


OFFICE OF DEVELOPMENTAL PROGRAMS BULLETIN

ISSUE DATE March 17, 2025	EFFECTIVE DATE March 17, 2025	NUMBER 00-25-01
SUBJECT Room and Board Requirements for Individuals Enrolled with the Office of Developmental Programs		BY  Kristin Ahrens, Deputy Secretary for Developmental Programs

SCOPE:

- Administrative Entity Administrators or Directors
- County Mental Health/Intellectual Disability Program Administrators or Directors
- Supports Coordination Organization Administrators or Directors
- Providers of Licensed and Unlicensed Residential Habilitation and Life Sharing services that receive Waiver-funding through the Consolidated, Community Living and Adult Autism Waivers
- Providers of Licensed and Unlicensed Residential Habilitation and Life Sharing services that receive base-funding
- Individuals and Families

PURPOSE:

The purpose of this bulletin is to clarify Room and Board requirements outlined in 55 Pa. Code Chapter 6100 (relating to Services for Individuals with an Intellectual Disability or Autism).

BACKGROUND:

The promulgation of the 55 Pa. Code Chapter 6100 regulations rescinded Chapter 51 (relating to Office of Developmental Programs Home and Community-Based Services) and Chapter 6200 (relating to Room and Board Charges). Chapter 51 applied to Waiver funded Home and Community-Based Services. Chapter 6200 applied to Room and Board for individuals living in residential facilities that receive State-only funding, which is also known as base-funding. Both chapters contained similar Room and Board requirements but outlined different administrative

COMMENTS AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO:

The appropriate ODP Regional Program Office

Visit the Office of Developmental Programs Web site at <https://www.pa.gov/agencies/dhs/departments-offices/odp-info/odp-bureau-community-services.html.html#accordion-89a30bbb25-item-d8df88b7b6>

procedures. To reduce confusion and simplify the Room and Board process, Chapter 6100 includes the same Room and Board requirements for both Waiver-funded Home and Community-Based Services and base-funded programs. This bulletin clarifies the Room and Board requirements included in Chapter 6100.

DISCUSSION:

Chapter 6100's Room and Board requirements apply when all of the following are met:

- The individual resides in a provider-owned or leased residential service location or in a Life Sharing Home that is not owned or leased by the individual,
- The individual is receiving the Residential Habilitation or Life Sharing service, and
- The service is funded by a Home and Community-Based Waiver or base funding.

and

The individual resides in one of the following locations:

- A child residential facility licensed pursuant to 55 Pa. Code Chapter 3800 (relating to Child Residential and Day Treatment Facilities).
- A community residential rehabilitation service licensed pursuant to 55 Pa. Code Chapter 5310 (relating to Community Residential Rehabilitation Services for the Mentally III).
- A community home for individuals with an intellectual disability or autism licensed pursuant to 55 Pa. Code Chapter 6400 (Community Homes for Individuals with an Intellectual Disability or Autism).
- A community home for individuals with an intellectual disability or autism that is exempt from licensure pursuant to 55 Pa. Code § 6400.3(f)(7) (relating to applicability).
- A life sharing home licensed pursuant to 55 Pa. Code Chapter 6500 (relating to Life Sharing Homes).
- A life sharing home that is exempt from licensure pursuant to 55 Pa. Code § 6500.3(f)(5) (relating to applicability).

The following words and terms, when used in this bulletin, have the following meanings, unless the context clearly indicates otherwise:

- **Admission**: The day an individual physically moves into a Home.
- **Benefits**: Energy assistance, rent rebates, food and nutrition assistance, or similar resources that an individual may be eligible for that help pay for items covered under Room and Board.
- **Board**: Food and beverage expenses.
- **Home**: The physical structure where the individual lives and receives Residential Habilitation or Life Sharing services.

