



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Aging and Long-Term Support Administration
PO Box 45600, Olympia, Washington 98504-5600

September 29, 2020

AL TSA: AFH #2020-047
IDR ADULT FAMILY HOME PILOT PROJECT COMPLETION

Dear Adult Family Home Provider:

On August 9, 2019 we informed you about the Adult Family Home Informal Dispute Resolution (AFH) Pilot Project through a Dear Provider Letter, [AFH #2019-011](#). The Pilot started November 2019 using a Panel Process to review Informal Dispute Resolution (IDR) requests. Initially, the pilot was intended to be a six-month project but due to the COVID-19 pandemic, the Department's attention was focused on the health and safety of residents. The Pilot was continued allowing for more data collection and providing AL TSA Management and the Adult Family Home Council time to review the data and provide recommendations.

The pilot was successful based on evaluations and feedback from participants and stakeholders, and has resulted in permanent changes to the AFH IDR process. The IDR Program will continue to use the panel process for AFH IDRs, and it will also provide the option for a provider to choose the previous traditional process (meeting one-on-one with an IDR Program Manager).

The following changes are a result of the AFH Pilot Project and are anticipated to all be implemented by January 1, 2021:

NOTE: These changes are only for AFH IDR requests.

- Panel composition will include one provider, one Residential Care Services (RCS) staff, one consumer advocate, and a panel chair. Only the provider, RCS staff, and consumer advocate will be voting members.
- The panel chair will have the authority to overrule panel recommendations if evidence supports that the disputed citation is clearly inconsistent with WAC or RCW.
- The timeline to request an IDR, regardless of the type, is still 10 working days from receipt of receiving the Statement of Deficiencies (SOD) or Enforcement letter.
- For a panel IDR, the disputing provider will be given twenty working days from the time they receive the SOD to submit relevant documents for panel IDR requests.
- For a traditional IDR the process will not change. Relevant documents should be submitted within 7 working days of the scheduled IDR.
- Conflict of interest rules for provider panelists will be eased. Providers will be expected to report possible conflict of interest situations at their discretion. These possible conflicts of interest will be reviewed by the IDR Unit Manager.

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- During a panel IDR, providers will be given a rebuttal period, with a maximum of ten minutes to respond, after the RCS presentation is complete.
- IDR requests with three or fewer citations or enforcement actions will be allowed to choose between a panel review or a traditional review.
- IDR requests disputing four or more citations or enforcement actions, will be reviewed using the traditional IDR process.

The most significant challenge to the process was volunteer panelist participation. More panelist participation is necessary for sustainability of the panel.

The IDR unit is continuing to accept applications for volunteers. If you are a provider or consumer interested in participating on an AFH IDR Panel, please submit a brief letter of your interest along with a [volunteer application](#) (DSHS 15-186). You can submit documents to RCSIDR@dshs.wa.gov or via fax (360) 725-3225. The IDR unit will be collecting IDR panel application materials **on an ongoing basis**. If you have questions regarding this opportunity, please contact [Rhonda Schultz](#), Volunteer Coordinator, at (360) 725-2482.

The IDR Unit is diligently working to develop policies and procedures consistent with the above changes as well as updating the AFH IDR [website](#). **Please read the AFH IDR guidelines carefully as updates occur.** The IDR Program expects to have changes in place beginning January 1, 2021. Please continue to follow the process to request an IDR listed in the Statement of Deficiencies or your Enforcement letters.

Thank you for your continued commitment to resident health and safety. If you have any questions, please contact Mike Tornquist, IDR Unit Manager, at (360) 725-2383 or michael.tornquist2@dshs.wa.gov

Sincerely,



Candace Goehring, Director
Residential Care Services

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