

441—82.7(249A) Initial approval for ICF/MR care.

82.7(1) *Referral through targeted case management.* Persons seeking ICF/MR placement shall be referred through targeted case management. The case management program shall identify any appropriate alternatives to the placement and shall inform the person of the alternatives. A referral shall be made by targeted case management to the central point of coordination having financial responsibility for the person. The department is the central point of coordination for persons with state case status.

82.7(2) *Approval of ICF/MR placement by central point of coordination.* The central point of coordination shall approve ICF/MR placement, offer a home- or community-based alternative, or refer the person back to the targeted case management program for further consideration of service needs within 30 days of receipt of a referral. Initial placement must be approved by the central point of coordination with responsibility for the person. Once approved, the eligible person, or the person's representative, is free to seek placement in the facility of the person's or the person's representative's choice.

82.7(3) *Approval by Iowa Foundation for Medical Care.* Medicaid payment shall be made for intermediate care facility for the mentally retarded care upon certification of need for this level of care by a licensed physician of medicine or osteopathy and approval by the Iowa Foundation for Medical Care which is designated as the professional standards review organization for the state.

The Iowa Foundation for Medical Care shall review ICF/MR admissions and transfers only when documentation is provided which verifies a referral from targeted case management which includes an approval by the central point of coordination.

82.7(4) *Appeal rights.* Notice of adverse action and right to appeal shall be given in accordance with 441—Chapter 7. The applicant or consumer is entitled to have a review of the level of care determination by the Iowa Foundation for Medical Care by sending a letter requesting a review to the foundation. If dissatisfied with that decision, the applicant or consumer may file an appeal with the department.

The applicant or consumer for whom the county has legal payment responsibility shall be entitled to a review of adverse decisions by the county by appealing to the county pursuant to 441—paragraph 25.13(2) "j." If dissatisfied with the county's decision, the applicant or consumer may file an appeal with the department.

This rule is intended to implement Iowa Code section 249A.12.