- **Individual's Total Monthly Income:** Any earned wages, personal income from inheritance, or Social Security payments such as Retirement, Survivors, and Disability Insurance (RSDI), Supplemental Security Income (SSI), or Pennsylvania State Supplementary Payment (PA SSP).¹ An Individual's Total Monthly Income does not include an individual's Benefits.
- **Life Sharer:** An employee or a contracted person who shares a common Home and daily life experience with an individual, providing Life Sharing services and support as needed in both the Home and the community.
- **Provider's Actual Monthly Cost Per Individual:** The provider's or Life Sharer's expenses for the Home divided by the number of individuals in the Home minus the individual's Benefits.
- **Provider's Expenses for the Home:** The provider's or Life Sharer's cost for all items included in Room and Board for each Home where Residential Habilitation or Life Sharing services are provided.
- **Representative Payee:** A person or organization appointed by the United States Social Security Administration that is responsible for managing Social Security benefits and payments for the individual.
- **Room:** Shelter type expenses, including property-related costs, for housing and costs for housing items used by the individual.
- **Room and Board Rate:** The monthly amount the individual is responsible to pay the provider or Life Sharer as documented on the individual's Room and Board Agreement.
- **Therapeutic Leave:** Days when the individual is absent from the Home to visit with a relative or friend, including absences due to vacation when the individual is not accompanied by a staff person from the provider, and is therefore, not receiving services from the provider.

¹ The Pennsylvania State Supplementary Payment is an extra, or supplemental, payment to individuals who live in the Commonwealth. Pennsylvania supplements the federal SSI benefit. More information can be found in the [OIM Handbook](#).

Completing, Signing, and Retaining the Room and Board Agreement

Consistent with 55 Pa. Code § 6100.687 (relating to completing and signing the room and board residency agreement), a Room and Board Agreement must be completed. The Room and Board Agreement provides all individuals receiving Residential Habilitation or Life Sharing services with the protections of a legally enforceable agreement.

The Room and Board Agreement ensures the following:

- Individuals are provided with a clean and well-maintained Home and other needed items, such as food, clean clothing, and household furniture.
- Individuals maintain a percentage of their income to use as needed or desired.
- Individuals understand the monthly amount the individual is required to pay the provider for Room and Board.
- Individuals will receive written notice from the provider at least 45 days prior to termination of the agreement in accordance with 55 Pa. Code §§ 6100.301-6100.307 (relating to transition to a new provider).

The Department's approved Room and Board Agreement is Form DP 1077. Form DP 1077 must be used for all Room and Board Agreements. Alternative agreements or addendums to Form DP 1077 are prohibited.

The Life Sharing provider can choose to enter into the Room and Board Agreement with the individual or can choose to have the Life Sharer enter into the Room and Board Agreement with the individual. This bulletin addresses the Life Sharer's responsibilities when the Life Sharer enters into the Room and Board Agreement with the individual.

Completing the Room and Board Agreement

In accordance with 55 Pa. Code § 6100.687, providers must ensure that a Room and Board Agreement is completed as follows:

- Prior to an individual's Admission to the Home.
- Prior to an individual's transfer to a new Home, regardless of whether there is a change in provider.
- Annually, meaning within 12 months of the effective date of the previous Room and Board Agreement.

- If the provider was given two weeks or less advance notice that the individual would be moving into the Home, a new Room and Board Agreement must be completed within fifteen (15) calendar days after Admission.²

When there is a need to modify the Agreement because of a change in circumstances, such as a change in the individual's income that would impact the individual's Room and Board Rate or how the individual chooses to acquire food (i.e., by purchasing food themselves or having the provider or Life Sharer purchase the food):

- Individuals and persons designated by the individual must be given 30 days advance written notice of any proposed changes to a Room and Board Agreement if the change will result in a reduction in the individual's personal funds.
- The provider or Life Sharer may not charge the individual additional funds for a period prior to the effective date of the new Room and Board Agreement.
- The provider or Life Sharer is prohibited from including a retroactive effective date on the Room and Board Agreement if the individual will be charged additional funds.

In accordance with 55 Pa. Code § 6100.50, the provider or Life Sharer must explain the purpose and content of the Room and Board Agreement to the individual and persons designated by the individual in a language and means of communication understood by the individual or a person designated by the individual whenever an agreement is completed.

