

**Cowley County CDDO Department
Community Developmental Disability Organization**

CDDO Policies and Procedures

Table of Contents

Preface/Definition.....2

CDDO Establishment.....5

Policy 001: Procedures Applicable to the Service Area Development by the CDDO, K.A.R. 30-64-217

Policy 002: Implementation Responsibilities of CDDO, K.A.R. 30-64-228

Policy 003: Single Point of Application, Determination, Referral, and Requests for Changes in Service Provider, K.A.R. 30-64-2313

Policy 004: Case Management, K.A.R. 30-63-32.....17

Policy 005: Uniform Access, K.A.R. 30-64-2520

Policy 006: Quality Enhancement, K.A.R. 30-64-26.....21

Policy 007: Quality Assurance, K.A.R. 30-64-2722

Policy 008: Continuity & Portability of Services, K.A.R. 30-64-28.....24

Policy 009: Gatekeeping, K.A.R. 30-64-29.....26

Policy 010: Service Access List, K.A.R. 30-64-30.....28

Policy 011: Council of Community Members, K.A.R. 30-64-31.....29

Policy 012: Dispute Resolution, K.A.R. 30-64-3231

Policy 013: Fiscal Management and Annual Budget Planning Report, K.A.R. 30-64-33, 30-64-34.....34

Preface/Definition

Revision Date: July 30, 2011

Purpose:

The following document was prepared by the CDDO, Council of Community Members and the CDDO Advisory Board and has been updated and adopted by the current Cowley County Community Developmental Disability Organization (Cowley County CDDO Department). to provide initial policy and procedures for compliance with implementation of K.S.A. 19-4001, K.S.A. 39-1801 et-seq., K.A.R. 30-63-1, and K.A.R. 30-64-01

For clarity, the following definitions will be utilized:

Kansas Statute Annotated 76-12b01: Definitions. when used in this act:

"Adaptive behavior" means the effectiveness or degree with which an individual meets the standards of personal independence and social responsibility expected of that person's age, cultural group and community.

"Affiliate" means an entity or person that meets standards set out in rules and regulations adopted by the secretary relating to the provision of services and that contracts with a Community Developmental Disability organization.

"Cowley County CDDO" means Cowley County Community Developmental Disability Organization, established and operating pursuant to K.S.A. 19-4001 effective July 1, 2010 as a department of the Cowley County government.

"Commission" means the division of Disability and Behavioral Health Services (DBHS) within the department of Social and Rehabilitative Services.

"Commissioner" means the Commissioner of Disability and Behavioral Health Services (DBHS).

"Community services" means services provided to meet the needs of persons with a developmental disability relating to work, living in the community, and individualized supports and services.

"Community Developmental Disability Organization" (also known as "CDDO") means any community mental retardation facility that is organized pursuant to K.S.A. 19-4001 through 19-4015 and amendments thereto.

"Community service provider" means a community developmental disability organization or affiliate thereof.

Preface/Definition

"Developmental disability" means:

1. *Mental retardation; or*
2. *A severe, chronic disability, which:*
 - a. *Is attributable to a mental or physical impairment, a combination of mental and physical impairments or a condition which has received a dual diagnosis of mental retardation and mental illness;*
 - b. *Is manifest before 22 years of age;*
 - c. *Is likely to continue indefinitely;*
 - d. *Results, in the case of a person five years of age or older, in a substantial limitation in three or more of the following areas of major life functioning: Self-care, receptive and expressive language development and use, learning and adapting, mobility, self-direction, capacity for independent living and economic self-sufficiency;*
 - e. *Reflects a need for a combination and sequence of special interdisciplinary or generic care, treatment or other services which are lifelong, or extended in duration and are individually planned and coordinated; and*
 - f. *Does not include individuals who are solely and severely emotionally disturbed or seriously or persistently mentally ill or have disabilities solely as a result of the infirmities of aging.*

"Home County" shall be determined by the CDDO with the following order of priority:

1. *The county of residence of a family member of the person with a developmental disability;*
2. *The county of residence of the person's guardian; or*
3. *The county in which the person is living.*

"Institution" means state institution for the mentally retarded as defined by subsection (c) of K.S.A. 76-12b01 and amendments thereto or intermediate care facility for the mentally retarded of nine beds or more as defined by subsection (a) (4) of K.S.A. 39-923 and amendments thereto.

Preface/Definition

“Mental retardation” means substantial limitations in present functioning that is manifested during the period from birth to age 18 years and is characterized by significantly sub average intellectual functioning existing concurrently with deficits in adaptive behavior including related limitations in two or more of the following applicable adaptive skill areas: Communication, self-care, home living, social skills, community use, self-direction, health and safety, functional academics, leisure and work.

“Secretary” means the secretary of Social and Rehabilitation Services.

“Service Area” means the county or counties from which a CDDO receives funding pursuant to K.S.A. 19-4001, et. seq.

“Superintendent” means the chief administrative officer of the institution or the designee of the chief administrative officer.

“Support Network” means the one or more individuals selected by a person or by the person’s guardian, if one has been appointed, to provide assistance and guidance to that person in understanding issues, making plans for the future, and /or making complex decisions.

“Training” means the provision of specific environmental, physical, mental, social and educational interventions and therapies for the purpose of halting, controlling or reversing processes that cause, aggravate or complicate malfunctions or dysfunctions of development.

History: L. 1984, ch. 339, § 1; L. 1996, ch. 60, § 1; July 1

See Current Fiscal Year CDDO/SRS Contract for additional definitions.

CDDO Establishment

Revision Date: July 30, 2011

Purpose:

K.S.A. 39-1801, et. seq., defined Community Developmental Disability Organizations and their service area as those pre-established in accordance with K.S.A. 19-4001. If the recognized entity fails to operate to the standards set forth by regulation to the satisfaction of the area, a new CDDO may be established with the approval of the Commissioners (Regulations 30-64-10, 30-64-11, 30-64-12, and 30-64-13).

