

(2) ~~THE INFORMATION PROVIDED BY AN MDS COORDINATOR SHALL:~~

~~(I) EXPLAIN THAT IF THE RESIDENT'S CARE IS PARTIALLY OR FULLY REIMBURSED BY THE PROGRAM, THE RESIDENT MAY BE ABLE TO RECEIVE LONG TERM CARE SERVICES IN THE COMMUNITY INSTEAD OF IN THE NURSING FACILITY, AND~~

~~(II) PROVIDE REFERRALS TO RESIDENTS THAT MAY PROVIDE ADDITIONAL INFORMATION, CASE MANAGEMENT SERVICES, OR EVALUATION SERVICES RELATED TO HOME AND COMMUNITY BASED WAIVER PROGRAMS OR OTHER OPTIONS FOR RECEIVING LONG TERM CARE SERVICES IN THE COMMUNITY.~~

~~(3) (4) THE MDS COORDINATOR SOCIAL WORKER SHALL REQUEST THAT THE RESIDENT SIGN AN ACKNOWLEDGMENT OF RECEIPT OF THE INFORMATION SHEET PROVIDED BY THE MDS COORDINATOR SOCIAL WORKER THAT SHALL BE KEPT IN THE RESIDENT'S MEDICAL RECORD.~~

(C) IF A RESIDENT IS UNABLE TO CONTACT OUTSIDE ENTITIES WITHOUT ASSISTANCE, OR A RESIDENT REQUESTS ASSISTANCE, THE MDS COORDINATOR SOCIAL WORKER SHALL REFER THE RESIDENT TO PERSONS FROM THE DEPARTMENT THAT CAN PROVIDE INFORMATION OR CASE MANAGEMENT SERVICES THAT WILL ENABLE THE RESIDENT TO LEARN ABOUT RECEIVING LONG-TERM CARE SERVICES IN THE COMMUNITY.

(D) THE LONG-TERM CARE CASE MANAGER AT A LOCAL DEPARTMENT OF SOCIAL SERVICES SHALL:

(1) PROVIDE ASSISTANCE TO RESIDENTS AND MAKE REFERRALS TO PERSONS THAT MAY HELP ADDITIONAL INFORMATION, CASE MANAGEMENT SERVICES, OR EVALUATION SERVICES RELATED TO MEDICAL ASSISTANCE WAIVER PROGRAMS OR OTHER OPTIONS FOR RECEIVING LONG-TERM CARE SERVICES IN THE COMMUNITY;

(2) PROVIDE THE SAME INFORMATION TO THE RESIDENT'S HEALTH CARE REPRESENTATIVE OR LEGAL GUARDIAN; AND

(3) ~~SHALL~~ ENSURE THAT A COPY OF THE INFORMATION PROVIDED IS KEPT IN A RESIDENT'S CLIENT FILE.

(E) WHEN A RESIDENT INDICATES AN INTEREST IN RECEIVING LONG-TERM CARE SERVICES IN THE COMMUNITY, THE LONG TERM CARE CASE MANAGER AT A LOCAL DEPARTMENT OF SOCIAL SERVICES SHALL REFER THE RESIDENT WITHIN 10 DAYS TO PERSONS THAT WILL PROVIDE INFORMATION OR CASE MANAGEMENT SERVICES THAT WILL ENABLE THE RESIDENT TO CONSIDER THE OPTIONS THAT MAY BE AVAILABLE AND APPLY FOR BENEFITS IF THE RESIDENT CHOOSES.

(F) (1) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, EMPLOYEES OR REPRESENTATIVES OF PROTECTION AND ADVOCACY AGENCIES AND OF CENTERS FOR INDEPENDENT LIVING SHALL HAVE REASONABLE AND UNACCOMPANIED ACCESS TO RESIDENTS OF PUBLIC OR PRIVATE NURSING FACILITIES IN THE STATE THAT RECEIVE REIMBURSEMENT UNDER THE PROGRAM FOR THE PURPOSE OF PROVIDING INFORMATION, TRAINING, AND REFERRAL TO PROGRAMS AND SERVICES