

SERVICE AND SUPPORT ADMINISTRATION POLICY

This policy establishes a system for providing Service and Support Administration (SSA), which includes Service and Support Administration Assignment and ensuring Free Choice of Provider for the Erie County Board of Developmental Disabilities. This policy and procedure does not relieve any person of the responsibility to comply with Ohio Revised Code (ORC) 5126.15 (Service and Support Administration), 5126.046 (Right to community-based services; list of providers), and 5123.044 (Determination of violation of rights; assistance to individuals) and Ohio Administrative Code (OAC) 5123:2-1-11 (Service and Support Administration) and 5123:2-9-11 (Free Choice of Provider).

The Superintendent shall establish, revise and keep current the procedures to be utilized in the implementation of this policy. The Superintendent/ designee shall ensure compliance with these procedures. All revisions and changes will be shared with the Board when made.

Superintendent Signature: Carrie Brown Date: 5/18/17

Implemented: 11/20/14

Board Approval: 11/20/14, 2/19/15, 8/20/15, 5/18/17

Revised: 11/20/14, 2/19/15, 8/20/15

Reviewed: 10/20/14, 2/19/15, 8/20/15, 5/18/17

Cross Reference: ORC 5126.15, 5126.046, 5123.044; OAC 5123:2-1-11, 5123:2-9-11

**ERIE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES
SERVICE AND SUPPORT ADMINISTRATION PROCEDURE**

I. ELIGIBILITY

- A. The Erie County Board of Developmental Disabilities (ECBDD) will provide Service and Support Administration to the following:
1. Each individual who is applying for or enrolled in a Home and Community Based Waiver (HCBS).
 2. Each individual three years of age or older who is eligible for County Board services, and requests services or a person on the individual's behalf requests Service and Support Administration (SSA) and shall not be placed on a waiting list for Service and Support Administration.

II. EMPLOYMENT

- A. The ECBDD provides SSA services by directly employing SSA's or by contracting for SSA services.
- B. SSA's providing services for the ECBDD may not be assigned responsibilities for implementing other services for individuals and shall not be employed by or serve in a decision making or policy-making capacity for any other entity that provides programs or services to individuals.

III. SERVICE AND SUPPORT ADMINISTRATION ASSIGNMENT

- A. When an individual requires or requests Service and Support Administration, the Director of Individual and Family Supports or Designee will review and consider the following information when identifying a SSA:
1. The individual's current and proposed residential setting;
 2. The current caseload status of each SSA with consideration given to the number of individuals being served and the funding source of the individual's services (ie. waiver vs. non-waiver);
 3. The age of the individual (school age, transition, adult);
 4. Other functions necessary to ensure the continuity of services;
 5. Preference of the individual and/or family when it does not conflict with paragraph C (1)(1-5) and C (b).
- B. Individuals residing in the same congregate living situation will be assigned a single SSA. Additionally, when an individual has the opportunity to move into an established congregate living situation, he/she will do so with the understanding that their Service and Support Administration will be provided by the SSA already assigned to their chosen housemates.
- C. Requesting a Change of Service and Support Administrator (SSA)
1. At any time, the individual or guardian may request a change of SSA by contacting the Individual and Family Supports Director or Designee.
 2. The Individual and Family Supports Director (or designee) will determine whether the individual/guardian's request is based upon the SSA's commission of any of the following:
 - a.) Failure to assure health and welfare;
 - b.) Violating Board's written policy and procedures;
 - c.) MUI towards that individual.

**ERIE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES
SERVICE AND SUPPORT ADMINISTRATION PROCEDURE**

- If any of these conditions were found to exist, the individual will receive a new SSA in accordance with the procedure outlined in paragraph III.
3. If the individual/guardian's request is determined to be based solely on a personality conflict, the individual will be offered assistance to resolve the conflict. If the conflict cannot be resolved, a new SSA may be assigned.
 4. At any time during this process the individual/guardian may initiate the Board's Administrative Resolution of Complaint Process.

