medical appointments.
- **Protective Supervision Services for Adult:** non-self-directing people do not know what is dangerous, they are more likely to do things that are dangerous and risky that could cause them to get hurt.

However, there are some things that IHSS cannot pay for, including:

- Moving furniture
- Paying bills
- Reading mail to you

- Caring for pets (including service animals)
- Gardening
- Repair services
- Social visits (like watching TV together or visiting)
- Social outings or leisure activities

#### How to Apply for IHSS

To begin the process, follow these steps:

- 1. **Contact the IHSS Program**: Call the IHSS program in your county. A county representative will ask you questions about your disability, your needs, income, and assets. This will take about **20 minutes**.
- 2. Home Visit: A social worker will visit your home to evaluate the services you need and the number of hours for each service. The social worker will consider your medical condition, living situation, and any other available resources.
- 3. **Health Care Certification Form**: Your healthcare provider will need to complete a **form** certifying that you need IHSS services. This must be completed before services can be approved.
- 4. Authorization: After the assessment, the county will send you a Notice of Action (NOA), which will let you know if your services have been approved or denied. The NOA will specify the services approved, the number of hours authorized, and how many total hours of service you will receive each month.
- 5. **State Hearing Requests**: If you disagree with the county's decision or believe you should be receiving additional services, you have the right to request a **state hearing**.

#### **Hiring Your Provider(s)**

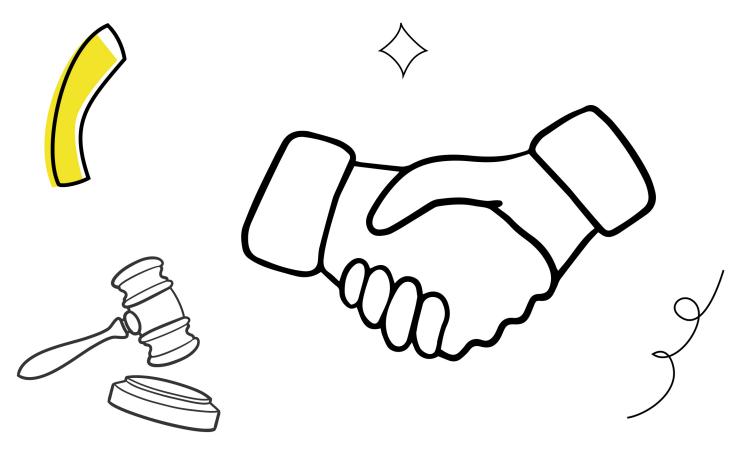
Once you are approved for IHSS, you can hire a **care provider**. This can be a **friend**, **relative**, or you can find a provider through the **IHSS Public Authority Caregiver Registry**. Before they can start working, your provider will need to complete all necessary **enrollment steps**.

For more information about hiring a provider and the steps needed, you can contact your social worker or the **Public Authority** for assistance.

#### **Contact Information for IHSS**

If you have any questions or need to begin the application process, you can reach out to the IHSS office in your area:

- IHSS Central Intake Unit: For referrals, call 877-800-4544
- Rancho Cucamonga Office: 909-948-6200
- San Bernardino Office: 909-891-3700
- Riverside County Office: 888-960-4477







#### **Conservatorship Overview**

If you or a loved one is unable to make decisions for themselves due to disability, a **conservatorship** may be an option. A judge can appoint a **conservator** to make decisions on behalf of the person who needs help, called the **conservatee**. This appointment can only be made when less restrictive options are not suitable.

A **conservatorship** is a legal process in which a judge appoints someone (a **conservator**) to make decisions on behalf of an individual who is unable to make decisions for themselves due to a disability or other limitations. The person needing help is referred to as the **conservatee**.

A **conservatorship** can only be established after the court determines that other, less restrictive options are not sufficient. This means that a conservatorship should be the **least restrictive** form of assistance that allows the individual to live as independently as possible. Even after a conservatorship is established, this requirement remains in place.

#### **Types of Conservatorships**

There are two main types of conservatorships, depending on the level of support needed by the individual:

- 1. General Conservatorship:
  - The conservator has broad authority to make decisions for the conservatee, covering all necessary aspects of their care and wellbeing, except those the court deems unnecessary.

#### 2. Limited Conservatorship:

 The conservator's powers are specifically limited to 7 key areas, based on the needs of the conservatee. This is often used for individuals with developmental disabilities.

#### Conservatorship of the Person vs. Conservatorship of the Estate

• **Conservatorship of the Person**: This type of conservatorship involves making decisions about the individual's **care and protection**.

• **Conservatorship of the Estate**: This type involves managing the individual's **finances**.

It's possible for one person to serve as the **conservator of both** the person and the estate, or different people can be appointed for each role.

