

SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS

MINUTES

July 18, 2019

The South Carolina Commission on Disabilities and Special Needs met on Thursday, July 18, 2019, at 10:00 a.m. at the Department of Disabilities and Special Needs Central Office, 3440 Harden Street Extension, Columbia, South Carolina.

The following were in attendance:

COMMISSION

Present:

Gary Lemel – Chairman

Vicki Thompson – Vice Chairman (Attended via Skype)

Lorri Unumb - Secretary

Robin Blackwood

DDSN Administrative Staff

Director Mary Poole; Mr. Pat Maley, Deputy Director; Mr. Rufus Britt, Associate State Director, Operations; Ms. Susan Beck, Associate State Director, Policy; Mr. Chris Clark, Chief Financial Officer; Ms. Tana Vanderbilt, General Counsel, Mr. Robb McBurney, Legislative Liaison; Ms. Sandra Delaney, Administrative Coordinator (For other Administrative Staff see Attachment 1 – Sign In Sheet).

Guests

(See Attachment 1 Sign-In Sheet)

Coastal Regional Center (via videoconference)

(No Attendance)

Pee Dee Regional Center (via videoconference)

(See Attachment 3 Sign-In Sheet)

Whitten Regional Center (via videoconference)

(No Attendance)

Notice of Meeting Statement

Chairman Lemel called the meeting to order and Commissioner Unumb read a statement of announcement about the meeting that was distributed to the appropriate media, interested persons, and posted at the Central Office and on the website in accordance with the Freedom of Information Act.

Adoption of the Agenda

On motion of Commissioner Unumb, seconded by Commissioner Blackwood, the Commission adopted the July 18, 2019 Meeting Agenda. (Attachment A)

Invocation

Commissioner Thompson gave the invocation.

Approval of the Commission Meeting Minutes

On motion of Commissioner Unumb, seconded by Commissioner Blackwood, the Commission approved the minutes of the June 20, 2019 Commission Meeting with a change.

Public Input

The following individuals spoke during Public Input: Patricia Harrison, Jerry Mize, and Jason Tavenner.

Commissioners' Update

Commissioner Blackwood shared information on the Fragile X Awareness Day Ceremony to be held at the State House on July 22, 2019. She also attended the Whitten Center Beach Blast held last month.

Chairman Lemel stated as many of you know we expected to have at least one interim appointment to join us on the Commission. We have been informed that that interim appointment will not be taking place by agreement between the legislature and the Governor's office, an agreement that doesn't really have anything to do with DDSN but has an impact on us until the legislature is back in session and an individual can go through the normal appointment process. Chairman Lemel added that the Commission is at four members which has an impact on all of us in terms of the amount of work that the Commission is going to have to do and encouraged the members to attend the meetings in order to have a quorum.

Committee Assignment

Chairman Lemel appointed the following Committee Chairs to organize the Committee meetings and added that all other Commission members will serve on all Committees until there are enough Commission members. At such time as any additional commissioners are appointed, we will be revisiting this and we will operate under this system until that time.

Finance and Audit Committee – Commissioner Blackwood, Chairman

Policy Committee – Commissioner Thompson, Chairman

Legislative Committee – Commissioner Unumb, Chairman

Policy Committee Update

Committee Chairman Thompson gave an update of the Policy Committee meeting that was held July 10, 2019. There were six standards to review but due to the timeframe, only three were reviewed. On behalf of the Policy Committee, Commissioner Thompson recommended that the Commission approve the following standards. (Attachment B)

Commissioner Blackwood moved to approve the Employment Services Individual Standards. Seconded by Commissioner Unumb, the motion passed.

The Employment Services Group Standards were approved with no opposition.

There was discussion on the Licensing Day Facilities Standards. Commissioner Thompson moved to approve the Licensing Day Facilities Standards as presented. Seconded by Commissioner Unumb, the motion passed.

In order for staff to provide guidance to the Policy Committee before the next committee meeting regarding the Residential Habilitation Standards, Commissioner Thompson made the following motion:

1. Reopen standards for public comment.
2. Create a work group to review the standards and obtain the work group's feedback.
3. Research other states' approach to setting the standards.

Seconded by Commissioner Unumb, the motion passed.

Commissioner Unumb requested that the research of the states include more than just Georgia, North Carolina, and Tennessee.

Case Management Update

Ms. Beck shared a PowerPoint presentation that provided information on Case Management. Discussion followed. At Commissioner Thompson's request, Mr. Maley will provide a detailed billing report. (Attachment C)

EI Update

Mr. Britt reported that per a conference call he participated in this morning with DHHS, as of today, DHHS will release answers to frequently

asked questions and will indicate in writing to providers of EI services to continue practices as they have until further notice. DHHS did recognize that maybe the comments regarding prep time were premature. They will also provide weekly bulletins providing more clarity on EI.

Follow-Up to Community Contacts

Mr. Clark stated he followed-up with the Commission with the answers to their questions at the June 20, 2019 meeting regarding community contracts; however, he wanted to share the responses in public. (Attachment D – Questions and Answers)

HCBS Settings Regulation Training

Ms. Shaffer, Executive Director of MaxAbilities of York County, demonstrated the HCBS Settings Regulation training that the Board provides.

Family Support/Respite Administrative Costs

Mr. Clark presented information on family support/respite administrative costs. Commissioner Unumb moved that the Commission approve the recommendation to change the current practice to allow administrative costs as an expense in the Family Support/Respite Program. Commissioner Blackwood seconded and the motion passed. (Attachment E)

Financial Update

Mr. Clark provided an overview of the agency's financial activity and the agency's current financial position. Commissioner Unumb motioned to accept the financial report as presented. Seconded by Commissioner Blackwood, the motion passed. (Attachment F)

Provider Contract Increases

Mr. Clark provided information on the 2020 Contract Amendments for CHESCO, Dorchester, and Laurens DSN Boards. Commissioner Blackwood moved to approve the amendments as presented. Seconded by Commissioner Unumb, the motion passed. (Attachment G)

State Director's Report

Director Poole reported on various topics. (Attachment H)

Executive Session

Commissioner Unumb moved to enter into Executive Session to discuss a contractual matter regarding Mentor. The motion was seconded by Commissioner Blackwood and passed.

Enter into Public Session

The Commission entered into Public Session. It was noted that no action was taken in the Executive Session.

Next Regular Meeting

August 15, 2019.

