**NOTICE REGARDING RESIDENTIAL FEE COLLECTION**

March 29, 2012

The Agency for Persons with Disabilities (APD) is implementing a process which will require some APD customers who receive federal cash benefits and live in APD-licensed homes to contribute to the cost of their services. This process is referred to as “Residential Fee Collection.” Details regarding this initiative may be found within the rule notice for 65G-2.16, F.A.C.

Residential fee collection will require APD customers with federal benefits to help pay for their residential care in a licensed group home, foster care facility, residential habilitation center, or comprehensive transitional education program. These individuals will retain their monthly personal needs allowance before turning over their excess cash benefits to help pay for some of their services. Below is an overview of the residential fee collection process:

Fee Calculation

If an adult client (1) lives in an APD-licensed home which receives a room and board payment on their behalf **and** (2) receives monthly benefit payments of more than $637.00, then that client (or that client’s representative payee) must send a payment to APD in the amount of those additional dollars (unless one of the deductions stated in rule 65G-2.016(2)(d) applies).

Example: A group home resident receives a benefit payment from the Social Security Administration in the amount of $800.00 on October 1st. The group home, as representative payee for the resident, provides the resident with $93.58 (as their personal needs allowance) and retains of $543.42 (as the room and board payment). The group home provider then sends a check to the area APD office in the amount of the remaining balance ($163.00) no later than November 15th.

Payment

Payment must be sent to the appropriate APD area office by the 15th day of the month after receipt of said benefit payments. If the 15th of the month falls on a weekend or national holiday, then the payment due date will be the next business day immediately thereafter. Checks or money orders should be made payable to Agency for Persons with Disabilities (or APD). Individuals or organizations serving as the representative payees for federal benefit payments should submit a single check or money order to the Agency. Attached to this letter is a worksheet that you should submit to the area office on a monthly basis for the purpose of documenting the amount of “collectible” benefit payments.

**The first fees will be due on May 15, 2012 (for any federal benefits received beginning on April 1, 2012).**

Exclusions

The following federal benefit amounts are **not** subject to residential fee collection:

(1) benefits which were specifically excluded (in writing) by the Social Security Administration,

(2) benefits which were used as a required payment, co-payment, or co-insurance for Medicaid or Medicare services, including but not limited to prescribed drugs, or

(3) benefits which were used to offset a voluntary reduction in a client’s Medicaid waiver services.

All exclusion requests must include evidence of payments (such as receipts, for example) for the actual services rendered.

Attached to this letter is a list of frequently-asked questions which the Agency has compiled over the past several months as well as responses to those questions. Also attached is a copy of the official rule notice which will be published in the 4/6/12 edition of the Florida Administrative Weekly. If you have further questions regarding the residential fee collection process, please contact your area APD office for more information.

Thank you in advance for your assistance in this important initiative.

Attachments