A Room and Board Agreement must be in effect at all times. In the event that a new Room and Board agreement cannot be completed as outlined in this bulletin due to unavoidable and unforeseen circumstances, the current Room and Board Agreement shall remain in effect until the new Agreement is executed, unless doing so would cause financial harm to the individual. In that case, the terms of the new Room and Board Agreement shall apply immediately upon expiration of the current Agreement.

Signing the Room and Board Agreement

The Room and Board Agreement must be signed by:

- The provider.
- The Life Sharer when the Life Sharer enters into the Room and Board Agreement with the individual.

² 55 Pa. Code § 6100.687(d)(3) requires that a Room and Board agreement be completed within 15 days of an "emergency residential placement." 55 Pa. Code § 6400.251(a) (relating to exceptions) provides: "Emergency placement is placement prior to which 2 weeks or less notice is given to the home." 55 Pa. Code § 6500.191(a) (relating to exceptions) provides: "Emergency placement is placement prior to which 2 weeks or less notice is given to the home and agency."

- The individual, unless one of the following applies:
 - The individual is unable to sign due to physical disability. If the individual is physically unable to sign, this must be noted on the Agreement.
 - The individual has a court-appointed legal guardian. If the individual has a court-appointed legal guardian, the guardian must sign the Agreement.
 - If the individual is 18 years of age or older and has a designated person for the individual's benefits, the designated person must sign the Agreement. A designated person can include but not be limited to a Representative Payee for Social Security benefits and payments.
 - For youth under 18 years of age, a legally responsible individual.

Retaining the Room and Board Agreement and Related Documentation

The provider is required to keep the below information in the individual's record:

- Copies of completed and signed Room and Board Agreements.
- Applications for benefits, benefit determinations, and appeals, if applicable.
- The provider's or Life Sharer's expenses for the Home and documentation of how the provider calculated the actual monthly Room and Board costs for the individual.
- Documentation that Room and Board was collected directly from the individual or the person designated by the individual, such as a receipt or financial statements (bank statements, Venmo statements, CashApp statements, etc.).

Room and Board records shall be maintained in accordance with 55 Pa. Code § 6100.54 (relating to recordkeeping).

Room and Board Rate that May be Charged to Individuals

Supplemental Security Income (SSI) provides monthly payments to people with disabilities and older adults who have little or no income or resources. The amount of SSI an individual is eligible to receive depends on the individual's income, wages, resources, and living arrangement. Comprehensive information about SSI can be found at <https://www.ssa.gov/ssi>.

In accordance with 55 Pa. Code § 6100.686(a)(1) and (b) (relating to room and board rate), an individual's Room and Board Rate may not exceed 72% of the SSI Maximum Rate plus the Pennsylvania State Supplementary Payment (PA SSP), regardless of the individual's sources of income. Possible sources of income could include Social Security, earned wages, personal income from inheritance, or other types of income. Also in accordance with 55 Pa. Code § 6100.686(c), if an individual's available income is less than the SSI Maximum Rate, an individual's Room and Board Rate may not exceed 72% of the Individual's Total Monthly Income.

SSI Maximum Rate means the highest possible amount that an individual who is eligible for SSI could receive. The SSI Maximum Rate is subject to change on an annual basis due to

cost-of-living adjustments. The Office of Developmental Programs (ODP) releases an announcement with the current SSI Maximum Rate whenever the amount changes. The most up-to-date SSI Maximum Rate can also be found by visiting <https://www.ssa.gov/oact/cola/SSI.html>.

The PA SSP is an additional benefit offered to SSI recipients. The amount of the supplement varies depending on factors such as living arrangements (such as domiciliary care or independent living arrangements). The PA SSP typically does not change as frequently as the SSI Maximum Rate. Any changes to the PA SSP are also communicated by ODP. The most up-to-date PA SSP amount may be accessed in the OIM Supplemental Handbook, Chapter 720: State Supplementary Payment, Appendix B: State Supplementary and Federal Benefit Rate (FBR) Payment Levels which is currently available at http://services.dpw.state.pa.us/oimpolicymanuals/supp/720_State_Supplementary_Payment/720_Title.htm.