Submitted by,



Sandra Delaney

Approved:



Commissioner Lorri Unumb
Secretary

SC COMMISSION ON DISABILITIES AND SPECIAL NEEDS
Commission Meeting
 July 18, 2019

Guest Registration Sheet

(PLEASE PRINT)

	Name and Organization
1. michelle Shaffer	MaxAbilities
2. Patricia Harris	self
3. Deborah + Heidi McPherson	Richland County
4. Ryan Way	Clarendon County
5. Susan John	Henry Co. DSN
6. Jerry C. Mize	Oconee Co. DSN
7. KATHLEEN ROBERTS	SCPAD WATTEN CENTER PARENTS CLUB
8. LINDA LEE	SCPAD " " " "
9. Evelyn Turner	Dis Board Chas Co
10. Jason Tavenor	Laurens Co DSN Board
11. Sigrani Willis	Culm DSN B
12. Joga King	
13. Marge Williams	The Arc of SC
14. Shan Keith	SCDSMS
15. Ingrid Warren	BABCOCK Center
16. Lanni Cordeel	BuAr Center
17. Mike Keith	Marion-Dillon SC
18. Anslie Patrick	Autism Academy of SC
19. Dorothy Gooden	Communt Optic.
20. Ray Miller	PTD Council

SC COMMISSION ON DISABILITIES AND SPECIAL NEEDS
Commission Meeting
July 18, 2019

Guest Registration Sheet

(PLEASE PRINT)

Name and Organization

- 21. Linkey Duvell Community Options
- 22. Joyce Davis BIASC
- 23. ~~Bob Jones~~ Bob Jones Newberry PENB
- 24. Angela Rodriguez SCSCIA
- 25. ~~Karen Cauley~~ Karen Cauley Aiken Co BR. JTDC
- 27. Rick Moss Calhoun DSNB
- 28. Dean Ross Colleton BPS
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SC COMMISSION ON DISABILITIES AND SPECIAL NEEDS
Commission Meeting
July 18, 2019

Guest Registration Sheet

(PLEASE PRINT) Name and Organization

- 1. Amy Mclean Pee Dee Regional Centerz
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- 20. _____

SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS

A G E N D A

**South Carolina Department of Disabilities and Special Needs
3440 Harden Street Extension
Conference Room 251
Columbia, South Carolina**

July 18, 2019

10:00 A.M.

1. Call to Order *Chairman Gary Lemel*
2. Welcome - Notice of Meeting Statement *Commissioner Lorri Unumb*
3. Adoption of Agenda
4. Invocation *Commissioner Vicki Thompson*
5. Introduction of Guests
6. Approval of the Minutes of the June 20, 2019 Commission Meeting
7. Public Input
8. Commissioners' Update *Commissioners*
9. Committee Assignments *Chairman Gary Lemel*
10. Policy Committee Update *Committee Chairman Vicki Thompson*
11. Old Business:
 - A. Case Management Update *Ms. Susan Beck*
 - B. EI Update *Mr. Rufus Britt*
 - C. Follow-up to Community Contracts *Mr. Chris Clark*
12. New Business:
 - A. HCBS Settings Regulation Training *Ms. Michelle Shaffer
Executive Director, MaxAbilities*
 - B. Family Support/Respite Administrative Costs *Mr. Chris Clark*
 - C. Financial Update *Mr. Chris Clark*
 - D. Provider Contract Increases *Mr. Chris Clark*
13. State Director's Report *Director Mary Poole*
14. Executive Session *Chairman Gary Lemel*
15. Next Regular Meeting (August 15, 2019)
16. Adjournment

**South Carolina Department of Disabilities
And
Special Needs**

STANDARDS FOR LICENSING DAY FACILITIES

Effective July 1, 2009

Revised: Effective July 1, 2010

Revised: Effective July 1, 2011

Revised: Effective October 20, 2015

Revised: Effective October 1, 2017

Revised: Effective July 18, 2019

South Carolina Department of Disabilities and Special Needs STANDARDS FOR LICENSING DAY FACILITIES

South Carolina Code Ann. § 44-20-710 (Supp. 2014), authorizes DDSN to license day facilities for children and/or adults. The Code states:

“No day program in part or in full for the care, training, or treatment of a person with intellectual disability, a related disability, head injury, or spinal cord injury may deliver services unless a license first is obtained from the department. For the purpose of this article “in part” means a program operating for ten hours a week or more. Educational and training services offered under the sponsorship and direction of school districts and other state agencies are not required to be licensed under this article.”

DDSN is authorized to establish minimum standards of operation and license programs as Adult Activity Centers, Work Activity Centers, **Sheltered Workshops**, and Unclassified Programs which are defined as follows:

- Adult Activity Center: A goal oriented program of developmental, prevocational services designed to develop, maintain, increase or maximize an individual’s functioning in activities of daily living, physical growth, emotional stability, socialization, communication, and vocational skills. The minimum participant/staff ratio for an Adult Activity Center is 7:1;
- ~~Sheltered Workshop: A work program whose purpose is to assist participants to achieve their potential through the use of individual work goals, remunerative employment, supportive services in a controlled environment. The workshop will maintain a certificate with the United States Department of Labor, which designates it as a “regular work program.” The minimum participant/staff ratio for a Sheltered Workshop is 10:1.~~
- Work Activity Center: A workshop having an identifiable program designed to provide therapeutic activities for intellectually/developmentally disabled workers whose physical or mental impairment is so severe as to interfere with normal productive capacity. Work or production is not the main purpose of the program; however, the development of work skills is its main purpose. The program must have a certificate from the United States Department of Labor designating it as a Work Activity Program when applicable. The minimum participant/staff ratio for a Work Activity Center is 7:1.
- Unclassified Program: A program that provides a beneficial service and observes appropriate standards to safeguard the health and safety of individuals, staff and the public. The minimum participant/staff ratio is 10:1.

A license will only be issued to programs which are in compliance with the standards noted in this document. A license may be issued for new programs or those found to be out of compliance upon receipt of an acceptable plan of correction for eliminating deficiencies identified in the official licensing survey. The plan must show that the deficiency will be

corrected within a 30 day period. An extension may be granted for another 30 days when requested in writing and good cause shown. A license will be effective for up to a 12 month period, beginning with the date of issuance. DDSN will make a determination of which license to issue based on the services to be rendered through the facility. DDSN Directive 104-01-DD: DDSN Certification and Licensure of Residential and Day Facilities, explains the process for becoming licensed.

Definitions

Program: Adult Activity Center, ~~Sheltered Workshop~~, Work Activity Center, or Unclassified Program.

Service: Support Center, Day Activity, Career Preparation, Employment Services, or Community Service.

Participant: The individual with a disability who receives services through the program.

DRAFT

Standard		Guidance
1	Each program must be operated in accordance with applicable state and federal laws.	
2	<p>There will be at least the following minimum participant/staff ratio for each program:</p> <ul style="list-style-type: none"> • Adult Activity Center - 7:1; • Work Activity Center - 7:1; • Sheltered Workshop - 10:1; • Unclassified Program - 10:1. 	Note: This ratio is applicable to the entire program and staff who are not responsible for direct participant support may be included in this ratio.
3	A designated responsible staff member must be present and in charge at all times a participant is present. The staff member left in charge must know how to contact the director at all times.	
4	At no time shall any participant be without supervision unless a specified activity which allows for an adult participant's independent functioning is planned and documented.	Please refer to DDSN Directive 510-01-DD: Supervision of People Receiving Services.
5	A minimum participant/staff ratio of 10:1 must be maintained in each classroom, workshop, program area, etc. at all times.	When determining staffing patterns within a program and within a classroom, workshop, program area, etc., the supervision needs of each participant must be considered including their need for "independent functioning" as defined in Standard #4.
6	Each program shall have provisions for alternate coverage for staff members who are ill. Such policies shall require staff members with acute communicable disease, including respiratory infection, gastro-intestinal infection, and skin rash, to absent themselves	