#### 7 Powers in a Limited Conservatorship

If a limited conservatorship is granted, the conservator may be given up to **7 specific powers**, depending on the needs of the individual. These powers include:

- 1. Deciding where the conservatee will live (residence).
- 2. Accessing the conservatee's confidential records and papers.
- 3. Approving or denying consent for the conservatee to marry.
- 4. Making decisions about the conservatee's ability to enter into contracts.
- 5. Giving or withholding medical consent on behalf of the conservatee.
- 6. Making decisions about the conservatee's social and sexual relationships.
- 7. Making decisions about the conservatee's education.

The judge will first determine whether the individual with a developmental disability needs a conservatorship and if help is required in any of these seven areas. The judge can grant the conservator only the powers that are necessary and requested.

#### **Preparing for the Conservatorship Process**

The process of applying for a conservatorship requires careful preparation. Here are the steps involved:

- 1. **Family Notification**: All immediate family members, including parents, siblings, and grandparents, will be notified of the conservatorship proceedings.
- 2. **Required Documentation**: Your healthcare providers will need to complete forms to support the need for a conservatorship. Reports will also be submitted by the **Court Investigator** and **Inland Regional Center (IRC)**.

- 3. **Gathering Information**: IRC team will need the following documents and information to proceed with the conservatorship request:
  - A current IEP and Psychoeducational assessment.
  - Information on how many siblings live in the home.
  - Financial information, including SSI, Veterans Benefits, and burial benefits.
  - Medical records, including the most recent physical and dental appointments.
  - Information on the living situation, especially if parents are not together (involvement and contact details of the non-co-conservator parent).
- 4. **Petition for Appointment of Probate Conservator**: Once all documentation is complete, a **petition for the appointment of a probate conservator** will need to be filed with the court. IRC will need a **copy of the filed petition**, including the **case number** and **court stamp**.

Please send this to our office via email: **Probate@inlandrc.org**, or fax it to **(909) 379-7600**, or mail it to the IRC office.

#### **Resources for Legal Support and Conservatorship Information**

There are free and low-cost resources available to assist families through the conservatorship process:

- 1. Free Legal Services for Qualified Individuals:
  - Legal Aid Society of San Bernardino provides free legal assistance for conservatorship, housing, family law, and more. Contact them at 909-889-7328 or Info@Legalaidofsb.org. More information is available online at Legal Aid Society of San Bernardino.
  - Riverside Legal Aid: Contact them at 951-682-7968 (Riverside Office) or 760-347-9456 (Indio Office). More information is available at <u>Riverside Legal Aid</u>
  - o <u>Riverside County</u> Resource for Conservatorship.

- 2. Additional Support Resources:
- **Caldwell, Kennedy & Porter**: A law firm in Victorville, CA, that provides legal services related to conservatorship (fees apply). Visit their website at <u>cklaw.net</u>.
- **Dignity Group**: A non-profit organization that provides support and advocacy for families dealing with special needs, including alternatives to conservatorship.
- **Circle of Life**: A non-profit organization offering financial and family assistance programs. Visit <u>lifeinsidethecircle.com</u>.

#### **Important Considerations**

- **Conservatorship** is a serious legal process and should be carefully considered. It is typically a last resort when other, less restrictive alternatives are not suitable.
- Your family will be involved in the process, and your loved one's needs will be carefully assessed to determine the best course of action.
- We encourage families to explore all options and consult with legal experts to determine the most appropriate solution for the individual in need.

What if I need more help?

#### For further information call:

Disability Rights California

• 1-800-776-5746 (TTY 1-800-719-5798)

Office of Clients' Rights Advocacy

- Northern California: 1-800-390-7032 (TTY 877-669-6023)
- Southern California: 1-866-833-6712 (TTY 877-669-6023)

If you have any questions or need assistance with the conservatorship process, please reach out to your CSC or any of the listed resources for support. We are here to help guide you through this process with care and attention to the needs of your loved one.



# **SSI Process**

### Supplemental Security Income (SSI)

#### Supplemental Security Income (SSI) Overview

The Supplemental Security Income (SSI) program provides monthly cash assistance to people who are 65 and older or blind or disabled. Payments vary based on your income and where you live.

