

DIVISION OF DEVELOPMENTAL DISABILITIES Olympia, Washington

TITLE: PROCESS FOR CHANGING RESIDENTIAL SERVICE POLICY 6.18

PROVIDERS WHEN REQUESTED BY A CLIENT

Authority: Chapter 71.A RCW Developmental Disabilities

Chapter 388-101 WAC Certified Community Residential Services and

Support

PURPOSE

This policy establishes procedures to be followed when a Division of Developmental Disabilities (DDD) client requests a change in his/her certified residential service provider.

SCOPE

This policy applies to DDD Field Services staff and DDD contracted and certified residential service providers in assisting eligible clients who choose to change residential service providers.

DEFINITIONS

Certified Residential Service Provider means a contracted certified community residential services provider as defined and described in Chapter 388-101 WAC and contract provisions.

Client means a person eligible for services from DDD based upon criteria in Chapter 71.A RCW and Chapter 388-101 WAC.

Group of Clients means individuals supported by the certified residential provider for whom aspects of staff coverage are shared (e.g., overnight coverage).

Pool of Qualified Providers means residential service providers who meet RCW, WAC and contract requirements.

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POLICY

DDD supports the right of clients to make the choice to change residential service providers, selecting from among a pool of qualified providers. In order to provide services to as many clients as possible and making efficient use of public funds, residential services funds are available most often for clients at a level that assumes they will share staff support and living expenses with one to three other persons. DDD is committed to meeting the best interests of:

- 1. The client who chooses to change his/her residential service provider;
- 2. Clients who remain in the household (i.e., those persons who share expenses and support staff with the client who has chosen to change provider); and
- 3. Others affected by the move.

PROCEDURES

- A. Working with the Client and Current Service Provider
 - 1. A client who is seeking a change in service provider must have had an opportunity, along with his/her legal representative/family, significant other, and case resource manager (CRM), to discuss with the current residential services provider whether the client's services can be adapted to respond to what he/she is requesting.
 - 2. If a mutually acceptable plan cannot be developed, the client will initiate the process to seek a new service provider that can provide his/her needed supports. The process of developing an acceptable plan will include the client, his/her legal representative/family, residential service provider, and DDD staff.
 - 3. DDD will develop a transition plan with the client and his/her legal representative. DDD will use the "client preference sheet" per DDD Policy 4.02, *Referral and Placement into Community Residential Services*, to accomplish the requested change of service provider.
- B. <u>Computation of Transferable Resources</u>
 - 1. When a client requests a change of residential service provider, DDD will work with the current residential service provider to determine the amount of resources the client moving will have available to transfer to a new residential service provider.

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- 2. For each client who lives in a multi-person household or who is part of a group of clients where resources are shared, the following will be computed and included for consideration in determining the amount of resources a client moving will have available to transfer to a new provider:
 - Instruction and Support Services (ISS) Hours a.
 - i. The total number of ISS hours received by members of the household or group of clients;
 - ii. The number of ISS hours originally authorized for the client with the current provider, if known;
 - The number of ISS hours currently authorized for the client with iii. the current service provider;
 - The total number of one-to-one ISS hours provided for the client; iv. and
 - The total number of ISS hours provided for the clients that are v. shared with other household members. The number of shared ISS hours available to the client choosing to move is his/her proportion of these hours. For example, if the client shares two (2) hours of support with one other person, his/her proportion is one (1) service hour.
 - b. Indirect Client Support/Administrative (ICS/A) Costs

These costs include the overall overhead expenses to operate the agency and include items such as administrative staff, accounting services, insurance, taxes, office lease, office equipment and supplies, interest and depreciation costs, etc. These expenses may decrease only slightly for an agency when just one person leaves that agency. This will need to be taken into consideration as part of this computation process, including:

- i. The ICS/A rate authorized for each member of the household;
- ii. The ICS/A rate originally authorized for the client with the current provider, if known; and
- iii. The portion of the client's ICS/A rate that provides reimbursement for costs unique to that client.

c. Professional Services (PS)

- i. The PS rate authorized for each member of the household;
- ii. The PS rate originally authorized for the client with the current provider; and
- iii. The portion of the PS rate that provides reimbursement for costs unique to that client.
- 3. The amount of resources the person choosing to move may transfer to a new provider is then the sum of the following, as determined through negotiation between DDD and the residential service provider:
 - a. The number of one-to-one ISS hours provided for the person;
 - b. The client's proportion of service hours that are shared with other clients in the household or group;
 - c. The amount of professional services dedicated to the client; and
 - d. Administrative resources as determined available.
- 4. Once the amount of resources available for the person is identified, this amount will be shared with the client and his/her legal representative/family by the CRM so they know the funds they have available to use in planning a new residential resource.
- 5. If transferable resources are insufficient to meet the client's assessed needs in the new residential setting, a request for resources will be submitted by the agency to the regional Field Services office.