	Standard	Guidance
	during the acute phase of illness.	
7	When licensed as an Adult Activity Center, participants will be at least 18 years of age.	
8	When licensed as an Unclassified Program, participants will be at least 12 years of age.	
9	When licensed as an Unclassified Program, participants under age 18 are served in a program area apart/separated from adult participants.	
10	Each facility shall provide a minimum of 50 square feet of program space per participant.	Per participant present in the facility.
11	<p>Each facility shall afford each participant adequate space for privacy including but not limited to:</p> <ul style="list-style-type: none"> a) Toileting facilities behind a lockable door; b) Personal care and /or treatment areas; c) Lockable storage for participant’s personal belongings. 	<p>Refer to:</p> <p>42 CFR§441.301(c)(4)(iii)</p>
12	For facilities initially licensed on or after July 1, 2019, the setting must be free from qualities that may be presumed institutional.	<p>Facilities that may have qualities that may be presumed to be institutional include:</p> <ul style="list-style-type: none"> • Facilities in a publically or privately-owned inpatient treatment facility; and • Facilities on the grounds of or adjacent to a public institution.

	Standard	Guidance
		<p>Refer to:</p> <p>42 CFR§441.301(c)(4)(i-v)</p>
13	<p>For facilities initially licensed on or after July 1, 2019, the setting must be free from characteristics that have the effect of discouraging integration of participants from the broader community.</p>	<p>Facilities that may have characteristics that have the effect of discouraging integration from the broader community include, but may not be limited to:</p> <ul style="list-style-type: none"> • Settings completely enclosed by walls or fences with locked gates; • An additional setting added to an existing cluster (i.e., 2 or more) of DDSN-licensed residential or day settings. <p>Refer to:</p> <p>42 CFR§441.301(c)(4)(i-v)</p>
14	<p>Programs must be:</p> <ol style="list-style-type: none"> a) Free from obvious hazards. b) Clean. c) Free of litter/rubbish. d) Free of offensive odors. e) Equipment in good working order. f) Accessible to participants and staff. 	<p>The focus is on identifying potential threats to the health, safety or welfare of program participants and barriers to participation. The threat should be realistic; citations should not be issued for superficial, cosmetic or aesthetic shortcomings.</p>
15	<p>Hot water temperature in the program area accessible to participants must never be more than 110 degrees Fahrenheit.</p>	
16	<p>The facility will meet the regulations of the appropriate standards for fire safety as set forth by the South Carolina Fire Marshal codes. Report of an approved fire safety inspection completed by a</p>	<p>See fire code requirements at: http://scfiremarshal.llronline.com/INSPECT/index.asp?file=main.htm</p> <p>Fire Safety Inspections, when required, must be made by a Fire Marshal employed by the State Fire Marshal's office.</p>

Standard	Guidance
<p>local Fire Marshal or the Office of State Fire Marshal's shall be maintained in the facility's records.</p> <p>There must be evidence of corrective action taken no later than 24 hours after the citation for any of the following:</p> <ol style="list-style-type: none"> 1. Failure to maintain working smoke alarms. 2. Failure to maintain clear path of egress. 3. Combustibles inappropriately stored. 4. Failure to ensure that windows and doors are fully operable by ambulatory residents without the use of special tools. 5. Security devices (double-keyed locks) affecting means of egress are in use. 6. Failure to maintain emergency lighting, when installed. <p>Failure to maintain documentation of fire drills in an accessible location for review.</p>	<p>Fees for this service initial and annual fire inspections are pre-paid by DDSN, but inspections must be requested. Inspection requests are completed using the following link: https://firemarshal.llronline.com/Fire/appLogin.asp</p> <p>Requests should only be made via the Internet following these steps: Step 1: Go to www.sefiremarshal.llronline.com; Step 2: Select "Publications and Forms;" Step 3: Select "Inspection Request;" Step 4: Enter the password "america;" Step 5: Select "Request for Inspection: All Other;" Step 6: Fill in all sections of the request; Step 7: Submit the request. Requests must be made at least 90 days in advance.</p> <p>Providers must request the inspection with sufficient notice to schedule the annual inspection prior to the prior expiration date. If requests are submitted by the 15th of the month, the inspection will take place by the end of the following month.</p> <p>State Fire Marshal Inspection report is maintained by the provider. A copy of the most recent inspection report must be present on-site and available for review by DDSN and/or its licensing contractor.</p> <p><u>Sites that have fire sprinkler systems must be inspected in accordance with NVPA25 standards and DHEC requirements.</u></p> <p><u>To maintain certification: monthly, quarterly, semi-annual, annual and five (5) year inspections must be completed. All the inspections can be handled by day staff or maintenance staff, EXCEPT for the five (5) year inspection which must be performed by a certified sprinkler contractor. Documentation of all inspections must be maintained by the provider.</u></p>
<p>17 The provider shall formulate and post in each room and work area, in a place clearly visible, a diagrammatic plan for evacuation of the building in case of disaster.</p>	
<p>18 All employees shall be instructed and kept informed regarding their duties under the plan.</p>	

Standard		Guidance
19	The center shall hold fire/disaster* drills at least once each quarter. Each drill conducted shall be recorded as to time, date of drill, number of those participating, and the total time required for evacuation. The record shall be signed by the individual conducting the drill.	*Fire drills will be held quarterly. Disaster drills will be held annually. A copy of documentation from the prior 12 months must be present on-site and available for review by DDSN and/or its licensing contractor.
20	Passageways shall be free of obstructions at all times.	<u>Immediate corrective action required when the obstruction prevents egress.</u>
21	All staff shall be instructed in the proper use of fire extinguishers as documented in reports.	
22	The use of electrical extension cords is prohibited.	<u>Immediate corrective action required when cited.</u>
23	Programs serving individuals who are deaf will develop a fire alarm system to assure the individuals are alerted to the danger of fire.	
24	A safety check on electrical systems shall be made by a licensed/certified electrician/contractor and a written report kept on file at the facility at all times. A new inspection shall be made after any expansion, <u>repair</u> , renovation, or the addition of any major electrical appliances or equipment.	Sites that have emergency generators must perform complete and thorough inspections of them. Routine service by a qualified contractor is encouraged to ensure that generators are maintained in good operating condition. Service contracts generally include semi-annual and/or annual inspections. Providers must perform monthly checks of the generators. Documentation of all checks must be maintained by the provider. See DDSN Directive 300-03-DD: Annual Certification of Electrical, Mechanical, Fire Alarm and Sprinkler Systems for Renewal of Licensure, for sample forms which may be used to conduct monthly inspections. A copy of the most recent inspection must be present on-site and available for review by DDSN and/or its licensing contractor.
25	All staff shall be knowledgeable of utility cut-offs throughout the facility.	

