



DIVISION OF DEVELOPMENTAL DISABILITIES  
Olympia, Washington

---

TITLE: CLIENT DAMAGE REIMBURSEMENT POLICY 6.16

---

Authority: Chapter 71A RCW *Developmental Disabilities*  
Chapter 388-101 WAC *Certified Community Residential Services and Support*

**PURPOSE**

This policy describes the circumstances under which a contracted and certified residential services provider may seek reimbursement from a client for damages inflicted upon the provider's property and/or the personal property of another client or the provider's employees.

**SCOPE**

This policy applies to all DDD contracted and certified Supported Living (SL) services providers and their employees. State Operated Living Alternatives (SOLA) must follow DSHS Administrative Policy 9.08, *Employee Personal Property Reimbursement*.

**POLICY**

- A. Residential service providers and staff may seek reimbursement for damages caused by a client as long as the damage reimbursement is not already reflected in their daily rate.
- B. The request must be for a specific client and for a specific incident.
- C. In requesting client reimbursement for any damage, the service provider must disclose the existence of any applicable insurance claim. The amount of reimbursement may be limited to the amount of the insurance deductible if an insurance claim has been made.
- D. It is the expectation that the client will pay for any damages that they cause. The service provider may request reimbursement from DDD if the client is unable to pay for damages. The provider will submit a residential allowance request using [DSHS 06-125, Residential Allowance Request](#). If a client is able but unwilling to pay for damage, the

service provider will inform the Case Resource Manager (CRM). Clients must not be coerced to provide reimbursement.

### **PROCEDURES**

- A. The service provider must submit the completed [DSHS 06-125, Residential Allowance Request](#), to the CRM. The Regional Administrator will make the decision on the request.
- B. Damage reimbursement requests exceeding \$1500 must be sent to the Central Office Community Residential Services Program Manager. Only the Division Director or designee may approve any damage reimbursement request exceeding \$1500.
- C. Include or attach to the reimbursement request the following documents:
  - 1. A reference to the relevant incident report; and
  - 2. The client's Positive Behavior Support Plan (PBSP) developed to respond to the behavior(s) that resulted in the damage unless the damage is a result of an accident or an isolated incident; and
  - 3. Unless it is an imminent health or safety concern, at least one (1) written estimate from a:
    - a. Licensed contractor; or
    - b. Bonded service repair person; or
    - c. Retail store carrying the item to be replaced.
  - 4. The amount of reimbursement must not exceed the estimate or the replacement value of the article, whichever is less. The client, the client's legal representative, or the CRM may request a second estimate. Damages exceeding \$1500 must have at least two (2) written estimates.
- D. The total amount of reimbursement may be divided into payments if the service provider, the client or the client's legal representative, and the CRM agree to the amount of each payment and the total length of time over which the payment will be spread. The payment must not reduce the client's monthly Personal Needs Allowance (PNA) below the basic DSHS standard in any month. Total client savings must not be reduced below the current Supplemental Security Income (SSI) standard monthly income amount.
- E. The service provider must maintain complete reimbursement and payment records, including receipts for payment of damage repairs, receipts for reimbursement amounts received from the client, and insurance payments.

- F. This policy creates no legal obligation on the part of the State of Washington to reimburse any individual or entity for damages to property and does not give rise to a right of action under any legal or equitable theory.

**EXCEPTIONS**

The Regional Administrator may approve exceptions to the provisions of this policy based on information submitted through the CARE exception to policy (ETP) process.

**SUPERSESSION**

DDD Policy 6.16  
Issued July 1, 2009

Approved: /s/ Linda Rolfe  
Director, Division of Developmental Disabilities

Date: July 1, 2011