C. Selection of New Service Provider

- 1. Once the client's transferable resources have been identified, DDD will assist the client and his/her legal representative/family in identifying a new qualified service provider able to meet the person's residential support needs.
- 2. When selecting a residential service option, the client and his/her legal representative/family are free to choose service providers who are not currently DDD contracted providers. However, the provider will need to comply with all contracting and monitoring requirements. Parents may not be the 24-hour providers of services, although they may be part of the service delivery system.

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D. Referrals for Household Opening

- 1. Upon receipt of the change of provider notification from the client, the current service provider, in collaboration with DDD, will complete the *Residential Services Opening Description* form (Attachment A) to assist in identifying who can best be served in the household opening. This description will indicate what types of support the agency can provide, which DDD will use to inform and refer clients for whom the opening will provide appropriate and adequate services.
- 2. DDD staff and the service provider will work together to determine how best to issue notification for each particular opening. Service providers may elect to do a regional or statewide notice.
- 3. Within thirty (30) calendar days of the change of provider notification, DDD will identify those clients for whom residential service funding is available and whose supports match the *Residential Services Opening Description*, and inform them of the household opening for their consideration. DDD will send referrals to the service provider for those persons indicating an interest, using the referral process described in DDD Policy 4.02, *Referral and Placement into Community Residential Services*.
- 4. Those clients referred to a new agency will work with that agency to determine the appropriateness of the vacancy for their needs.
- 5. If, after following these steps, no person chooses to use the household opening or if there are no clients with available funding to refer to the opening, then a plan will be developed between DDD, the service provider, and the remaining clients and their legal representatives/families as to how their supports will be funded.
- 6. For Supported Living services, options may include restructuring of household configurations, increasing the number of housemates, or moving to a different residence closer to other service recipients.
- 7. Restructuring of a household for group homes is more difficult. DDD and the service provider will work together to explore other options to support the remaining clients.

E. Vacancy/Cost-of-Care Adjustment Payments to Original Service Provider

1. The original residential service provider may request a vacancy/cost-of-care adjustment payment up to the amount necessary to continue to support the remaining housemates. The adjustment may not exceed the amount the client

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moving will transfer to another agency. DDD will authorize payment of the vacancy/cost-of-care adjustment on a month-by-month basis for up to a maximum of ninety (90) calendar days in accordance with DDD Policy 6.04, *Residential Programs Reimbursement System*.

2. DDD may grant an exception to the time limit for cost of care adjustment in order to implement the plan developed described in Section D.5 above.

F. <u>Client Appeal Rights</u>

The client or his/her legal representative may appeal any department decision of denial, termination or reduction in services. The client and his/her legal representative must be informed of their appeal rights (WAC 388-825-120).

EXCEPTIONS

Any exception to this policy must have the prior written approval of the Division Director.

SUPERSESSION

DDD Policy 6.18 Issued November 1, 2003

DDD Policy 6.18 Issued June 30, 2003

Approved: /s/Linda Rolfe Date: 9/1/2005

Director, Division of Developmental Disabilities

Attachment A: Residential Services Opening Description

Residential Services Opening Description

Agency name and address:
Name and phone number of agency contact person:
Date vacancy is available:
Address where vacancy is available or the geographical area where services can be provided:
Program type (check one): SL
If SL, indicate the number of staff hours/day that support is available:
Briefly, describe the residence that is available:
Residence is wheelchair accessible: Yes No Interior Exterior
The maximum occupancy of this residence is:
The present occupancy of this residence is:
The ages and genders of current tenants are:
Desired referrals can be: Male Female Either Either
Desired referrals can be: Smoker Non-Smoker Either
Individuals referred will have a: Private Shared Bedroom.
Describe the level of assistance available for referred clients (e.g., level of assistance with daily
living skills, one-to-one behavioral support, etc.):
Describe any professional or specialized services available (e.g., nursing, etc.):
Other characteristics agency specializes in providing (e.g., specific age group, mental health
supports, etc.):
A current staffing schedule is attached: Yes \(\square\) No \(\square\)
Minimum of two references from people you currently support attached: Yes \(\scale \) No \(\scale \)
Additional comments: