

County of Financial Responsibility (COFR) Dispute Resolution Committee - Case 2019-1

Committee:	Doug Ward	Community Mental Health for Central Michigan
	Wil Morris	Sanilac Community Mental Health
	Heather Garcia	Kalamazoo Community Mental Health
	Kendra Binkley	Michigan Department of Health and Human Services
	Tracey Dore	Huron Community Mental Health

The Committee met in person and via conference call on November 21, 2019 concerning a dispute between two CMHSP's. CMHSP representatives from the two counties participated to explain the case and the rationale for each CMHSP's position.

Issue: An individual residing in County A was evicted from his residence in April, 2019. He decided to drive to his uncle's farm to purchase as his new residence. This was described as a delusion because the uncle's home had burned down several years before. He ran out of gas on the way, had no money, had problems with the police and was arrested. When ultimately released to a homeless shelter in County B, the individual immediately exhibited significant mental health problems and was hospitalized. He was awaiting an opening in a state inpatient hospital at the time of this hearing.

County A contended that County B should be the COFR because he is now in County B receiving services there. It was the individual's expressed intention to move out of County A to his uncle's farm and "The intent of the individual to be part of the community shall be considered." as noted under IV in the Amendment. He may be homeless, but "persons who are homeless, living on the street or in a shelter shall be considered part of the community, when the intent of the person is to remain in the community."

County B submitted that County A should be the COFR because County A was the last place where the individual lived independently. They specifically referenced II C in the COFR Amendment which reads:

"When a consumer relocates to a dependent setting in County B from an independent setting in County A, County A shall remain the COFR, under any of the following circumstances:

- There is an existing agreement between County A and County B; or
- County A has continued to provide and pay for Mental Health Services; or
- The consumer requests services from County B within 120 days of relocation"

County B offered that both the first and third conditions above were met.

Resolution: The General Rule (II A) states "the financially responsible CMHSP is the one that served them in the county where they last lived independently." County B was not his apparent intended destination, so intent is not a consideration. Also, while he was homeless after leaving County A, he was in jail or hospitalized during that time. There was no evidence that he ever lived independently in County B or any place else after he left County A. County A was the last place he lived independently and is, therefore, the COFR.

Comment: The CMHSP's are commended for providing services to this individual independent of determining the COFR. Services without delay is exactly the intent of this process.