For individuals whose income is greater than or equal to the SSI Maximum Rate plus the PA SSP: The total amount of Room and Board charged to the individual may not exceed 72% of the SSI Maximum Rate plus the PA SSP. For example, if the monthly SSI Maximum Rate plus the PA SSP is \$989.10 and the individual's monthly income is \$1,200, the Room and Board Rate may not be more than \$712.15 ($\$989.10 \times 72\%$).

For individuals whose income is less than the SSI Maximum Rate: the total amount of Room and Board charged to the individual may not exceed 72% of the Individual's Total Monthly Income. For example, if the monthly SSI Maximum Rate plus the PA SSP is \$989.10, and the individual's monthly income is \$650, the Room and Board Rate may not be more than \$468 ($\$650 \times 72\%$).

Attachment 1 contains additional examples of Room and Board amounts that may be charged to individuals.

Modifications to the Room and Board Rate

As specified in 55 Pa. Code § 6100.688 (relating to modifications to the room and board residency agreement), the following modifications to the Room and Board Rate are required):

- If an individual pays rent directly to a landlord and food and beverages are supplied through the provider or Life Sharer, the provider or Life Sharer may only charge the individual for food and beverages (Board).
 - The amount charged to the individual for food and beverages may not exceed 32% of the current SSI Maximum Rate plus the PA SSP. If the individual's monthly income is less than the current SSI Maximum Rate plus the PA SSP, the amount charged to the individual for food may not exceed 32% of the Individual's Total Monthly Income.

- If an individual pays rent to the provider or Life Sharer, and the individual purchases *all* their own food and beverages, the provider or Life Sharer may only charge the individual for Room (i.e., non-food and beverage items).
 - The amount charged to the individual for Room may not exceed 40% of the current SSI Maximum Rate plus the PA SSP. If the individual's monthly income is less than the current SSI Maximum Rate plus the PA SSP, the amount charged to the individual for Room may not exceed 40% of the Individual's Total Monthly Income.
- If the individual's monthly income is less than the personal needs allowance established by the Social Security Administration (55 Pa. Code § 6100.686(d)) or the individual has no income, the individual's Room and Board Rate must be \$0.

Assisting the Individual with Applying for SSI

In accordance with § 6100.682 (relating to assistance to the individual), when an individual is not receiving SSI, the provider is responsible for assisting the individual with applying for SSI. If an individual's application for SSI is denied, the provider must assist the individual in filing an appeal.

The United States Social Security Administration may periodically review an individual's disability status to verify that the individual remains eligible for SSI. When this occurs, providers must assist the individual to gather all information needed to demonstrate continued eligibility.

Providers are required to retain all documentation relating to an individual's application for SSI, including the application and initial and ongoing eligibility determinations and documentation of any appeals.

Benefits

Pursuant to 55 Pa. Code § 6100.685 (relating to benefits), the provider must assist an individual to apply for energy assistance (such as Low-Income Home Energy Assistance Program (LIHEAP)), rent rebates,³ food and nutrition assistance (such as Supplemental Nutrition Assistance Program (SNAP)), and similar benefits. Benefits cannot be counted as income, and the monetary value of Benefits cannot be used to increase an individual's Room and Board Rate. The value of Benefits received must be deducted from the Provider's Actual Monthly Cost Per Individual.

³ The Rent Rebate program is a state program benefit that individuals may receive on an annual basis. When an individual receives a rent rebate, the amount received must be used towards Room and Board. The provider agency will deduct the value of the rent rebate from the actual documented Room and Board costs of the individual's residence.

Room and Board Costs

Items Included in the Calculation of Room and Board Costs

The items included in the Room and Board Rate are listed in 55 Pa. Code § 6100.684(d) (relating to actual provider room and board costs). An individual may not be required to pay for these items separately from their Room and Board Rate, unless the individual makes an informed decision to use the individual's personal funds to purchase an item that is more expensive than the item made available by the provider or Life Sharer. When this occurs, the individual must use their personal funds to pay the difference between the cost of the standard item and the more expensive item rounded to the nearest dollar. For example, if the standard shampoo purchased by the provider or Life Sharer is \$3.75, and an individual wishes to purchase a shampoo that costs \$7.00, the provider or Life Sharer must pay \$4.00 towards the cost of the shampoo, and the individual must pay the remaining \$3.00. The \$4.00 may be included in the Provider's Actual Monthly Cost Per Individual.