IV. SERVICE AND SUPPORT ADMINISTRATION RESPONSIBILITIES

- A. SSA's employed or contracted by the ECBDD will act as the primary point of coordination and perform the duties listed below:
1. Eligibility
 - a.) Establish an individual's eligibility for the services provided and/or administered by the County Board.
 2. Enrollment
 - a.) Explain to the individual, in conjunction with the process of eligibility determination:
 - (i.) Alternative services available to the individual;
 - (ii.) The individual's due process and appeal rights;
 - (iii.) The individual's right to choose any qualified and willing provider.
 3. Initial Waiver Enrollment
 - a.) At the time the individual is being considered for enrollment in an HCBS waiver the SSA will do the following:
 - (i.) Explain to the individual the choice of waiver enrollment as an alternative to intermediate care facility placement by completing the Freedom of Choice form;
 - (ii.) Explain to the individual the services and supports funded by a home and community-based services waiver;
 - (iii.) Make a recommendation to the waiver eligibility specialist regarding whether the individual meets the criteria for an intermediate care facility level of care.
 4. Assessment
 - a.) Initially, and at least every twelve months thereafter, the SSA with active participation of the individual and members of the team, will coordinate an assessment of the individual.
 - (i.) The assessment shall take into consideration the following:
 - (a) What is important to and for the individual to promote satisfaction and achievement of desired outcomes;
 - (b) What is important to and for the individual to maintain health and welfare;
 - (c) Known and likely risks;
 - (d) The individual's place on the path to employment;

**ERIE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES
SERVICE AND SUPPORT ADMINISTRATION PROCEDURE**

- (e) What is working and not working in the individual's life.
 - b.) The assessment shall identify supports for the individuals:
 - (i.) Rights (ie. equality, citizenship, access, due process, and responsibility);
 - (ii.) Self-determination (ie. choices, opportunities, personal control, and self-advocacy);
 - (iii.) Physical well-being (ie. routine and preventative health care and daily living skills appropriate to age);
 - (iv.) Emotional well-being (ie. self-worth, self-esteem, satisfaction with life, and spirituality);
 - (v.) Material well-being (ie. employment, money, education, and housing);
 - (vi.) Personal development (ie. achievement, success, and personal competence);
 - (vii.) Interpersonal relationships (ie. social contacts, relationships, and emotional supports);
 - (viii.) Social inclusion (ie. community participation and social supports).
- 5. Individual Service Plan (ISP) Completion
 - a.) An ISP is the written description of the services, supports, and activities to be provided to an individual.
 - b.) Using person-centered planning, the SSA will develop, review, and revise the ISP and ensure that the individual service plan includes the following:
 - (i.) Reflects results of the assessment;
 - (ii.) Includes services and supports that:
 - (a) Ensure health and welfare;
 - (b) Assist the individual to engage in meaningful and productive activities;
 - (c) Support community connections and networking with persons or groups including persons with disabilities and others;
 - (d) Assist the individual to improve self-advocacy skills and increase the individual's opportunities to participate in advocacy activities, to the extent desired by the individual;
 - (e) Ensure the achievement of outcomes that are important to the individual and outcomes that are important for the individual and address the balance of and any conflicts between what is important to the individual and what is important for the individual;
 - (f) Addresses identified risks and include supports to prevent or minimize risks.