	Standard	Guidance
26	<p>The heating system shall be approved annually by a licensed/certified HVAC contractor and the report maintained on file at the facility. Floor furnaces shall have adequate protective coverings or guards to insure that individuals coming into contact with them shall not be burned. If space heaters are used, they shall be vented properly and screens or other protective devices shall be provided to prevent individuals from coming into contact with heaters.</p>	
27	<p>All cleaning equipment supplies, insecticides, etc., shall be in a locked cabinet or located in an area not accessible to unauthorized individuals.</p>	
28	<p>Furniture, equipment, and training materials shall be appropriate to the ages of the individuals in the program; shall be sturdily constructed without sharp edges; shall not be covered with toxic paint; and shall present minimal hazards to individuals.</p>	
29	<p>Stationary outdoor equipment shall be firmly anchored.</p>	
30	<p>When providing Support Center Services, the area in which services are provided must have comfortable accommodations and materials for activities that are appropriate for the individuals who receive the service.</p>	

Standard		Guidance
31	The use of tools and equipment shall be supervised by staff.	Supervision will be provided in accordance with the individual's assessed need. As appropriate, independent use of equipment will be allowed.
32	In the presence of unusual hazards arising from certain work operations, appropriate safety precautions shall be taken to insure the protection of those present.	
33	Equipment and Materials for Learning, Recreational Experiences--Indoor and outdoor equipment and materials shall be provided in sufficient quantity and variety to meet the developmental need of the participants. The equipment will be age appropriate for the participants who use it.	
34	If the facility operates a transportation system, vehicles used for the transportation of participants shall ensure safety for the passengers.	This standard relates to passenger safety generally and should capture any factors that do not fall specifically under any of the related standards (32 – 36). For example, a vehicle accident where the staff driving was at fault, and for which the cause of the accident cannot be attributed to non-compliance with any of standards 32 – 36, would result in this standard being not met.
35	Vehicles shall be inspected daily, using a checklist. The driver shall sign a report which indicates that he/she has checked the lights, brakes, horn, wipers and tires.	
36	Maintenance of vehicles shall be recorded, updated, and signed every month.	
37	Each passenger shall have adequate seating space and shall use a seat belt or restraint system approved by the Highway Traffic Safety	

	Standard	Guidance
	Administration Standards which is appropriate for his/her age while being transported.	
38	<p>Each vehicle will have:</p> <ul style="list-style-type: none"> • First aid kit which is replenished after each use and checked monthly for completeness; • Fire extinguisher which is in good working order and securely fastened in a manner which is easily accessible to the driver. 	
39	<p>Vehicle operators and all staff who transport individuals will be licensed drivers who are capable of handling road emergencies and hazards and will have a current defensive driving course certificate within one (1) month of employment which is on file with the provider. If there was no course offered within the first month, this must be verified and the staff must take and pass the first course offered, not to exceed 90 days from hire date.</p> <p>Vehicle operators and all staff who transport individuals shall be licensed drivers and shall complete and have a current defensive driving course certificate prior to transporting individuals, which is on file with the provider.</p>	<p>This standard is applicable to all staff who appear as drivers on vehicle logs. Staff who do not operate vehicles are not subject to these requirements.</p>
40	Medication to be administered shall be stored in a locked cabinet not accessible to unauthorized individuals.	

Standard		Guidance
41	Prescribed medication shall be kept in the original containers bearing the pharmacy label which shows drug name, the prescription number, date filled, physician's name, directions for use, and the patient's name.	
42	Written authorization to administer any medication must be given.	<p>If the participant is over age 18 and has not been adjudicated incompetent, he/she is considered his/her own guardian and therefore may authorize the administration of his/her medications. If a non-adjudicated adult is unable to authorize, authorization may be given by a parent/representative or surrogate. For those under age 18 or those adults who have been adjudicated incompetent, authorization must be given by parents or guardian.</p> <p>For ICF/IID residents, medications must be given in accordance with applicable ICF/IID regulations and standards.</p>
43	Medications must be safely and accurately given.	<p>Medications given to ICF/IID residents must be given in accordance with applicable ICF/IID Standards.</p> <p>Medication has not expired.</p> <p>There are no contraindications (i.e., no allergy for the drug).</p> <p>Administered at the proper time, prescribed dosage, and correct route.</p> <p>If a provider has documented all medication errors, and no errors resulted in the need for additional medical treatment as a result of the error, the appropriate remediation for the error was documented, AND the monthly medication error rate for that location does not exceed .035 for the prior three (3) months, then the provider should not be cited for this indicator. If the monthly error rate is more than .035 for the prior three months (3), even with the documentation of remediation, then the provider will be cited.</p> <p>Medication Records, Medication Error Reports, and the monthly error rate calculations for the location must be available at the inspection site for the three (3) months prior to the review date. If the error rate has not yet been calculated for the month immediately preceding the review, the reviewer may go back four (4) months.</p>

	Standard	Guidance
		<p>Providers may use .035 or 3.5% as the threshold, but must calculate the monthly error rate using the formula defined in DDSN Directive 100-29-DD: Medication Error/Event Reporting. Error rates for the current month must be documented and available by the last day of the following month.</p> <p>See DDSN Directive 603-13-DD: Medication Technician Certification.</p>
44	<p>Employees supervising the taking of medication will document that medication was taken by the participant as authorized by parents or guardian.</p>	<p>For participants not independent in taking their own medication/treatments, a medication/treatment log must be maintained to denote:</p> <ul style="list-style-type: none"> a) The name of medication or type of treatment given. b) The current physician's order (and purpose) for the medication and/or treatment or authorization from the responsible party. c) The name of individual giving the medication. d) Time given. e) Dosage given. <p>The medication log must be reviewed at a minimum, monthly. If the reviews indicate error, actions must be taken to alleviate future errors. Entries must be made at the time the medication/treatment was given.</p> <p>Medication includes over-the-counter medications.</p>
45	<p>Outdated medications and discontinued medications are disposed of per provider policy.</p>	
46	<p>A first aid kit shall be maintained at each program site.</p>	<p>First Aid Kit is a collection of supplies which includes: mild hand soap or hand sanitizer liquid; cotton tipped applicators; gauze bandages, one (1) and two (2) inch widths; sterile gauze, three (3) inch by three (3) inch; band-aids; adhesive tape; scissors; disinfectant; and thermometer.</p>
47	<p>Each program will have a current activity schedule posted.</p>	<p>The schedule should reflect the hours the facility is open. If supervised services (e.g., second shift enclave) are offered, the</p>

Standard	Guidance
<p>The schedule will reflect the hours the facility is open and the hours the program offers supervised services.</p> <p>The schedule must reflect the scheduled activities of the day.</p>	<p>schedule may reflect those times specifically, or may reflect that supervised services may be available as needed. A specific schedule for activities is not required, but instead the activity choices available should be listed.</p>

DRAFT

South Carolina Department of Disabilities and Special Needs
Standards for Licensing Day Facilities
Attachment 1

Please refer to DDSN's Web site www.ddsn.sc.gov to view any of the below directives.

