

**NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES  
BISMARCK, NORTH DAKOTA  
August 13, 2020**

**IM 5404**

**To:** Whom it may concern

**From:** Nancy Nikolas Maier, Director, ND DHS Aging Services Division

**Subject:** Care planning

**Program(s):** Home and Community Based Services Policies and Procedures  
Manual 535-05

**Retention:** Until Manualized

The purpose of this IM is to amend the following section of Service Chapter 535-05. The change is effective June 1, 2020.

### **Case Management 535-05-35**

Case management for an individual applying for or receiving personal care services shall be the responsibility of a ~~county social service board~~ HCBS case manager, except when the individual is also receiving a service(s) through the developmental disabilities division. Case management for personal care services for an individual receiving a service(s) through the DD division shall be the responsibility of a DD case manager. If the individual is not receiving service(s) through the DD Waiver, they have the right to choose the provider of case management services.

The case manager is responsible for assessing an individual's needs for personal care services, developing a comprehensive care plan that includes identification of tasks and times required to perform tasks, assisting the individual with obtaining a personal care service provider, monitoring and reassessing needs on a periodic basis, and terminating services when appropriate.

Part of completing an assessment includes determining an individual's overall support needs, whether the supports will be provided through HCBS or through other community resources. To coordinate services for a client, case managers may need to make referrals and gather other collateral

information. Not all communication requires a release of information, for example, case managers can share client information with health care professionals working in the following settings: home health care, hospitals, clinics, PACE, and LTC facilities, as this communication is part of the continuum of care guidelines under HIPAA. Case Managers can also share information with other case management entities (i.e. DD, VR, behavioral health) within the Department of Human Services, as well as eligibility workers under the Medical Services Division. Information shared without a release of information must be on a need-to-know basis to coordinate care for the client, disclosing only the minimum necessary amount of information pursuant to 45 CFR 164.502(b). Disclosure of information related to psychological or substance abuse treatment requires that the client sign a release of Information.