Policy:

Cowley County CDDO Department established pursuant to K.S.A. 19-4001 and began operation effective July 1, 2010 and will be recognized as the Community Developmental Disability Organization for Cowley County. A change of CDDO or expansion of the service area will require approval of county commissioners from proposed areas, notification to affected CDDO's service providers, public input and approval from the Commissioner.

Procedures:

To change the CDDO or alter the service area, application must be made in writing to the Commissioner and shall include the following:

- 1. A description of the service area to be created;*
- 2. A Copy of the establishing resolution(s), adopted per K.S.A. 19-4001 and the amendments by the affected County Commissioner's Board(s);*
- 3. A statement of the perceived problems with the current structure and how the new or realigned CDDO(s) will address those problems;*
- 4. A description of services that will be provided and plans for future services;*
- 5. Descriptions of the proposed governing organizational, staffing and fiscal management procedures;*
- 6. A financial plan detailing financing for an initial five-year period;*
- 7. A statement of the anticipated fiscal and service impacts on areas that the plan incorporates;*
- 8. An endorsement of the proposal from any affected CDDO's Governing Board(s) and Executive Director(s), or an explanation as to why an endorsement has not or cannot be obtained; and*

CDDO Establishment

9. *A summary of public comments made at a public hearing for this purpose (The process utilized to obtain public comments shall be presented in advance and approval obtained by the Commissioner before a public hearing is held). Any process for obtaining public comments shall contain a method for notifying all existing CDDO's and licensed community service providers that operate in the service area or areas to be affected by the proposal.*

Once the completed proposal has been submitted to the Commissioner, the Commissioner will notify applicant of determination of approval or provide written reasons of disapproval.

Applicant may utilize the administrative appeal process if application is denied.

**Procedures Applicable to the
Service Area Development by the CDDO, 001**

Revision Date: July 30, 2011

CDDO Policy 001

Purpose:

Each entity operating as a CDDO must develop procedures for operation with community stakeholder input that are approved by the Commissioner according to regulatory procedures . Procedures may only be changed in accordance with the approval process (Regulation 30-64-21). (K.A.R. 30-64-22)

Policy:

The Cowley County CDDO Department will develop and maintain written policies for CDDO operation, with input from community stakeholders, the Council of Community Members and approval of the Commissioner. Any changes in approved procedures will be in accordance with regulation.

Procedures:

- 1. Development of policy and procedures by the CDDO.*
- 2. Pre-review by the Commission if requested.*
- 3. The following will occur no less than 30 days before adoption:*
 - a. Presentation to the Community Council by the governing Board for written comment;*
 - b. Set site and dates for public review after prior consultation and approval has been obtained from the Commission of the proposed process;*
 - c. Written notification to individuals and/or their family/guardian and affiliates of public review dates and site;*
 - d. Notification of opportunity for public comment to area newspapers;*
 - e. Summarize public comments;*
 - f. Forward policy change and comments to the Commissioner;*
 - g. Obtain written approval or comments from the Commissioner. Approval from the Commissioner must be obtained before the new or revised policy may be implemented; and*
 - h. Publish and disburse approved policy.*

Implementation Responsibilities of the CDDO, 002

Revision Date: July 30, 2011

CDDO Policy 002

Purpose:

CDDO's will be responsible for ensuring that opportunities for choice of community service providers are available to individuals in their CDDO area. The CDDO will provide centralized data collection, financial accountability, approved area operating procedures, and authorization of service providers (Regulation 30-64-21 and 30-64-22).

Policy:

Cowley County CDDO Department will collect and report to the Commissioner all information requested by the Commission regarding all individuals that are receiving supports and services and accountability for utilization of funding for contracted services.

Procedures:

- 1. Collection of Basic Assessment and Services Information System (BASIS):*
 - a. Cowley County CDDO Department will complete and enter all BASIS data in the birth month of the individual or as required by the BASIS Manual.*
 - b. Changes in the information and services section will be forwarded by the Case Managers to the CDDO as they occur.*
 - c. Cowley County CDDO Department will ensure that information entered into BASIS is correct and timely.*
- 2. The Plan of Care:*
 - a. Plans of Care, complete with signatures of all guardians and the case manager, will be forwarded to the CDDO. NOTE: Case managers having difficulty obtaining guardian signature can submit the POC with their signature and a signed statement of attempts to get signature to the CDDO as well. They can forward a signed copy once it is received.*
 - b. The Plan of Care will identify the maximum funding levels for support services of the identified plan.*
 - c. Affiliates will forward to the CDDO monthly amounts utilized for services and supports.*

Implementation Responsibilities of the CDDO, 002

- d. *The CDDO will verify funds utilized ensuring that unused funding is made available to individuals waiting for services.*
3. *Yearly Audits:*
 - a. *Service providers will forward yearly audits to the CDDO, as well as any management letters generated as a result of the audits.*
 - b. *The CDDO will forward its yearly audit report to the Commission.*
4. *Equal Access:*
 - a. *Cowley County CDDO Department will ensure all persons have equal access to services, including those designated by the commissioner to be from the COWLEY COUNTY CDDO DEPARTMENT catchment area residing in an ICF/MR facility.*
 - b. *Cowley County CDDO Department will complete an annual mailing to each person receiving or applying for community services and each person's guardian, if one has been appointed. This annual mailing will include, at a minimum, the following items:*
 - i. *The type of community services available,*
 - ii. *Information concerning the providers of those services,*
 - iii. *Their rights, pursuant to the developmental disability reform act and any implemented regulations. The content of this information provided must have approval of the commissioner,*
 - iv. *Choice Form,*
 - v. *Satisfaction Survey,*
 - vi. *Appeal rights and contact information, and*
 - vii. *Council of Community Members information and interest form.*
5. *Affiliations:*
 - a. *Any community service provider (CSP), who wishes to affiliate with Cowley County CDDO Department, will provide the following information, along with a completed Affiliation Agreement. Cowley County CDDO Department's Executive Director, or designee, will review all submitted information for completeness. The affiliate may commence providing services as specified within the agreement only after they have received approval by Cowley County CDDO Department*
 - i. *ANE Policy (K.A.R. 30-63-28),*
 - ii. *Business Plan,*
 - iii. *Certificate of Incorporation (if applicable),*
 - iv. *Certificate of Insurance to include Comprehensive General Liability, Automobile Liability, and Worker's Compensation Insurance (when required), (The CDDO is to be named as the additional insured on the insurance policy.)*
 - v. *Continuity of Service Provision Policy (Emergency Services Plan),*

Implementation Responsibilities of the CDDO, 002

- vi. *Copy of applicable SRS or KDHE license,*
 - vii. *Direct Care Training Policy (K.A.R. 30-63-26),*
 - viii. *Grievance Policy,*
 - ix. *Individual Rights & Responsibilities Policy (K.A.R. 30-63-22),*
 - x. *Medication Policy (K.A.R. 30-63-23),*
 - xi. *Organization Chart,*
 - xii. *Records Maintenance Policy (K.A.R. 30-63-29),*
 - xiii. *Required Background Checks for all of the following (SRS/CSS Policy):*
 - 1. *Adult Protective Services,*
 - 2. *Child Protective Services,*
 - 3. *Kansas Department of Health and Environment,*
 - 4. *Criminal Background Check (preferably conducted by the Kansas Bureau of Investigation)*
 - 5. *Other checks as may be required by the current SRS/CDDO contract*
 - xiv. *Three letters of reference (written within the last 12 months).*
- b. *Additional Requirements for those providing Targeted Case Management:*
- i. *Certificate of completion of the required assessment training established by the commission,*
 - ii. *TCM job description,*
 - iii. *Organizational Chart showing case managers are not supervised by nor responsible for anyone providing any kind of direct care service,*
 - iv. *Case management training requirements, expectations, etc.*
- c. *Non-Licensed Affiliate Requirements:*
- i. *ANE Policy (K.A.R. 30-63-28),*
 - ii. *Business Plan,*
 - iii. *Certificate of Incorporation (if applicable),*
 - iv. *Certificate of Insurance to include Comprehensive General Liability and Worker's Compensation Insurance, when required (agency only), (The CDDO is to be named as the additional insured on the insurance policy.)*
 - v. *Continuity of Service Provision Policy (Emergency Services Plan),*
 - vi. *Documentation sheets along with example forms of how documentation for services will be maintained,*
 - vii. *Grievance Policy,*
 - viii. *Implementation and Adherence Policy (K.A.R. 30-63-10 – Licensed Required exceptions),*
 - ix. *Required Background Checks for all of the following (SRS/CSS Policy):*
 - 1. *Adult Protective Services,*
 - 2. *Child Protective Services,*
 - 3. *Kansas Department of Health and Environment,*
 - 4. *Criminal Background Check (preferably conducted by the Kansas Bureau of Investigation)*
 - 5. *Other checks as may be required by the current SRS/CDDO contract*

Implementation Responsibilities of the CDDO, 002

- x. *Three letters of reference (written within the last 12 months)*
- d. *Those affiliating for Supportive Home Care will also need to provide:*
 - i. *A signed statement of who is providing supportive home care, to whom it is being provided, the hours and days, a description of how and where approved service hours are being utilized, and*
 - ii. *A copy of any contract entered into with a Billing Agent, or,*
 - a. *proof that the affiliate is abiding by all requirements, such as employee withholdings, Background Checks, etc. (See above section)*
- e. *Annually, or when requested by Cowley County CDDO Department, the affiliate will provide:*
 - i. *Fire Marshall reports,*
 - ii. *Description of services provided,*
 - iii. *Assurance that equal access is provided for all eligible persons,*
 - iv. *Assurance that all individual's rights are observed and protected,*
 - v. *Description of how person centered satisfaction and support plans will be implemented and monitored,*
 - vi. *Assurance that state-set reimbursement rates will be accepted and services provided as paid for.*
 - vii. *Or any other reports, audits, or documents requested by Cowley County CDDO Department*
- f. *After receipt of the required documentation, Cowley County CDDO Department will forward an Affiliation Agreement to the CSP to complete and return to Cowley County CDDO Department No services should be provided until the affiliate receives notification of approval for affiliation with Cowley County CDDO Department*
- g. *Each affiliate of Cowley County CDDO Department, CSP will be encouraged to have representation on the Council of Community Members.*
- h. *Affiliation Agreements may be revoked within thirty days notice for failure to follow approved policy and procedures, refusal to accept state reimbursement rates, loss of SRS/KDHE license, failure to respond to corrective action plans, and/or actions by the affiliate that may jeopardize Cowley County CDDO Department's ability to fulfill its contract with the Secretary.*
- i. *CSP's may appeal the decision to revoke the Affiliation Agreement in writing to the governing board of Cowley County CDDO Department, along with a corrective action plan, within ten working days of notice in accordance with Cowley County CDDO Department Policy #012 (Dispute Resolution),*

Implementation Responsibilities of the CDDO, 002

- j. *Any approved affiliate provider who employs 20 or more direct care staff may seek a contract with the department for direct payment in lieu of payments through Cowley County CDDO Department*

**Single Point of Application, Determination, Referral,
and Requests for Changes in Service Provider, 003**

Revision Date: July 30, 2011

CDDO Policy 003

Purpose:

Individuals requesting information about the developmental disability system, wanting to determine if they are eligible for services, wishing to change service providers, or requesting information about other community support systems should have a central location for information. (Regulation 30-64-23).