**ERIE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES
SERVICE AND SUPPORT ADMINISTRATION PROCEDURE**

- (iii.) Integrates all sources of services and supports, including natural supports and alternative services, available to meet the individual's needs and desired outcomes;
 - (iv.) Reflects services and supports that are consistent with the efficiency, economy, and quality of care;
 - (v.) Is updated throughout the year, as needed.
- c.) The SSA will establish a recommendation for and obtain approval of the budget for services based on the individual's assessed needs and preferred ways of meeting those needs.
- d.) Through objective facilitation, the SSA will assist the individual in choosing providers by:
 - (i.) Ensuring that the individual is given the opportunity to select providers from all willing and qualified providers in accordance with Ohio Administrative Code (OAC) 5123:2-9-11;
 - (ii.) An individual shall be responsible for making all decisions regarding free choice of providers unless the individual has a guardian, in which case the guardian shall be responsible for making such decisions;
 - (iii.) Individuals, including those with guardians, have the right to participate in decisions regarding the free choice of providers;
 - (iv.) An individual or an individual's guardian may designate another person, including a member of the individual's family, to participate in the process of making decisions regarding free choice of providers in accordance with Ohio Revised Code (ORC) 5123:2-9-11;
 - (v.) Assisting the individual as necessary to work with providers to resolve concerns involving a provider or direct support staff who are assigned to work with the individual.
- e.) The SSA will secure commitments from providers to support the individual in achievement of his or her desired outcomes.
- f.) The SSA will verify signature and date that prior to implementation each individual service plan:
 - (i.) Indicates the provider, frequency, and funding source of each service and support;
 - (ii.) Specifies which provider will deliver each service or support across settings.
- g.) The SSA will establish and maintain contact with providers as frequently as necessary to ensure that each provider is trained on the individual service plan and has a clear understanding of the expectation and desired outcomes of the supports being provided.
- h.) The SSA will establish and maintain contact with natural supports as frequently as necessary to ensure that natural supports are

**ERIE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES
SERVICE AND SUPPORT ADMINISTRATION PROCEDURE**

- available and meeting desired outcomes as indicated in the individual service plan.
- i.) The SSA will facilitate effective communication and coordination among the individual and members of the team by ensuring that the individual and each member of the team has a copy of the current individual service plan unless otherwise directed by the individual, the individual's guardian, or the adult whom the individual has identified.
 - j.) The individual and his or her providers shall receive a copy of the individual service plan at least fifteen calendar days in advance of implementation unless extenuating circumstances make fifteen-day advance copy impractical and with agreement by the individual and his or her providers.
 - k.) The SSA will provide ongoing individual service plan coordination to ensure service and supports are provided in accordance with the individual service plan. Ongoing individual service plan coordination shall:
 - (i.) Occur with the active participation of the individual and members of the team;
 - (ii.) Focus on achievement of the desired outcomes of the individual;
 - (iii.) Balance what is important to the individual and what is important for the individual;
 - (iv.) Examine service satisfaction;
 - (v.) Use the individual service plan as the fundamental tool to ensure the health and welfare of the individual.
 - l.) The SSA will review the individual service plan at least every twelve months and more frequently under the following circumstance:
 - (i.) At the request of the individual or a member of the team.
 - (ii.) If a request for a revision is made, the SSA will revise the individual service plan within thirty calendar days of the request.
 - (iii.) Whenever the individual's assessed needs, situation, circumstances, or status change.
 - (iv.) If the individual chooses a new provider or type of service or support.
 - (v.) As a result of reviews conducted.
 - (vi.) Identified trends and patterns of unusual incidents or major unusual incidents.
 - (vii.) When services are reduced, denied, or terminated by the Erie County Board of Developmental Disabilities (ECBDD), the Ohio Department of Developmental Disabilities (DODD), or the Ohio Department of Medicaid (ODM).