- An individual's choice to purchase a more expensive item must be made solely by the individual and be free of coercion; and
- Documentation of the choice to purchase a more expensive item must be kept in accordance with 55 Pa. Code §§ 6400.22(e)(3) (relating to individual funds and property) and 6500.24(e)(3) (relating to individual funds and property).

Examples of more expensive items include:

- Premium cable packages, internet packages, and additional streaming services;
- A specific toiletry, towel, or article of bedding that is more expensive than the standard item purchased by the provider or Life Sharer;
- Furniture for personal or household use in addition to or in lieu of what is purchased by the provider or Life Sharer;
- A takeout meal or restaurant meal in addition to or in lieu of a meal provided by the provider or Life Sharer;
- Additional food for personal consumption.

Additional clarification about items to be included in the Room and Board Rate appears below.

Standard toiletries, towels and bedding

"Toiletries" refers to personal care and hygiene products that individuals use to maintain personal hygiene, health, and well-being, as part of their daily routine. Examples of "standard" toiletries include:

- Toothpaste and toothbrush
- Shampoo and conditioner
- Body wash or soap

- Deodorant or antiperspirant
- Shaving cream or gel
- Razor
- Hairbrush or comb
- Face wash or cleanser
- Moisturizer
- Sunscreen
- Feminine hygiene products
- Nail clippers
- Tissues
- Toilet paper

“Towels” include bath towels, hand towels, and washcloths.

“Bedding” includes sheets, pillowcases, pillows, blankets, mattress protectors (if needed), and comforters.

Providers or Life Sharers may purchase the most cost-effective toiletries, towels, and bedding that meet each individual’s needs. Individuals must be offered a choice when selecting toiletries, towels, and bedding even when these items are purchased by the provider or Life Sharer.

One telephone with local telephone service

The provider or Life Sharer must equip each Home with at least one telephone that will function in the event of a power outage. Cell phones owned by staff persons or individuals may not be counted as the Home’s phone.

Internet service

Basic internet service must be provided for individuals to communicate through electronic means and access on-line resources. Separate internet service packages do not need to be purchased for each individual who resides in the Home.

Cleaning products

Examples of cleaning products include:

- All-purpose cleaner
- Bathroom cleaner
- Dish soap
- Laundry detergent
- Stain remover

- Drain cleaner
- Mold and mildew remover

Providers or Life Sharers must ensure that all necessary cleaning products are present in the Home, even if the individual has purchased their own products for their personal use.

Household furniture

Examples of household furniture include:

- Sofas
- Armchairs
- Dining tables
- Dining chairs
- Beds
- Mattresses
- Dressers
- Mirrors

Food

The provider or Life Sharer is responsible for offering at least three nutritionally well-balanced meals, reasonable amounts of between-meal snacks, and additional food based on each individual's needs.

The provider or Life Sharer must consider all of the following when determining food expenses:

- The cost of the food item.
- The food's nutritional value including its sodium and sugar content.
- The individual's preferred foods.
- The individual's cultural heritage.
- The individual's religion and beliefs.
- The individual's prescribed dietary needs.

All of the above elements should be taken into account when determining which food to purchase. For example, if there are two types of fruits with equal nutritional value, but one is more expensive than the other, if the more expensive fruit has cultural significance for an individual, the provider or Life Sharer should purchase the more expensive option.

Food purchased because of an individual's prescribed dietary needs may only be included in the Provider's Expenses for the Home if the food is not covered by the individual's health insurance or another funding source. Examples of food that may need to be purchased as a result of an individual's prescribed dietary needs include:

- Products used to thicken liquids.
- Food needed due to Phenylketonuria (PKU).
- Meal replacement substitutes for solid food with controlled quantities of calories and nutrients.
- Foods for individuals with diabetes.

In accordance with 55 Pa. Code § 6100.692 (relating to exceptions), if an individual does not take food by mouth, the provider or Life Sharer may not include food as part of the Room and Board costs, and Board should not be included on the individual's Room and Board Agreement.