#### What is SSI?

Supplemental Security Income (SSI) provides monthly payments to adults or children who meet the following criteria:

- 1. Little or no income, and
- 2. Little or no resources, and
- 3. A disability, blindness, or are 65 years or older

#### **Prepare to Apply**

Before applying there are a few steps you can take to see if SSI is the appropriate program for you

- 1. <u>Eligibility</u>: with this tool you can fill out a quick questionnaire to find out if you are eligible or not
- 2. <u>Benefits Estimate</u>: with this tool you'll be able to get an estimate of your benefits based on your current earnings
- 3. <u>Record of Earnings</u>: with this tool you'll be able to check the record of your yearly income and make sure it is accurate before applying
- 4. <u>Retirement</u>: this tool can be used to help determine when to apply and/or look at other factors

#### How to Apply

Application is found online (Apply for Supplemental Security Income (SSI) | SSA)

You'll be prompted to create a profile on their site and using this login info, you'll be able to check the status of your application as well as appeal the decision of your application if you believe the wrong decision was made

#### **Appeal a Decision**

There are 4 different appeal levels, however, it is not always necessary to go through all 4 (this varies case by case)

- 1. <u>Request Reconsideration</u>
- 2. <u>Hearing with a Judge</u>
- 3. <u>Review of Hearing Decision</u>
- 4. File Federal District Court Action

#### **Resources/Links**

- Main Webpage <u>Supplemental Security Income (SSI) | SSA.</u>
- FAQ'S <u>How much you could get from SSI | SSA.</u>
- Reporting Guidelines <u>Reporting responsibilities for SSI | SSA.</u>
- Other government programs Programs to get more help while on SSI | SSA.
- By using their online <u>Field Office</u> tool you'll be able to find the nearest SSI office in your area if an in-person visit is more appropriate.

Consumers who are over the age of 18 and receive benefits from SSI are able to be placed in IRC vendored Board and Care (B&C) homes if they and their families choose. Every consumer's situation and case at IRC is different and unique.



#### **Board and Care (B&C) Facility Placement:**

Consumers who are over the age of 18 and receive benefits from SSI are able to be placed in IRC vendored B&C homes if they and their families choose. Every consumer's situation and case at IRC is different and unique. Here are a few things to know when requesting placement for an IRC consumer.

Process:

- Families will reach out to their CSC to inquire about placement.
- Families must understand that IRC does not place until after a consumer is 18 years of age. Please note: Only in rare situations are minors placed in a B&C and is dependent on Director approval.
- Families understand they need Program Manager (PM) approval for a CSC to begin the referral process.
- Families understand the placement process goes through the IRC Placement Unit. Families may request a specific B&C for the consumer, however, all options provided by the Placement Unit must first be thoroughly examined.

**<u>Please note</u>**: There is no guarantee that specific B&Cs will have openings for the consumer.

- Families must also understand that IRC does not have B&Cs that are lockdown facilities.
- Families will agree to contact SSA to ensure that consumer's SSI monies are changed to the SSI B&C rate.
- Families understand they are to provide consumer's SSI benefits/monies to the B&C each month. Consumer's SSI benefits fund the B&C costs and P&I. IRC funds the B&C programming.
- Depending on what consumer needs, family understands consumer will be referred to the most appropriate B&C (Level 2 4 please see below).

**Level 2** – Care, supervision and incidental training for individuals with some selfcare skills and no major behavior challenges.  Example: Consumers with some independence and some safety skills who require more assistance with daily care needs. No behaviors.

**Level 3** – Care, supervision and ongoing training for individuals with significant deficits in self-help skills, and/or some limitations in physical coordination and mobility, and/or disruptive or self-injurious behavior.

• Example: Consumers who require more supervision to assist with safety and self-care. They may have mild physical impairments/behaviors.

**Level 4** A-I – Care, supervision and training for individuals with deficits in self-help skills, and/or severe impairments in physical coordination and mobility, and/or severely disruptive or self-injurious behavior. The staffing in these homes corresponds to the needs of the individuals residing there.

• Example: Consumers requiring continuous care and supervision with little to no safety awareness. Severe physical impairments/behaviors.

#### **Specialized Residential Facilities (SRF)**

SRFs are licensed facilities vendored to provide specialized residential services as indicated in vendors program design. Specialized Residential Facility provide additional staffing, supervision, and increased consultant services than a level 4i facility. Purpose of a SRF is to provide care, supervision and training for persons with deficits in self-help skills and/or severe impairments in physical coordination and mobility, and/or severely disruptive or self-injurious behavior whose needs cannot be appropriately met within the array of other community living options available as determined by the planning team.

#### **Enhanced Behavioral Support Homes (EBSH)**

EBSHs are adult residential facilities or children's group homes. EBSHs provide 24hour non-medical care in a homelike setting to individuals with developmental disabilities with challenging behaviors who require additional supports, staffing, and supervision. The homes have unique characteristics and offer person-centered planning, positive behavior supports, trauma-informed care, and other services and supports which are beyond what is typically available in other community-based homes. EBSHs are certified by the Department of Developmental Services and licensed by the State Department of Social Services.