**ERIE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES
SERVICE AND SUPPORT ADMINISTRATION PROCEDURE**

6. Free Choice of Provider
 - a.) The SSA will ensure that individuals choose qualified and willing providers of Medicaid and non-Medicaid home and community-based services through the free choice of provider process.
 - b.) The SSA will notify the individual at the time of an individual's enrollment in a home and community-based services program, annually at the time of redetermination, and at any other time the individual/guardian expresses an interest in or makes a request to choose a new, different, or additional provider. The notification shall specify:
 - (i.) The individual may choose agency providers, independent providers, or a combination of agency and independent providers;
 - (ii.) The individual may choose providers from all qualified and willing providers available;
 - (iii.) The individual may choose to receive services from a different provider at any time;
 - (iv.) An individual choosing homemaker/personal care in a licensed residential facility is choosing both the place of residence and the homemakers/personal care provider, but maintains free choice of provider for all other home and community-based services and the right to move to another setting at any time if a new homemaker/personal care provider is desired;
 - (v.) The SSA will assist the individual with the provider selection process if the individual requests assistance.
 - c.) The SSA will assist the individual with one or more of the following if the individual requests assistance:
 - (i.) Accessing the Ohio Department of Developmental Disabilities (DODD) website to conduct a search for qualified and willing providers.
 - (ii.) Providing the individual with DODD's guide to interviewing prospective providers.
 - (iii.) Sharing objective information with the individual about the providers that includes reports of provider compliance reviews conducted in accordance with Ohio Administrative Code (OAC) 5123.162 or 5123.19, approved plans of correction submitted by providers in response to compliance reviews, numbers of individuals currently served, and any information about services offered by the provider to meet the unique needs of a specific group of individuals such as aging adults, children with autism, or individuals with intense medical or behavior needs.

**ERIE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES
SERVICE AND SUPPORT ADMINISTRATION PROCEDURE**

- (iv.) Utilizing the statewide, uniform format to create a profile that shall include the type of services and supports the individual requires, hours of services and supports required, the individual's essential service preferences, the funding source of services, and any other information the individual chooses to share with prospective providers.
- (v.) The SSA will utilize the ECBDD Free Choice of Provider form.
- (vi.) Making available to all qualified providers in the county that have expressed an interest in serving additional individuals, the individual-specific profile to identify willing providers of the service.
- (vii.) Contacting the providers on the individual's behalf.
- (viii.) Developing provider interview questions that reflect the characteristics of the individual's preferred provider.
- (ix.) Scheduling and participating as needed in interviews of prospective providers. If the individual chooses to interview the county board as a provider (for transportation services), the SSA will disclose to the individual that the SSA is employed by the same agency. The SSA may participate in the interview as directed by the individual/guardian.
- d.) The SSA will document the alternative home and community-based services settings that were considered by each individual and ensure that each individual service plan reflects the setting options chosen by the individual.
- e.) The SSA will document that each individual has been offered free choice among all qualified and willing providers of home and community-based services.

V. DUE PROCESS

- A. The SSA will provide the individual with written notification and explanation of the individual's right to a Medicaid state hearing if the individual service plan process results in a recommendation for the approval, reduction, denial, or termination of services funded by a Home and Community Based Waiver Service.
- B. The SSA will provide the individual with written notification and explanation of the individual's right to use the Administrative Resolution of Complaint Process if the individual service plan process results in reduction, denial, or termination of a Medicaid and/or non-Medicaid service. Such written notice and explanation shall also be provided to an individual if the ISP process results in an approved service that the individual doesn't want to receive, but is necessary to ensure the individual's health and welfare.
- C. The SSA will review with the individual and provide a copy of ECBDD's Civil Rights Policy.
- D. The SSA will advise members of the team of their right to file a complaint.

**ERIE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES
SERVICE AND SUPPORT ADMINISTRATION PROCEDURE**

- E. The SSA will retain responsibility for all decision-making regarding service and support administration functions and the communication of any such decisions to the individual.
- F. The SSA will take actions necessary to remediate any immediate concerns regarding the individual's health and welfare.