When staff arrange a meal outside of the Home in lieu of providing a meal at the Home (with the agreement of the individual), the provider or Life Sharer is responsible for the cost of the meal for the individual. These meals are included in the Provider's Actual Monthly Cost Per Individual.

Washing and laundering towels, bedding, and clothing

The provider or Life Sharer is responsible for all labor costs involved in washing or laundering an individual's towels, bedding, and clothing. This does not include tasks performed by individuals as part of their habilitation goals or personal preferences.

Lawn care, food preparation, maintenance and housekeeping, including staff wages and benefits to perform these tasks

This does not include tasks performed by individuals as part of their habilitation goals or personal preferences.

Incontinence products, if the incontinence product is not covered by the individual's health insurance or another funding source

Examples of incontinence products include:

- Protective briefs and underwear incontinence pads / inserts
- Bed pads
- Skin-cleansing wipes
- Odor neutralizers

Building and equipment repair, renovation, depreciation, rent, taxes, utilities, and property insurance

Example of utilities include:

- Electricity
- Public water and sewer
- Well water / septic tank maintenance
- Trash and recycling removal
- A package of television channels provided by a cable or streaming service at a standard level of subscription (“basic cable”).

Items That May Not be Included in the Calculation of the Provider’s Expenses

Any item or time spent that is included in the Provider’s Expenses for the Home may not also be included as a service or support (i.e., as a Home and Community-Based Services Waiver service) in an individual’s Individual Support Plan, as doing so would constitute a violation of 55 Pa. Code § 1101.75 (relating to provider prohibited acts).

In accordance with 55 Pa. Code § 6100.694 (relating to managing individual finances), the provider or Life Sharer may not charge a fee for managing the individual’s finances or for serving as the individual’s designated financial representative.

Calculating the Provider’s Expenses for the Home

To calculate the Provider’s Expenses for the Home, the provider or Life Sharer must follow these steps:

Step 1: Determine the Provider’s Expenses for the Home by adding up the costs of all items listed in 55 Pa. Code § 6100.684(d).

Step 2: Determine the provider’s or Life Sharer’s monthly expenses for the Home. This can be done using any of the following methods:

- Summing the annual expenses in the Home and dividing by 12 months.
- Summing the actual costs for each item on a monthly basis.
- Using any other generally accepted accounting method supported by documentation.

Step 3: Determine the Provider’s Actual Monthly Cost Per Individual by dividing the provider’s or Life Sharer’s monthly expenses for the Home by the number of household members.

- In a community home, household members are individuals with an intellectual disability, developmental disability, or autism. In a Life Sharing Home, household members include all permanent residents.

Calculating Room and Board Rates for Individuals in the Home

Please see Attachment 1 for guidance and examples on how to calculate Room and Board Rates for individuals in the Home. Attachment 2 is a calculator that providers can opt to use to

calculate the Room and Board Rate for individuals in the Home. This calculator cannot be used if an individual pays for either Room or Board.

Projecting Costs Before Serving an Individual

For an individual's initial Room and Board Agreement, providers or Life Sharers may use projected costs in lieu of actual costs for the Provider's Actual Monthly Cost Per Individual. Actual costs must be used for the next Room and Board Agreement completed for the individual.

Documenting the Provider's Expenses for the Home

Providers are required to keep documentation for the Provider's Expenses for the Home in accordance with 55 Pa. Code § 6100.684(c). Acceptable documentation includes:

- Receipts and invoices for purchases of toiletries, towels, bedding, cleaning products, household furniture, incontinence products, and other items. These documents should include details such as the date of purchase, item descriptions, quantities, prices, and the name of the vendor.
- Telephone and internet service bills, which should detail the charges for the services provided. These bills should include the billing period, service charges, taxes, and any additional fees.
- Food purchase records, including receipts from grocery stores, wholesalers, or suppliers. These records should specify the types and quantities of food items purchased, as well as their costs.
- Payroll records documenting wages and benefits paid to staff members responsible for lawn care, maintenance, housekeeping, and other tasks. These records should include employee names, hours worked, rates of pay, deductions, and benefits provided.
- Logs or records of building and equipment maintenance, repairs, renovations, and depreciation. These records should include details such as the nature of the work performed, dates, costs, and any contractors hired.
- Copies of mortgage documents, lease agreements, rental invoices, utility bills (e.g., electricity, water, gas), and property insurance policies. These documents should outline the terms of the rental agreement, rental amounts, utility usage, insurance coverage, or premium payments.
- Records of any expenses incurred for arranging meals outside the facility, including receipts, invoices, or contracts with external vendors or restaurants.