#### **Community Crisis Home (CCH)**

CCHs are residential facilities that provide 24-hour non-medical care to adults and children with developmental disabilities in need of crisis intervention services who would otherwise be at risk of placement in an institutionalized setting (acute crisis center, a state-operated facility, an out-of-state placement, a general acute hospital, or an institution for mental disease). CCHs provide additional assessment, staffing, supervision, specialized staff training, person-centered planning, positive behavior supports, trauma-informed care, and other intensive services and supports to immediately address an individual's urgent needs. The services provided are the most integrated and the least restrictive possible. The focus is on stabilization and individual goals so that individuals can transition to a long-term placement as quickly and safely as possible. The homes are certified by the Department of Developmental Services and licensed by the State Department of Social Services.

### High Profile Placement (Consumers coming from out of the state facilities):

Every consumer's situation and case at IRC is different and unique. There are rare situations in which consumers reside outside of the state of California (funded via the consumer's school district prior to the age of 22) but will require placement when they return. If the consumer in question was an IRC participant prior to leaving the state, their case is considered "inactive." In this situation, IRC can work with the consumer and their family on a courtesy basis due to the consumer's "inactive" case status with IRC. This must first be approved by the Program Manager.

Process:

- Families need to contact IRC with ample time prior to consumer returning to California.
- Families understand they need PM approval for a CSC to work on a consumer's case due to consumer residing out of the state.

- Families must confirm with the CSC and PM that consumers have SSI benefits.
- Families must live in the IRC catchment area to have consumer's case "reactivated with IRC."
- Families will need to request to have consumer's case "reactivated" within the appropriate catchment area via IRC Intake unit.
- Families will need to agree to have an IPP meeting facilitated by CSC. The consumer's IPP will be utilized to refer to IRC funded vendored B&C facilities.
- Families understand the placement process goes through the IRC Placement Unit. Families may request a specific B&C for the consumer, however, all options provided by the Placement Unit must first be thoroughly examined.

Please note: there is no guarantee that specific B&Cs will have openings for the consumer.

- Families understand that all placement options must first be exhausted in the IRC catchment area. IRC CSC will not submit statewide searches. All local catchment areas must be exhausted first.
- Families must also understand that IRC does not have B&Cs that are lockdown facilities.
- Families will agree to contact SSA to ensure that consumer's SSI monies are changed to the B&C rate.
- Families understand they are to provide consumer's SSI benefits/monies to the B&C each month. Consumer's SSI benefits fund the B&C costs and P&I.
   IRC funds the B&C programming.
- Depending on what consumer needs, family understands consumer will be referred to the most appropriate B&C placement (as listed before).

#### CA Mentor Family Home Agency (FHA) Homes:

#### Information for the Public/Families

Every consumer's situation and case at IRC is different and unique. Consumers who are over the age of 18 and receive benefits from SSI are able to be placed in IRC vendored CA Mentor FHA Homes, if they and their families choose, and if this option is the most appropriate as determined by IRC's Placement Unit. FHA homes match individuals who want to be part of the community with nurturing caregivers, who are called Mentors (Family Home Providers). Mentor homes are actual private family homes that are run by families who reside in the home with the consumer. FHAs also have a different level system that go by "Tiers". Here are a few things to know when requesting placement in a CA Mentor FHA Home for an IRC consumer.

Process:

- Families will reach out to their CSC to inquire about FHA placement.
- Families must understand that IRC does not place until after a consumer is 18 years of age. Please note: Only in rare situations are minors placed in an FHA and is dependent on Director approval.
- Families understand they need PM approval for a CSC to begin the FHA referral process.
- Families understand the FHA placement process goes through the IRC Placement Unit. Families may request a specific FHA for the consumer, however, all options provided by the Placement Unit must first be thoroughly examined.

<u>Please note:</u> There is no guarantee that specific FHAs will have openings for the consumer.

- Families understand that FHAs have their own internal process and the FHA Supervisor, once given the approval from IRC's Placement Unit, will begin searching for the most appropriate FHA for the consumer.
- Families understand that all placement options must first be exhausted in the IRC catchment area. IRC CSC will not submit statewide searches. All local catchment areas must be exhausted first.

- Families must also understand that CA Mentor does not have FHAs that are lockdown facilities.
- Families will agree to contact SSA to ensure that consumer's SSI monies are changed to the "B&C" rate.
- Families understand they are to provide consumer's SSI benefits/monies to the FHA each month. Consumer's SSI benefits fund the FHA costs and Personal Income (P&I). IRC funds the FHA programming.
- Depending on what consumer needs, family understands consumer will be referred to the most appropriate FHA placement.

If you have any questions or need assistance with the conservatorship process, please reach out to your CSC or any of the listed resources for support. We are here to help guide you through this process with care and attention to the needs of your loved one.