Policy:

As the designated Community Developmental Disability Organization for Cowley County, Cowley County CDDO Department shall serve as the single point of application, eligibility determination, and referral for all individuals desiring to receive information about MR/DD community services and/or other services in Cowley County.

Procedures:

1. Single Point of Application

All individuals with Developmental Disability seeking services, which reside in or wish to return to the Cowley County CDDO area, shall apply to the Cowley County CDDO Department

- a. The individual, their guardian, or support network shall contact Cowley County CDDO Department either by phone, Cowley County CDDO Department web site, and/or office visit, to initiate the application /referral process.*
- b. Within one week of the initial request, Cowley County CDDO Department shall send the individual an application packet (if requesting party is unable to download from web site or still prefers packet to be mailed). The packet shall contain the following:*
 - i. A General Information Worksheet;*
 - ii. An Application for MR/DD Services;*
 - iii. A Social History Questionnaire for MR/DD Services;*
 - iv. Psychological Evaluation Guidelines for MR/DD Services;*
 - v. Information Release Forms;*
 - vi. Informational brochures listing the types and availability of service provided by the affiliates. (Note: web site shall include link to Interactive CDDO map located on the SRS web site, which lists providers in the area.)*

**Single Point of Application, Determination, Referral,
and Requests for Changes in Service Provider, 003**

- c. *Once the completed application is returned to the CDDO, Cowley County CDDO Department will complete the MR/DD eligibility determination procedures to determine if the individual qualifies as a person with a developmental disability, as defined in K.S.A. 39-1803 and amendments thereto;*
 - i. *Cowley County CDDO Department will review the information and determine eligibility for services;*
 - ii. *If the individual is determined eligible, Cowley County CDDO Department will mail an eligibility letter to the individual and/or their family/guardian within ten days of eligibility determination.*
2. *Referral Processes & Initial Selection of Community Service Provider Service(s): Cowley County CDDO Department will meet with the individual and/or their family/guardian within thirty days of the eligibility determination to provide impartial assistance to the individual and/or their family/guardian in deciding which services the person may wish to obtain or would accept within the next year from the date of the persons application or a later date as requested by the applicant.*
 - a. *If the individual is requesting current services, Cowley County CDDO Department will provide impartial assistance to the individual and/or their family/guardian in arranging for the individuals and/or their family/guardian to meet with representatives from provider(s) selected by the individual and/or their family/guardian.*
 - b. *The individual and/or their family/guardian will be advised of their right to select or refuse case management services. However, individuals who self-direct their HCBS in-home supports are required to have a case manager per DD Regulation 30-63-10.*
 - c. *Cowley County CDDO Department will have the individual and/or their family/guardian sign the CDDO Choice Form indicating the individual's and/or their family/guardian's choice of providers selected for each service. This form will be kept on file at the CDDO and a copy provided to each provider the person has selected.*
 - d. *Individual's requesting services will be asked to sign a form if the individual and/or their family/guardian choose not to have their name listed on the CDDO Service Access List. Cowley County CDDO Department will distribute the CDDO Service Access List at monthly affiliate meetings.*
 - e. *If the individual is determined not eligible for MR/DD funded services, Cowley County CDDO Department will mail a letter of non-eligibility to the individual and/or their family/guardian within ten days of the determination. The letter will explain other referral options that may exist in the CDDO area for the individual and/or their family/guardian and will also provide an explanation of the following:*

**Single Point of Application, Determination, Referral,
and Requests for Changes in Service Provider, 003**

- i. *The individual determined not eligible and/or their family/guardian has the right to request reconsideration from the CDDO and to submit additional information. This request must be made to the Executive Director of Cowley County CDDO Department*
- ii. *If the individual and/or their family/guardian are not satisfied with the CDDO's final decision, they have the right to have the determination reviewed by an independent third party. This request may be made in writing to Cowley County CDDO Department at the following address:*

*Cowley County CDDO Department
311 East 9th
Winfield, KS 6715*

- iii. *The CDDO will make a good faith effort to arrange for an independent third party re-determination at the CDDO's expense by requesting a determination within 30 days.*
- iv. *If the determination is still unchanged, or the CDDO is unable to arrange a third party determination, the individual has the right to an administrative appeal. This request must be submitted in writing within 30 days of the final determination to the following address:*

*Office of Administration Hearing
1020 S. Kansas Avenue
Topeka, KS 66612*

The CDDO will provide assistance to the individual and/or their family/guardian in doing this, if requested.

- 2. *Training Procedures for Personnel Performing Eligibility & Application Functions: All Employees who perform the functions of determining eligibility, processing applications for services or referral of persons for services, or assisting persons in accessing services will complete a training program that is approved by the Commission and meets these criteria:*
 - a. *Is developed by Cowley County CDDO Department and approved by the CDDO Council of Community Members required by K.A.R. 30-64-22(c);*
 - b. *Includes topics regarding the following:*
 - i. *The types of community services available in Cowley County and information concerning the licensed providers and other agencies offering those services; and*
 - ii. *Potential referral contacts for persons who are determined not to be eligible for services; and*

- c. *Is offered in a manner and frequency that shall ensure that employees of Cowley County CDDO Department who perform the above duties are competent to do so.*

Single Point of Application, Determination, Referral, and Requests for Changes in Service Provider, 003

3. *Requests for Changes in Service Providers:*

- a. *When a person currently receiving services expresses a desire to change service providers, that person is referred directly to Cowley County CDDO Department*
- b. *Cowley County CDDO Department will provide the consumer and/or their family/guardian information regarding the types and availability of community services in Cowley County and assist the consumer in accessing alternative service providers.*
- c. *When a choice form requesting a change in provider is submitted to Cowley County CDDO Department;*
 - i. *When an original choice form, completed by the individual served and/or his/her designated guardian (if applicable), requesting a change in provider(s) is received by Cowley County CDDO Department, Cowley County CDDO Department will ensure that choice form is processed in an efficient and timely manner.*
 - ii. *Copies of the submitted choice form will be transmitted to both the current provider(s) and the requested prospective provider(s).*
 - iii. *The current Case Management agency will take the lead in assuring a transitional meeting is set to include all of the individual's current team, prospective team, guardian, the individual served, and representatives from both CDDO's involved (if applicable). Cowley County CDDO Department must be notified of the date, time, and location of this meeting and invited to attend. Cowley County CDDO Department Quality Assurance Manager will review to make a determination of the need for Cowley County CDDO Department's attendance. To allow for ample planning time, uninterrupted quality services for the individual, and to meet training needs of the new staff, no change in services should occur until this meeting has taken place and the completed **Transition of Services Form** has been submitted to Cowley County CDDO Department's Quality Assurance Manager. All required records and documents must have been received by Cowley County CDDO Department and the new provider.*

Case Management, 004

Revision Date: July 30, 2011

CDDO Policy 004

Purpose:

Cowley County CDDO Department will ensure case management services are available to all consumers in the service area. Case management will assist the consumer and/or their family/guardian in identifying, selecting, obtaining, coordinating, and using both paid services and natural supports that may be available to enhance the consumer's independence, integration, and productivity consistent with the consumer's capabilities and preferences as outlined in the consumers Person-Centered Support Plan. (K.A.R. 30-63-32 , "Rules of Conduct for Case Managers Serving People with Developmental Disability", and the current , Training & Resource Manual for Developmental Disabilities for Targeted Case Managers.")

Policy:

Each community service provider providing case management services shall develop and implement policies and procedures concerning their case management services, consistent with regulations and provide those services in a manner meeting all requirements of these regulations.

Procedures:

1. *Case Management shall include the following:*
 - a. *Assessment, including an ongoing process for the identification of the person's needs, the determination of the person's preferred lifestyle, and the resources which are available to the individual through both formal and informal evaluation methods;*
 - b. *Support planning, with the participation of the consumer and their support network, including the development, updating, and reviewing of the consumer's Person-Centered Support Plan, and any related service and support plan, based upon assessment information and assistance to the consumer in being knowledgeable about the types and availability of community services and support options, in receiving information regarding the rights of consumers pursuant to the Developmental Disability Reform Act and implementing regulations, the content of which shall be approved by the Commission, and in obtaining the community services and supports of the consumer's choice;*
 - c. *Support coordination and referrals , including arranging for and securing supports outlined in the consumer's Person-Centered Support Plan and the development of natural community support systems;*

Case Management, 004

- d. *Advocacy, including pursuing means for gaining access to needed services and entitlement, and seeking modification of service systems when necessary to increase the accessibility to those systems by the consumer; and*
 - e. *Monitoring and follow up, including the ongoing activities needed to ensure the Person-Centered Support Plan and Plan of Care, along with all other related supports and services are effectively implemented and adequately addressing the needs of the person. The needs of the individual should be reviewed on a routine basis and any changes in need or service supports are identified in the individuals plan.;*
 - f. *Assisting transition and portability, including the planning of and arranging for services to follow the person when the person moves between any of the following;*
 - i. *School to the adult world;*
 - ii. *An institution to community alternatives;*
 - iii. *One kind of service setting to another kind of service setting;*
 - iv. *One provider to another; or*
 - v. *One service area to another service area.*
2. *Each community service provider providing case management services shall:*
- a. *Develop and implement policies and procedures concerning their case management services, consistent with regulation and provide those services in a manner meeting all requirements of the regulation;*
 - b. *They must also have a current and valid Affiliation Agreement with Cowley County CDDO Department;*
 - c. *They shall further ensure all case management services are provided by case managers meeting the following requirements:*
 - i. *Not provide any direct service except case management to any person receiving any other type of direct service from the same agency that employs the case manager;*
 - ii. *Not be supervised by anyone directly responsible for any other type of direct service, nor be responsible for the supervision of those services,*
 - iii. *Shall comply with the division's "Rules of Conduct for Case Managers Serving People with Developmental Disability";*
 - iv. *Maintain documentation that within 90 calendar days of either the case manager's initial employment or following an announcement by the division of revisions to case manager requirements (whichever came later), the case manager has completed and passed the required on-line assessment established by the division and is included, as the division's case management training, and*
 - v. *Each case manager shall have the following documented qualifications:*

1. *A minimum of six months of full-time experience in the field of human services; and*

Case Management, 004

2. *Either a bachelor's degree or additional full-time experience in the field of developmental disability services, which may be substituted for the degree at a rate of six months full-time experience for each missing semester of college.*
3. *In addition to the requirements above, each case manager shall complete a training program that is developed by the provider providing the case management services, described to the Council of Community Members, approved by Cowley County CDDO Department, and specifies the following:*
 - a. *The content of the training;*
 - b. *The manner in which and frequency with which the training is developed;*
 - c. *The way in which competency will be determined and demonstrated to Cowley County CDDO Department;*
 - d. *Information regarding the various paid services and natural supports that enhance a consumer's independence, integration, and productivity consistent with the consumer's Person-Centered Support Plan; and*
 - e. *Information regarding health and safety, including behavior management practices, abuse, neglect, and exploitation prevention and response, individual rights and responsibilities, and any information specified by the Commissioner.*

Cowley County CDDO Department shall develop and implement procedures to impose consequences for failure to adequately perform case management duties or failure to comply with the requirements of K.A.R. 30-63-32.

Uniform Access, 005

Revision Date: July 30, 2011

CDDO Policy 005

Purpose:

The CDDO and its affiliates will develop plans to provide services to all eligible developmentally disabled individuals regardless of the degree of severity of their disability.(Regulation 30-64-25).

Policy:

Cowley County CDDO Department will offer services in a way that does not discriminate against any individual because of the severity of the individual's disability.

Procedures:

- 1. Cowley County CDDO Department will develop a plan in coordination with affiliates that results in services being offered and provided in a way that does not discriminate against any individual because of the severity of the individual's disability. The plan may:
 - a. Require all community service providers to serve all individuals regardless of the severity of the individual's disability and/or;*
 - b. Allow individual community service providers to specialize in services, if all persons are offered appropriate services without regard to the severity of the individual's disability.**
- 2. The plan shall not require any community service provider to accept more persons than the community service provider can effectively serve. If all community service providers are at their maximum capacity, Cowley County CDDO Department shall assist in establishing new community service providers pursuant to K.S.A. 39-1805(b).*
- 3. Notwithstanding these provisions, Cowley County CDDO Department may refuse to serve an individual that has been determined by the Secretary, subject to an immediate hearing before the district court located in the county in which the individual resides, to be inappropriate for community services because the individual presents a clear and present danger to him/herself and/or the community pursuant to K.S.A. 1805(a).*

Quality Enhancement, 006

Revision Date: July 30, 2011

CDDO Policy 006

Purpose:

Cowley County CDDO Department will ensure that all services provided by affiliates are responsive to person-centered support planning, that the rights of individuals served are protected, and that individuals are given opportunities of choice (Regulation 30-64-26).

Policy:

Cowley County CDDO Department will ensure that services are responsive to choices made in the person-centered support planning process and that individual rights are observed and protected.

Procedures:

Cowley County CDDO Department will ensure that each service provided is:

- 1. Provided as specified within, and in a manner that is responsive to, the Person-Centered Support Plan under which that service is being provided;*
- 2. Provided in a manner that offers opportunities of choice to the consumer; and*
- 3. Performed in a manner that ensures that all of the consumer's rights are observed and protected.*

Quality Assurance, 007

Revision Date: July 30, 2011

CDDO Policy 007

Purpose:

Cowley County CDDO Department will ensure that the quality of services provided by community service providers in Cowley County meet recognized standards (Regulation 30-64-27).

Policy:

Cowley County CDDO Department shall arrange for on-site monitoring of services provided in the service area. Cowley County CDDO Department will work with Council of Community Members to ensure that on-site reviews of all licensed and non-licensed sites are completed at least annually to ensure that quality services are being provided. The council shall serve as Cowley County CDDO Department's local Quality Assurance Committee.

Procedures:

- 1. The Council of Community Members will develop a monitoring checklist for use during on-site visits. The checklist will assess that:*
 - a. Persons live and work in healthy environments;*
 - b. Medications are administered properly;*
 - c. Services delivered are paid for in accordance with service agreements and/or contract that is currently in force, including any payment requirement that the person being serviced or a third party acting on behalf of the consumer has the responsibility to meet;*
 - d. Suspected abuse, neglect, or exploitation is reported to the appropriate state agency and to Cowley County CDDO Department;*
 - e. Confirmed violations of abuse, neglect, and exploitation are corrected or are actively in the process of being corrected;*
 - f. Services meet applicable requirements of K.A.R. 30-63-01 et. seq.;*
 - g. Services are responsive to the Person-Centered Support Plan;*
 - h. Services are provided so there are opportunities of choice; and*

Quality Assurance, 007

- i. *Ensure that the consumer's legal rights are protected.*
2. *The QA Process:*
 - a. *The Council of Community Members will serve as the Quality Assurance/Quality Enhancement Committee members and the type and intensity of on-site visits shall be determined by them and will include items from Section 1.*
 - b. *The completed checklist will be forwarded to Cowley County CDDO Department. If deficiencies are noted, the affiliate will be advised so that corrective action can start immediately.*
 - c. *Site reviews, and corrective plans when necessary, will be presented at regular Council meetings.*
 - d. *Cowley County CDDO Department will follow up on all corrective action plans.*
 - e. *All monitoring reports will be presented to the Council of Community Members.*

Continuity and Portability of Services, 008

Revision Date: July 30, 2011

CDDO Policy 008

Purpose:

Consumers can request to transfer their funding to any service area or provider in the statewide system as long as state and/or federal support for those services continue (Regulation 30-64-28).

Policy:

Cowley County CDDO Department will ensure that state and federal funding for individual services and supports as identified in their Person-Centered Support Plan and included in BASIS reports are available to the individual. The individual may request this funding be transferred to any service provider or any service area in the statewide system of their choice with the exception of state aid.

Procedures:

- 1. As long as the funding exists, Cowley County CDDO Department will ensure that services continue unless the consumer and/or their family/guardian requests that service be discontinued.*
- 2. If the consumer is seeking services from another CDDO area:*
 - a. The consumer and/or their family/guardian will notify their case manager;*
 - b. The case manager and the consumer and/or their family/guardian will identify the service types and service amounts being utilized and notify Cowley County CDDO Department that they wish to transfer;*
 - c. Cowley County CDDO Department will confirm the portable funding;*
 - d. Cowley County CDDO Department will contact the CDDO in the chosen area, ensuring and facilitating the transition of the same level of service and support;*
 - e. The case manager will develop a transition process and time line with the new provider;*
 - f. Cowley County CDDO Department will execute a portability agreement with the receiving CDDO;*

Continuity and Portability of Services, 008
(continued)

- g. A BASIS closure will be completed with notification to the receiving CDDO of the re-enter date to activate the individual in their BASIS; and*
- h. The case manager will facilitate this process for a complete and successful transition.*

Gatekeeping, 009

Revision Date: July 30, 2011

CDDO Policy 009

Purpose:

Cowley County CDDO Department will perform the function of reviewing requests for admission to ICF/MR or state institutions from individuals who currently reside within their CDDO service area. The CDDO will also inform individuals from their service area who reside in ICF/MR's and state institutions of available community services and supports (Regulation 30-64-29).

Policy:

Cowley County CDDO Department will review requests for ICF/MR placement made by individuals residing in the area that it serves. Cowley County CDDO Department will determine eligibility for this level of placement and ensure that the individual fully understands community services and is afforded informed choice of placement. Individuals' residing in ICF/MR's or state institutions with Cowley identified as their "home county" will be informed of community services. Individuals who choose community services will be reintegrated into the community.

Procedures:

- 1. Any request for admission to an ICF/MR or state institution shall be submitted to Cowley County CDDO Department when it is determined the individual is currently residing in Cowley County CDDO Department's CDDO area. Cowley County CDDO Department will review each request in the following manner:*
 - a. Determine whether the person requesting admission has a developmental disability and is eligible for ICF/MR services using procedures and standards specified by the commission;*
 - b. Determine if ICF/MR placement is consistent with the person's preferred lifestyle (K.A.R. 30-63-21);*
 - c. Inform the person, the person's family and guardian (if applicable) of all services or supports that are available or could be made available within 90 days in or near the person's home county, and of the person's rights pursuant to the Developmental Disability reform act and implementing regulations, the content of which shall be approved by the commission;*
 - d. Offer to provide or arrange to provide the services or supports identified.*

Service Access List, 010

Revision Date: July 30, 2011

CDDO Policy 010

Purpose:

Individuals requesting supports and services need to receive services as long as funding is available and there remains capacity within the CDDO area. If funding is not available to support the needs of the individual seeking service, the individual will be added to the Service Access List (Regulation 30-64-30).

Policy:

Cowley County CDDO Department will ensure that individuals who have applied, been determined eligible for service, and have agreed to accept service within a year from their application date, but for which supporting funds are not available, will be placed on the Service Access List.

Procedures:

If supporting funds are not available:

- 1. Cowley County CDDO Department will determine if the individual has adequate natural supports to avoid a crisis situation as much as possible and refer to other community agencies as necessary in an attempt to provide supports.;*
- 2. Individuals waiting for service will be reported in BASIS; and*
- 3. Individuals waiting for service will be contacted at least annually to determine the continued need for service.*

Cowley County CDDO Department will provide affiliates with a copy of the Service Access List at the monthly affiliate meeting.

Council of Community Members, 011

Revision Date: July 30, 2011

CDDO Policy 011

Purpose:

Cowley County CDDO Department will ensure consumers and/or their family/guardians, community service providers, and other interested individuals have a means to have input in the future direction of services and supports (Regulations 30-64-22 and 30-64-31).

Policy:

The Cowley County CDDO Department will form a Council of Community Members. The Council will make suggestions and recommendations in the development and maintenance of community services including the type and manner of services offered, the development and monitoring of a dispute resolution process, and ensuring the quality of service being provided.

Procedures:

- 1. The Cowley County Council of Community Members shall meet the following criteria:*
 - a. Consist of a selected number of individuals, a majority of whom shall be made up of representatives from each of the following two categories:*
 - i. Consumers; and*
 - ii. Family members or guardians of a consumer;*
 - b. Include representatives from the following:*
 - i. Cowley County CDDO Department;*
 - ii. Affiliates of Cowley County CDDO Department; and*
 - iii. Interested Individuals*
 - c. Not have served more than two consecutive three-year terms as a member of the council.*
- 2. Council member will have the right to express opinions and make suggestions and recommendations to the governing board of the CDDO concerning any service issues, including the following:*
 - a. The types of services being offered by the various providers within Cowley County; and*
 - b. The manner in which those services are being provided*

Council of Community Members, 011

3. *The Council will be responsible for:*
 - a. *The development and implementation of the dispute resolution procedures required by K.A.R. 30-64-32; and*
 - b. *Overseeing development, implementation, and progress reporting as to local capacity building plans, in accordance with guidelines provided by the division; and*
 - c. *Meeting at least quarterly and at other times as necessary to fulfill the council's responsibilities.*
4. *For purpose of initial organization of the Council, Cowley County CDDO Department will appoint each member to the Council. Thereafter, the selection of successor members of the Council shall be determined pursuant to the bylaws or procedures agreed to and adopted by the Council. Those bylaws or procedures shall stipulate a process whereby consumer, family members, and guardian members are chosen by an election by consumers, family members, and guardians following nomination by individuals residing in Cowley County.*
5. *In order for a quorum to exist at any meeting of the Council, at least 51 percent of those council members present and qualified to vote shall meet all provisions listed below:*
 - a. *Be a consumer, family member of a consumer, or legal guardian of a consumer; and*
 - b. *Not also be either of the following:*
 - i. *An employee or paid consultant to any provider or CDDO; or*
 - ii. *A member of the board of directors of any provider or CDDO.*

Dispute Resolution, 012

Revision Date: July 30, 2011

CDDO Policy 012

Purpose:

To establish clear procedures and timelines for resolving disputes within Cowley County CDDO Department's CDDO service area at the lowest possible level, in an orderly, timely, and respectful manner.

Policy:

Cowley County CDDO Department, CDDO, together with the Council of Community Members, provides for a local means of resolving any disputes that may arise between any of the following parties in the local service system: A person receiving services, the person's guardian (if one has been appointed), other individuals from the person's support network, a case manager of a person receiving services, affiliated community service providers, any entity that wishes to become an affiliated community service provider, Cowley County CDDO Department, and any other component of the community service system. (K.A.R. 30-64-31;30-64-32)

Cowley County CDDO Department upholds the right of persons receiving services to be treated with dignity and respect. Towards that end, Cowley County CDDO Department, requests that all parties in the local service system embody this value by treating all other parties in the local services system with dignity and respect.

Cowley County CDDO Department requires that all affiliating community service providers develop internal complaint/grievance procedures, and provide these procedures to each person who receives their services, and the person's guardian(s) if appointed.

Procedures:

1. *For disputes that do not involve Cowley County CDDO Department as a party:*
 - a. *Any party who contacts the office of Cowley County CDDO Department regarding a dispute with a second party is referred to the second party's internal complaint/grievance procedure, if this had not already been followed.*
 - b. *If the second party's internal complaint/grievance procedure has been followed and the dispute is still unresolved, the party may proceed by filing a written notice to the Executive Director of Cowley County CDDO Department regarding the dispute.*

Dispute Resolution, 012

- c. *Upon receipt of written notice of the dispute, the Executive Director of Cowley County CDDO Department offers the following options:*
 - i. *Hearing by the Council of Community Members: Within 20 calendar days following receipt of written notice of the dispute, Cowley County CDDO Department's Executive Director convenes the Council of Community Members to hear the dispute and make written recommendations for its resolution;*
 - ii. *Mediation: Within 40 calendar days following receipt of written notice of the dispute, Cowley County CDDO Department's Executive Director arranges for mediation to be completed by an independent party who has no decision making authority who is impartial to the issues being discussed:*
 - 1. *Fees: Mediation fees will be shared equally between the parties to the mediation if the parties are able to pay; no one will be denied mediation services solely because of an inability to pay.*
 - 2. *Declining Mediation: Any party to the dispute may decline to enter mediation if the party prefers to proceed directly to the next option.*
 - 3. *Withdrawing from Mediation: Any party to the dispute may withdraw from mediation if the party believes further efforts at mediation will not resolve dispute.*

- d. *If the dispute is still unresolved, either party may appeal to either of the following:*
 - i. *Cowley County CDDO Department's governing board or any other body that the board may designate. Within 20 days following receipt of written notice, the governing board or designated body conducts appropriate proceedings and issues a written decision. Failure to issue a written decision by the end of the 20-day period constitutes a decision in favor of the appellant. Each decision of the board is binding upon the parties, unless either party decides to appeal further to the commission; or*
 - ii. *The Director of SRS/DBHS/CSS. Written notice of appeal needs to be delivered to the Director of SRS/DBHS/CSS within 60 calendar days following the CDDO's initial receipt of written notice of the dispute. The Director of SRS/DBHS/CSS has the authority to review the dispute and determine appropriate steps to achieve resolution as well as to prevent recurrence. Appropriate steps may include requiring changes of policies, procedures, or practices of community service participants, or requiring corrective action or peer review process by community service participants, or other resolution guidelines*

- e. *A decision by the Director of SRS/DBHS/CSS may be appealed to the Office of Administrative Appeals within the Kansas Department of Administrations pursuant to Chapter 30, Article 7, Kansas Administrative Regulations.*

- f. *Nothing limits the right of any person to bring any action as may be permitted by law against a CDDO, and affiliated community services provider, or any other individual or entity.*

Dispute Resolution, 012

2. *For disputes involving Cowley County CDDO Department as a party:*
 - a. *Upon receipt of written notice of the dispute, the Executive Director of Cowley County CDDO Department offers options of a hearing by the Council of Community Member's Dispute Resolution Committee within 20 calendar days, or Mediation within 40 calendar days (same as c ii and ii above)*
 - b. *If the dispute is still not resolved, either party may appeal to Cowley County CDDO Department's, governing board or any other body that the governing board may designate, Within 20 days following receipt of written notice, the governing board or designee then conducts appropriate proceedings and issues a written decision. Failure to issue a written decision by the end of the 20 day period constitutes a decision in favor of the appellant. Each decision of the governing board/designee is binding upon the parties, unless either party decides to appeal further to the Director of SRS/DBHS/CSS.*
 - c. *If the dispute remains unresolved, either party may appeal to the Director of SRS/DBHS/CSS. Written notice of appeal needs to be delivered to the Director of SRS/DBHS/CSS within 10 calendar days following the appealing party's receipt of the governing board's decision. The Director of SRS/DBHS/CSS has the authority to review the dispute and determine appropriate steps to achieve resolution as well as to prevent recurrence. Appropriate steps may include requiring changes of policies, procedures, or practices of community service participants, or requiring corrective action or peer review process by community service participants, or other resolution guidelines.*
 - d. *A decision by the Director of SRS/DBHS/CSS may be appealed to the Office of Administrative Appeals within the Kansas Department of Administration pursuant to Chapter 30, Article 7 of Kansas Administrative Regulations.*
 - e. *Nothing limits the right of any person to bring any action as may be permitted by law against a CDDO, and affiliated community service provider, or any other individual or entity.*

Fiscal Management and Annual Budget Planning Report, 013

Revision Date: July 30, 2011

CDDO Policy 013

Purpose:

Cowley County CDDO Department will expend the funds received pursuant to its contract with the Secretary of SRS only in accordance with the terms of that contract and article 30-64-33.

Policy:

Cowley County CDDO Department will expend funds received pursuant to its contract with the Commission only in accordance with the terms of that contract. Independent yearly audits will ensure that Cowley County CDDO Department, and its affiliates, expend local, state, and federal monies to fund supports and services appropriately. Financial records will be made available in accordance with open records statutes. Annually Cowley County CDDO Department will confirm expected costs and numbers of persons receiving or requesting community supports and services.

Procedures:

- 1. Cowley County CDDO Department shall not use funds received through its contract with the Secretary to supplant funds previously received from local tax levies made pursuant to K.S.A. 19-4004 and amendments thereto.*
- 2. Cowley County CDDO Department shall not transfer funds received through its contract with the Secretary to any other entity, except as authorized by that contract, or as otherwise expressly authorized in advance , in writing, by SRS/DBHS/CSS.*
- 3. All funds received by Cowley County CDDO Department shall be subject to audit and review by SRS/ DBHS/CSS*