



DEVELOPMENTAL DISABILITIES ADMINISTRATION
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 request reimbursement for damages inflicted by a client upon:

1. The provider's property; and/or
2. The personal property of the client or another client; and/or
3. The provider's employees.

SCOPE

This policy applies to all DDA 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 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 DDA 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 Resource Manager (RM). Clients must not be coerced to provide reimbursement.
- E. DDA may hold the provider responsible to cover for damages that may be caused by provider's negligence in following the support needs identified in the client's Positive Behavior Support Plan (PBSP), Individual Support Plan (ISP) or Individual Instruction and Support Plan (IISP).

PROCEDURES

- A. The service provider must submit the completed [DSHS 06-125, Residential Allowance Request](#), to the Resource Manager. The Resource Management Administrator (RMA) 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 Deputy Assistant Secretary 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 and Bonded 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 RM 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 RM 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 resource amount below \$75.00 without making reimbursement.
- 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 Deputy Assistant Secretary 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, 2011

Approved: /s/ Donald Clintsman
Deputy Assistant Secretary
Developmental Disabilities Administration

Date: July 1, 2013