- 100-04 DD — Use of Adaptive Behavior Scales
- 100-09 DD — Critical Incident Reporting
- 100-12 DD — AIDS Policy
- 100-17 DD — Family Involvement
- 100-25 DD — Disaster Preparedness Plan for DDSN and Other DDSN Providers of Services to Persons with Disabilities and Special Needs
- 100-26 DD — Risk Management Program
- 100-28 DD — Quality Management
- 100-29 DD — Medication Error/ Event Reporting
- 101-02 DD — Preventing and Responding to Suicidal Behavior
- 104-01 DD — Certification and Licensure of Residential and Day Facilities and New Requirements for DHEC Licensed CRCF's
- 167-01 DD — Appeal Procedure For Licensed Programs Serving Persons with Intellectual Disability
- 167-06 DD — Confidentiality of Personal Information
- 250-08 DD — Procurement Requirements for Local DSN Boards and Contracted Service Providers
- 368-01 DD — Individual Service Delivery Records Management
- 503-01 DD — Individuals Involved with Criminal Justice System
- 505-02 DD — Death or Impending Death of Persons Receiving Services from DDSN
- 510-01 DD — Supervision of People Receiving Services
- 534-02 DD — Procedures for Preventing and Reporting Abuse, Neglect, or Exploitation of People Receiving Services from DDSN or a Contract Provider Agency
- 535-07 DD — Obtaining Consent for Minors and Adults
- 535-08 DD — Concerns of People Receiving Services: Reporting and Resolution
- 535-10 DD — National Voter Registration Act (Motor Voter)
- 535-11 DD — Appeal and Reconsideration Policy and Procedures
- 535-12 DD — Advance Directives
- 536-01 DD — Social Sexual Development
- 567-01 DD — Employee Orientation, Pre-service and Annual Training Requirements
- 600-05 DD — Behavior Support, Psychotropic Medications, and Prohibited Practices
- 603-01 DD — Tardive Dyskinesia Monitoring
- 603-06 DD — Guidelines for Screening for Tuberculosis
- 603-13 DD — Medication Technician Certification
- 604-04 DD — Standard First Aid with Cardiopulmonary Resuscitation (CPR)
- 700-02 DD — Compliance with Title VI of the Civil Rights Act of 1964, American's with Disabilities Act of 1990, Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1975 and Establishment of a Complaint Process



Employment Services Standards Group

Effective: July 18, 2019

EMPLOYMENT SERVICES - GROUP

The mission of the South Carolina Department of Disabilities and Special Needs (DDSN) is to assist people with disabilities and their families through choice in meeting needs, pursuing possibilities and achieving life goals and minimize the occurrence and reduce the severity of disabilities through prevention. Consistent with the agency's mission, the intent of DDSN Employment Services - Group is to provide individuals with an Intellectual Disability or a Related Disability (ID/RD), Autism Spectrum Disorder (ASD), Traumatic Brain Injury (TBI), Spinal Cord Injury (SCI), and Similar Disability (SD) the supports needed in order for them to meet their needs, pursue possibilities and achieve their individual life and employment goals.

DEFINITIONS:

As defined by South Carolina's Intellectual Disabilities/Related Disabilities (ID/RD) Waiver and Community Supports (CS) Waiver, Employment Services - Group consist of intensive, on-going supports that enable individuals for whom competitive employment at or above minimum wage is unlikely absent the provision of supports and who, because of their disabilities, need supports to perform in a regular work setting. Employment services are conducted in a variety of settings, particularly work sites where persons without disabilities are employed and include activities such as supervision and training needed to sustain paid work at or above minimum wage. Employment Services - Group are provided in group settings, such as mobile work crews or enclaves.

Transportation will be provided from the participant's residence to the habilitation site when the service start time is before 12:00 Noon. Transportation will be available from the participant's habilitation site to their residence when the service start time is after 12:00 Noon.

As defined by South Carolina's Head and Spinal Cord Injury (HASCI) Waiver, Employment Services are provided in regular competitive employment settings such as factories, offices, stores, restaurants, etc., where people without disabilities are employed. Employment Services provides an intensive or ongoing supports so a HASCI waiver participant for whom competitive employment at or above the minimum wage, is unlikely can perform in a paid work setting. It may include assisting the participant to locate a job or to have a job developed specifically for him or her. The service may be provided in a variety of work settings, particularly sites where persons without disabilities are employed; such as an enclave or a mobile crew, or an individual job placement in the community.

As defined by DDSN Directive 700-07 DD: Employment First:

Employment means working for at least minimum wage in an integrated setting – can be individual (paid directly by the employer), group (paid by a provider from revenues earned via contract with business/government entities) or self-employment (including sole proprietorships and partnerships).

Integrated Setting means a typical workplace where the majority of individuals employed do not have disabilities and where the employee with a disability has opportunities to interact with coworkers, vendors, sub-contractors, customers and/or the public.

MODELS:

- Enclave: A small group of people (usually eight (8) or less) who work under the supervision of an employee of the provider agency, in a community business/industry that is not operated by a provider agency, and alongside non-disabled employees to produce goods or services controlled by the community business/industry (i.e., janitorial services at a specific business/industry etc.). The contractual relationship is typically between the business/industry and the provider agency, whereby the provider agency then pays the employee. It is acceptable for the business/industry to pay the individual directly if this best fits their business model; however, the provider agency continues to provide supervision and training for the employee. Enclaves must originate from a facility licensed by the state.
- Mobile Work Crew: A small group of people (usually eight (8) or less) who work under the supervision of an employee of the provider agency as a self-contained business who typically move to different work sites by selling a service (i.e., landscaping, janitorial) to purchasers within the community, excluding provider agencies. The contractual relationship is typically between the business/industry and the provider agency, whereby the provider agency then pays the employee. It is acceptable for the business/industry to pay the individual directly if this best fits their business model; however, the provider agency continues to provide supervision and training for the employee. Mobile Work Crews must originate from a facility licensed by the state.

ANTICIPATED OUTCOMES:

Employment Services - Group provides skills and support for people who desire to work, but for whom competitive employment is currently not achievable. All people, regardless of their disabilities, should have the opportunity and support to achieve work. Employment Services - Group is an avenue whereby people with disabilities can engage in meaningful work, sustain a wage paid at or above minimum wage and contribute to society regardless of their support needs. Employment Services - Group focuses on a person's abilities and provides the supports the person needs to be successful.

It is expected that DDSN Employment Services - Group be provided in a manner that promotes:

- Dignity and respect.
- Health, safety and well-being.
- Individual and family participation, choice control and responsibility.
- Relationships with family and friends and community connections.
- Personal growth and accomplishments.
- Independence and integration.

It is also expected that Employment Services - Group reflect the principles of DDSN and therefore services should:

- Be person centered.
- Be responsive, efficient, and accountable.
- Be individually focused and strengths-based.
- Maximize potential based on an individual's interests, preferences and choices.
- Be based on best and promising practices.

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Standard		Guidance
1	Employment Services - Group will be provided in accordance with all state and federal laws.	
2	When Employment Services - Group are provided, the services must originate from a facility licensed by DDSN as a Day Facility.	Please refer to DDSN Standards for Licensing Day Facilities
3	Employment Services - Group will be provided in accordance with applicable DDSN Directives, procedures and guidance.	
4	Employment Services - Group will only be provided by DDSN qualified Employment Services providers.	
5	<p>The Employment Services provider must designate a Program Director who:</p> <ul style="list-style-type: none"> • Is at least 21 years of age. • Has at least a baccalaureate degree from an accredited college or university in the human services or related field and two (2) years of experience in administration or supervision in the human services field or has a master's degree from an accredited college or university in the human services or related field and one (1) year of experience in administration or supervision in the human services field. • Has references from past employment. 	A Program Director may serve more than one program.
6	<p>Employment Services - Group will be provided by staff who:</p> <ul style="list-style-type: none"> • Are at least 18 years of age. • Have a valid high school diploma or its certified equivalent. • Have references from past employment if the person has a work history. 	<p>Competency in the following areas may be considered the equivalent to a high school diploma. Staff must be able to:</p> <ol style="list-style-type: none"> a. Read and comprehend written instructions which may include health care information; b. Write and type information sufficient to communicate facts clearly and complete required documentation;

	Standard	Guidance
	<ul style="list-style-type: none"> • Are capable of aiding in the activities of daily living and implementing the Group: Individualized Plan of Supports for Employment (GIPSE) of each person for whom they are responsible. • Have a valid driver's license if duties require transportation of individuals. 	<p>c. Communicate verbal or written information effectively to others.</p> <p>Documentation demonstrating competencies in items a – c must be maintained in the staff's file.</p>
7	Staff must meet requirements for criminal background checks.	<p>Checks must be done in accordance with DDSN Directive 406-04-DD Criminal Record Checks and Reference Checks of Direct Caregivers: https://ddsn.sc.gov/sites/default/files/Documents/Quality%20Management/Current%20Directives/406-04-DD%20-%20Revised%20%28011817%29.pdf</p>
8	Staff must pass an initial physical exam prior to working in the program.	Pass = No documentation in the physical exam report of conditions present that would jeopardize health and safety of individuals receiving services or staff's ability to perform required duties.
9	Staff must pass initial tuberculosis screening prior to working in the program and annually thereafter.	<p>Pass = no evidence of communicable disease. TB tests must meet requirements of DDSN Directive 603-06-DD Guidelines for Screening for Tuberculosis which can be found: https://ddsn.sc.gov/sites/default/files/Documents/Quality%20Management/Current%20Directives/603-06-DD%20-%20Revised%20%28102014%29.pdf</p>
10	Staff must be trained and be deemed competent in accordance with DDSN Directives.	
11	There will be a staff development/in-service education program operated by each Employment Services provider which requires all staff to participate in in-service education programs and staff development opportunities in accordance with DDSN Directives.	<p>Staff must periodically be required to demonstrate continuing competency on the most critical information and skills taught in the curriculum. Providers have wide latitude in designing the format of such rechecks.</p> <p>Encouraging staff commitment to continuing personal and professional development will expand the capacity to provide quality service and supports. Staff should routinely be exposed to information regarding training resources and opportunities. Supervisors should be working with staff to identify annual personal and professional goals.</p>

	Standard	Guidance
12	<p>Each Employment Services provider will have written policies on:</p> <ul style="list-style-type: none"> • Use of volunteers and substitutes; • Program evaluation; • Administration of medication; • Admission and discharge of participants; • Personnel practices; • Procedures to be followed when a participant is discovered to be missing; • Termination of participants from the program which include: <ul style="list-style-type: none"> ○ A list of reasons for dismissal; ○ Methods of averting the termination; ○ When consultation and concurrence with the Department prior to termination will be sought; • Keeping and managing a waiting list for those who are seeking entry into each service provided in the program that includes the frequency with which the list will be reviewed. 	
13	<p>Individuals receiving Employment Services - Group are free from abuse, neglect and exploitation.</p>	<p>DDSN Directive 534-02 DD Procedures for Preventing and Reporting Abuse, Neglect, or Exploitation of People Receiving Services from DDSN or a Contracted Provider Agency: https://ddsn.sc.gov/sites/default/files/Documents/Quality%20Management/Current%20Directives/534-02-DD%20-%20Revised%20%28012615%29.pdf</p>
14	<p>Individuals receiving Employment Services - Group are:</p> <ul style="list-style-type: none"> • Informed of their rights; • Supported to learn about their rights; • Supported to exercise their rights. 	<p>Rights include: Human rights, Constitutional rights and Civil rights:</p> <ul style="list-style-type: none"> • Each individual's right to privacy, dignity and confidentiality in all aspects of life is recognized, respected and promoted.

	Standard	Guidance
		<ul style="list-style-type: none"> • Personal freedoms are not restricted without due process. • Individuals are expected to manage their own funds to the extent of their capability. • Due process is upheld, including the Human Rights Committee review of restriction of personal freedoms. • Individuals with limited knowledge and experience receive training and opportunities to explore their individual rights and the responsibilities that accompany them.
15	<p>Employment Services - Group will only be provided to those who are authorized by a DDSN qualified Case Manager.</p> <p>Services in excess of the amount (units) authorized are <u>not</u> reimbursable.</p>	<p>Case Management will provide the chosen Employment Services provider with a referral/authorization that, at a minimum, includes the following information:</p> <ul style="list-style-type: none"> • Individual's information: name, address, DOB, referral date, SS#, Medicaid # (when applicable), emergency contact information, and name of referring Case Manager; • Type of service authorized, number of authorized units, effective date of the authorization and the expiration date of the authorization; • Additional information: Critical and emergency information, health/medical information, and care and supervision information.
16	<p>Psychological evaluations are required. Adults shall be tested using a restrictive test of intelligence administered by a licensed or certified psychologist on program entry, re-entry or at age 22 whichever occurs first, unless there is a valid psychological evaluation completed within three (3) years of admission on record.</p>	<p>For adults, at the time of program entry, a psychological evaluation that was completed at age 22 or is less than three (3) years old must be available for new program participants. In lieu of a psychological evaluation, a current (i.e., within one (1) year of program entry) ICF/IID Level of Care (LOC) Determination that indicates the LOC criteria were met may be used. For example, if a 35 year old participant were entering the program on March 25, 2008, one of the following could be accepted:</p> <ul style="list-style-type: none"> • A psychological evaluation completed when

Standard		Guidance
		<p>he/she was 22 (1995) [on program entry, re-entry or at age 22 whichever occurs <u>first</u>];</p> <ul style="list-style-type: none"> • One completed within the last three (3) years (2005-2008) [unless there is a valid psychological evaluation completed within three (3) years]; • Or a current LOC Determination that is based on a psychological evaluation completed from 1995 until 2005.
17	Individuals receiving Employment Services - Group are supported to make decisions and exercise choice regarding their work.	Decisions and choices made by the individual related to employment must be documented in the Comprehensive Vocational Service Assessment, Group: Individual Plan of Supports for Employment (GIPSE) and/or ISP/SC Group Employment Log.
18	<p>Within 15 business days of receipt of a referral/authorization, the Employment Services provider will make available to the referring Case Manager:</p> <ul style="list-style-type: none"> • Confirmation of acceptance into the service with start date; • Information that the individual will be placed on the provider's waiting list; or • Information that the referral is being rejected with reason for rejection. 	<p>If the referral is rejected, an explanation must be documented and be available to the Case Manager.</p> <p>Determining an individual is not "ready" for employment should not be a reason for rejection of the referral. All individuals referred should be given the opportunity to try employment.</p>
19	After acceptance into service, but prior to providing Employment Services - Group, a preliminary plan must be developed that outlines the care, supervision and skills training/interventions to be provided.	<p>The preliminary plan must include essential information to ensure appropriate services and supports are in place to assure health, safety, supervision and rights protection.</p> <p>It is suggested that Employment Services providers secure information regarding legal guardianship and criminal history if applicable.</p>
20	On the first day of attendance in Employment Services - Group, the preliminary plan must be implemented.	Preliminary plan is to be implemented on the first day of attendance in Employment Services - Group. When assessments are completed and training needs/priorities have been identified, the plan will be completed and will replace the preliminary plan.
21	Within 30 calendar days of the service start date and annually (every 365 days) thereafter, the Comprehensive Vocational	At a minimum, assessments must be completed every 365 days.

	Standard	Guidance
	<p>Service Assessment will be completed that identifies the abilities/strengths, interests/preferences and needs of the person in the following areas:</p> <ul style="list-style-type: none"> • Self-Advocacy/Self Determination; • Self-Esteem; • Coping Skills; • Personal Responsibility; • Personal Health and Hygiene; • Socialization; • Community Participation; • Mobility and Transportation; • Community Safety; • Money Management; • Pre-Employment; • Job Search; • Communication; • Skills; • Supports 	<p>The annual assessment must reflect that the Employment Services - Group being provided maximizes the abilities/strengths, interests/preferences and identifies needs/supports of the individual.</p>
22	<p>Based on the results of the Comprehensive Vocational Service Assessment, within 30 calendar days of the service start date and annually (every 365 days) thereafter, a Group: Individualized Plan of Supports for Employment (GIPSE) is developed by the Program Director or his/her designee with participation from the individual and/or his/her personal representative or legal guardian (if applicable).</p>	<p>The ISP/SC Group Employment Log is designed to provide an ongoing account of activities, demonstrating progression toward the individual's Employment Goal(s).</p> <p>Centers for Medicare/Medicaid Services (CMS) Home and Community Based Services Final Rule:</p> <p>A person-centered service plan will assist the individual in achieving personally defined outcomes in the most integrated community setting, ensure</p>

	Standard	Guidance
		<p>delivery of services in a manner that reflects personal preferences and choices and contribute to the assurance of health and welfare.</p> <p>https://www.medicaid.gov/medicaid/hcbs/downloads/1915c-fact-sheet.pdf</p>
23	<p>The plan must include:</p> <ul style="list-style-type: none"> • The Employment Goal(s) specific to the individual, based on their interests, preferences, strengths, and experience, with the eventual outcome of sustained independent competitive integrated employment; • A description of objectives/activities identified to support the employment outcome; • Type and frequency of supervision needed based on assessment; • Emergency contact information; • Relevant medical information; • Any information necessary to support the person in an employment setting. 	<p>Objectives/activities must focus on the individual’s abilities/strengths, interests/preferences, and needs/supports with the eventual outcome of independent competitive integrated employment. Specific strategies include the use of job duty, task analyses, natural supports, natural cues, compensatory strategies, prompting procedures, and reinforcement and self-management procedures. These objectives/activities are provided in a least intrusive method of support.</p> <p>DDSN Directive 510-01 DD: Supervision of People Receiving Services: Services provided shall include the provision of any interventions and supervision needed by the individual which include dining/eating.</p> <p>The supervision to be provided must be based on assessed needs.</p> <p>Supervision must encompass any time outside of the actual unit time when the individual is present and supervision is needed.</p> <p>https://ddsn.sc.gov/sites/default/files/Documents/Quality%20Management/Current%20Directives/510-01-DD%20-%20Revised%20%28083117%29.pdf.</p> <p>All critical and emergency information for this individual must be documented in the plan.</p> <p>Medications taken by the individual must be listed and any assistance of medicating must be documented (self-medicate or assisted medicate). All known relevant medication information must be documented. All specific instructions concerning individual reactions, side effects or restrictions to medicine must be documented.</p>

Standard		Guidance
24	The objectives/activities in the plan must support the provision of Employment Services - Group as defined in these standards.	
25	As soon as the plan is developed, it must be implemented.	
26	<p>For each group employment work site at which the individual begins working, details regarding this job must be documented to include:</p> <ul style="list-style-type: none"> • Start date; • Work site; • Paid by; • Location (address); • Wage; • Hours per week (schedule); • Transportation arrangements; • Wage reporting responsibility; • When the job ends, the end date and reason. 	<p>A Record of Employment must be completed for <u>each position secured</u>. For each additional position, a new Record of Employment must be completed.</p>
27	<p>Upon work site placement, if the individual receives Social Security benefits or other government assistance, a plan for reporting wages to the appropriate agency(s) must be documented to ensure the best interests of the individual are served.</p>	<p>Documentation must be completed on the Record of Employment in the GIPSE.</p> <p>Examples of assistance provided in the management of monies may include:</p> <ul style="list-style-type: none"> • Ensuring wages are reported to SSA (if necessary); • Annual income taxes; and/or • Other earned income related responsibilities.

	Standard	Guidance
28	<p>Documentation of objectives/activities must support the implementation of the plan for each unit of service reported.</p> <p>Documentation must include:</p> <ul style="list-style-type: none"> • The date of the activity; • Time in/time out for each activity (exact times); and • A detailed description of the activity. 	<p>A written description of the service identifying the objectives/activities and the training and supports that were provided, the date these were provided and signature of the staff who provided the service must be documented in the ISP/SC Group Employment Log.</p> <p>For each unit of service reported, documentation must be present to show the service was provided on the day the service was reported.</p>
29	<p>Documentation must be:</p> <ul style="list-style-type: none"> • True and accurate; • Complete; • Logically sequenced; • Typed or handwritten in permanent dark ink; and • Dated and signed by the person making the entry. 	<p>Electronic entries, initials and/or signatures on the ISP/SC Group Employment Log are sufficient.</p>
30	<p>At least monthly, the plan is monitored by the Program Director or his/her designee to determine its effectiveness.</p>	<p>The Program Director or his/her designee will monitor the plan monthly by review of the ISP/SC Group Employment Log. An entry documenting this review can be noted on the log.</p> <p>Electronic entries, initials and/or signatures on the ISP/SC Group Employment Log are sufficient.</p>
31	<p>The Program Director or his/her designee must ensure that all billable units of Employment Services – Group are entered into the Day Supports Attendance Log (DSAL) by the fifth business day of the following month.</p>	<p>The Day Supports Attendance Log (DSAL) is located on the DDSN Application Portal.</p> <p>Failure to enter units of service delivered into DSAL within by the established deadline may result in nonpayment.</p> <p>While any staff member may enter information into DSAL, the Program Director or his/her designee must indicate on the documentation provided that they reviewed the information.</p>
32	<p>The plan is amended when changes to the plan are necessary with participation from</p>	<p>Changes may include, but are not limited to: goals/objectives/activities are no longer appropriate,</p>