- A record or receipt that shows the difference between what the individual paid with their personal funds and what the provider is responsible to provide (standard items such as toiletries, cable, internet, etc.), if applicable.

Documentation does not need to be in hard-copy format. Scanned records or electronic statements are acceptable. Providers are strongly encouraged to use technology such as receipt scanners or mobile apps for ease of maintaining and tracking Room and Board costs.

The Department will entertain alternatives to maintaining comprehensive documentation (such as a formula or algorithm for determining or projecting costs) as innovation project proposals in accordance with 55 Pa. Code § 6100.44 (relating to innovation project).

Delays in Income, Respite, and Leave from the Home

Delays in the Individual's Income

In accordance with 55 Pa. Code § 6100.693 (relating to delay in an individual's income), if some or all of an individual's income is delayed for 1 month or longer, then the provider or Life Sharer may either:

- Not collect Room and Board payment until the income is received, or
- Negotiate a lesser Room and Board Rate to be paid until the delayed income is received.

Negotiations must occur with the individual and persons designated by the individual, or with the individual's court-appointed legal guardian.

Providers or Life Sharers must inform the individual, the individual's designated person or the individual's court-appointed legal guardian in writing that payment is not required or that only a negotiated amount of Room and Board payment is required until the individual's delayed income is received.

When delayed income is received, the provider or Life Sharer may charge the individual the amount necessary to make up for the difference between the amount of Room and Board received during the delayed income period and the standard rate charged when there is no delay. However, the difference cannot be recovered in a way that leaves individuals with less than their standard amount of personal funds in any given month.

If a delay in income occurs, providers must retain documentation of the following:

- The written notice provided to the individual, designated person, or court-appointed legal guardian that payment is not required or that only a negotiated amount of Room and Board payment is required until the individual's delayed income is received.

- A document that includes the negotiated rate, if a rate has been negotiated, signed by all parties, including how the accumulated difference between the “delayed amount” and “standard amount” of Room and Board will be collected.
- Evidence of additional payments collected to recover the accumulated difference.

Respite, Hospitalization, and Leave

- Individuals who receive Respite funded through one of ODP’s Home and Community-Based Waivers or base-funding in a setting where Residential Habilitation or Life Sharing is rendered may not be charged for Room and Board (55 Pa. Code § 6100.690 (relating to respite care)).
- In accordance with 55 Pa. Code §§ 6100.686(a)(2) and 6100.691 (relating to hospitalization), the provider or Life Sharer may not charge the individual:
 - *Board*, beginning on the 8th consecutive day the individual is on Therapeutic Leave from the Home or is hospitalized or in a rehabilitation facility. If *Board* was collected, those costs must be paid back to the individual (prorated) for all the days starting on the 8th day of leave. This proration may occur monthly, quarterly, or semiannually. Records must be kept of the *Board* costs that were returned to the individual.
 - *Room*, if the individual is hospitalized or is in a rehabilitation facility for more than 30 consecutive days.

ATTACHMENTS:

Attachment 1: Guidance for Calculating Room and Board

Attachment 2: Room and Board Calculator

Attachment 3: Guidance for SNAP Benefits and Group Living Arrangements

Attachment 4: Room and Board Residency Agreement § 6100.687

Attachment 5: Room and Board Residency Agreement – LS § 6100.687

Attachment 6: Room and Board Residency Agreement § 6100.687-translated into Spanish

OBSOLETE DOCUMENTS:

BAW 17-12: Residential Habilitation Room and Board Contracts

ODP Communication 049-10: Individual Purchases and Item Storage

ODP Communication 015-12: Use of Supplemental Nutrition Assistance Program (SNAP) for Individuals Residing in Group Living Arrangements (GLAs)