VI. CONTINUOUS REVIEW PROCESS

- A. The SSA will provide a continuous review process to ensure that the individual service plans are developed and implemented. The continuous review process shall include:
 - 1. The review process shall be tailored to the individual and based on information provided by the individual and the team.
 - 2. The scope, type, and frequency of reviews shall be specified in the individual service plan and shall include, but not limited to:
 - a.) Face-to face visits, occurring at a time and place convenient for the individual, at least annually or more frequently as needed by the individual.
 - a.) Contact via phone, email, or other appropriate means as needed.
 - 3. The frequency of reviews may be increase when:
 - a.) The individual has intensive behavior or medical needs.
 - b.) The individual has an interruption of services of more than thirty calendar days.
 - c.) The individual encounters a crisis or multiple less serious but destabilizing events within a three-month period.
 - d.) The individual has transitioned from an intermediate care facility to a community setting within the past twelve months.
 - e.) The individual has transitioned to a new provider of homemaker/personal care within the past twelve months.
 - f.) The individual receives services from a provider that has been notified of the DODD intent to suspend or revoke the provider's certification or license.
 - g.) Requested by the individual, the individual's guardian, or the adult whom the individual has identified.
 - 4. The SSA will share the results of reviews in a timely manner with the individual, the individual's guardian, and/or the adult whom the individual has identified, as applicable, and the individual's providers, as appropriate.
 - 5. If the continuous review process indicates areas of non-compliance with standards for the providers of services funded by a home and community-based services waiver, the ECBDD will contact the Clearwater Council of Government (COG) to conduct a provider compliance review on behalf of the Board.

**ERIE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES
SERVICE AND SUPPORT ADMINISTRATION PROCEDURE**

VII. FORMAL REVIEW PROCESS

- A. The COG is contracted to formally evaluate all residential services provided through the ECBDD. The COG will conduct comprehensive review of all the home and community-based waiver services received by individuals.
 - 1. The reviews shall be conducted as a continuous process and occur no less frequently than at least every three years in conjunction with the individual's individual service plan redetermination and in contract renewal with the provider in accordance with procedures established by the COG.
 - a.) If the report indicates the need to address service issues, the SSA will address the issues with the affected parties, included but not limited to, the individual, the individual's guardian, the adult whom the individual as identified, and provider.

VIII. EMERGENCY RESPONSE SYSTEM

- A. The ECBDD Service and Support Administration will make an on-call emergency response system available twenty-four-hours per day, seven days per week. Persons who are available for the on-call emergency response system shall:
 - 1. Provide emergency response directly or through immediate linkage with the SSA who is the primary point of coordination for the individual or with the primary provider;
 - 2. Be trained and have the skills to identify the problem, determine what immediate response is needed to alleviate the emergency and ensure health and welfare, and identify and contact persons to take action if needed;
 - 3. Notify the providers and the SSA who is the primary point of coordination for the individual to ensure adequate follow-up;
 - 4. Notify the Investigative Agent as determined necessary by the nature of the emergency;
 - 5. Document the emergency in accordance with County Board procedures.

IX. RECORDS

- A. Records are maintained by the Individual and Family Supports Department according to the ECBDD policy on confidentiality.
 - 1. Paper or electronic records will be maintained for individuals receiving Service and Support and shall include:
 - a.) Identifying data;
 - b.) Information identifying guardianship, other adult whom the individual has identified, trusteeship, or protectorship;
 - c.) Date of request for services from the County Board;
 - d.) Evidence of eligibility for County Board services;
 - e.) Assessment information relevant for services and the individual service plan proves for supports and services;
 - f.) Current individual service plan;

**ERIE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES
SERVICE AND SUPPORT ADMINISTRATION PROCEDURE**

- g.) Current budget for services;
- h.) Documentation that the individual exercised freedom of choice in the provider selection process;
- i.) Documentation of unusual incidents;
- j.) Major unusual incident investigation and summary reports;
- k.) The name of the SSA;
- l.) Emergency information;
- m.) Personal financial information, when appropriate;
- n.) Release of information and consent forms;
- o.) Case notes which include coordination of services and supports and continuous review process activities;
- p.) Documentation that the individual was afforded due process as described in this policy.