	Standard	Guidance
	the individual and/or his/her personal representative or legal guardian (if applicable) .	goals/objectives/activities no longer support progress, and/or the individual's employment goal or life situation has changed. Amendments are documented on the ISP/SC Group Employment Log with notation of the individual's and/or his/her personal representative or legal guardian's participation and agreement (if applicable) .
33	<p>If termination of Employment Services – Group is being considered, an exit interview is conducted to discuss termination.</p> <p>The results of the exit interview are documented and must be available to the individual's Case Manager within five (5) business days of the interview.</p>	<p>An exit interview is conducted when an individual no longer wants the service, relocates, chooses another Employment Services provider for supports, is admitted to a nursing home, moves into a correctional facility, or refuses to cooperate with the terms listed in the Partnership Agreement - Terms and Conditions. An exit interview must be conducted prior to termination of Employment Services – Group which includes notation of the reason for termination and includes the individual's signature. If an exit interview and/or signature is not possible, notation on the exit interview form must be made explaining the need to terminate service and the reason an interview/signature is not possible.</p>
34	<p>A record shall be maintained for each individual which contains, at a minimum, the items listed below. All documents and entries shall be legible, dated, and signed by the person making the entry. If symbols are used, explanatory legends must be provided.</p> <ul style="list-style-type: none"> • Report of a medical examination which was performed not more than 12 months prior to admission; • Report of psychological evaluation(s) as required by these standards; • Comprehensive Vocational Service Assessment; • Group: Individualized Plan of Supports for Employment (GIPSE); • Record of Employment; 	<p>Record of illnesses and accidents will be maintained for those accidents that occur during service provision and for illnesses made known to the Employment Services provider.</p>

	Standard	Guidance
	<ul style="list-style-type: none"> • ISP/SC Group Employment Log that supports the provision of Employment Services - Group; • Record of unusual behavior incidents which are recorded at the time of occurrence; • Record of illness and accidents; • Authorization for emergency medical service and medication administration; • Record of critical incidents. 	
35	Any evidence of illness or injury shall be documented in the participant's record and action shall be taken to obtain necessary medical treatment of the individual and to safeguard others from contagion.	
36	Reporting requirements are performed per DDSN policies and Directives.	<p>Including, but not limited to:</p> <ul style="list-style-type: none"> • DDSN Directive 100-09 DD Critical Incident Reporting: https://ddsn.sc.gov/sites/default/files/Documents/Quality%20Management/Current%20Directives/100-09-DD%20-%20Revised%20%28110117%29.pdf • DDSN Directive 505-02 DD Death or Impending Death of Persons Receiving Services from DDSN: https://ddsn.sc.gov/sites/default/files/Documents/Quality%20Management/Current%20Directives/505-02-DD%20-%20Revised%20%28020217%29.pdf • DDSN Directive 534-02 DD Procedures for Preventing and Reporting Abuse, Neglect, or Exploitation of People Receiving Services from DDSN or a Contracted Provider Agency: https://ddsn.sc.gov/sites/default/files/Documents/Quality%20Management/Current%20Directives/534-02-DD%20-%20Revised%20%28012615%29.pdf



Employment Services Standards

Individual

Effective: July 18, 2019

EMPLOYMENT SERVICES - INDIVIDUAL

The mission of the South Carolina Department of Disabilities and Special Needs (DDSN) is to assist people with disabilities and their families through choice in meeting needs, pursuing possibilities and achieving life goals and minimize the occurrence and reduce the severity of disabilities through prevention. Consistent with the agency's mission, the intent of DDSN Employment Services – Individual is to provide individuals with an Intellectual Disability or a Related Disability (ID/RD), Autism Spectrum Disorder (ASD), Traumatic Brain Injury (TBI), Spinal Cord Injury (SCI), and Similar Disability (SD) the supports needed in order for them to meet their needs, pursue possibilities and achieve their individual life and employment goals.

DEFINITIONS:

As defined by South Carolina's Intellectual Disabilities/Related Disabilities (ID/RD) Waiver and Community Supports (CS) Waiver, Employment Services - Individual consist of intensive, on-going supports that enable individuals for whom competitive employment at or above minimum wage is unlikely absent the provision of supports and who, because of their disabilities, need supports to perform in a regular work setting. Employment services are conducted in a variety of settings, particularly work sites where persons without disabilities are employed and include activities such as supervision and training needed to sustain paid work at or above minimum wage.

As defined by South Carolina's Head and Spinal Cord Injury (HASCI) Waiver, Employment Services are provided in regular competitive employment settings such as factories, offices, stores, restaurants, etc., where people without disabilities are employed. Employment Services provides an intensive or ongoing supports so a HASCI waiver participant for whom competitive employment at or above the minimum wage, is unlikely can perform in a paid work setting. It may include assisting the participant to locate a job or to have a job developed specifically for him or her. The service may be provided in a variety of work settings, particularly sites where persons without disabilities are employed; such as an enclave or a mobile crew, or an individual job placement in the community.

As defined by the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), Employment Services are the ongoing supports to individuals who, because of their disabilities, need intensive on-going support to obtain and maintain an individual job in competitive or customized employment, or self-employment, in an integrated work setting in the general workforce for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities.

As defined by the Workforce Innovation and Opportunity Act (WIOA)¹
Competitive, integrated employment is work that:

- i. Is performed on a full-time or part-time basis (including self-employment) and for which an individual is compensated at a rate that -

- A. Is not less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the rate required under the applicable State or local minimum wage law for the place of employment;
 - B. Is not less than the customary rate paid by the employer for the same or similar work performed by other employees who are not individuals with disabilities and who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills; and
 - C. In the case of an individual who is self-employed, yields an income that is comparable to the income received by other individuals who are not individuals with disabilities and who are self-employed in similar occupations or on similar tasks and who have similar training, experience, and skills; and
 - D. Is eligible for the level of benefits provided to other employees; and
- ii. Is at a location -
- A. Typically found in the community (A setting in the competitive labor market. Settings established specifically for the purpose of employing individuals with disabilities are not integrated settings because they are not in the competitive labor market.); and
 - B. Where the employee with a disability interacts for the purpose of performing the duties of the position with other employees within the particular work unit and the entire work site, and, as appropriate to the work performed, other persons (e.g., customers and vendors), who are not individuals with disabilities (not including supervisory personnel or individuals who are providing services to such employee) to the same extent that employees who are not individuals with disabilities and who are in comparable positions interact with these persons; and
- iii. Presents, as appropriate, opportunities for advancement that are similar to those for other employees who are not individuals with disabilities and who have similar positions.

<http://www.wintac.org/topic-areas/resources-and-strategies-for-competitive-integrated-employment#1cie>

As defined by DDSN Directive 700-07 DD: Employment First:

Employment means working for at least minimum wage in an integrated setting – can be individual (paid directly by the employer), group (paid by a provider from revenues earned via contract with business/government entities) or self-employment (including sole proprietorships and partnerships).

Integrated Setting means a typical workplace where the majority of individuals employed do not have disabilities and where the employee with a disability has opportunities to interact with coworkers, vendors, sub-contractors, customers and/or the public.

MODEL:

Employment Services – Individual are provided at a 1:1 staffing ratio using an Individual Community Placement Model and may include any combination of the following services:

- Vocational/job-related discovery or assessment,
- Person-centered employment planning,
- Job placement,
- Job development,
- Negotiation with prospective employers,
- Job analysis,
- Job carving,
- Training and systematic instruction,
- Job coaching (including developing natural supports),
- Identifying assistive technology,
- Benefits support,
- Training and planning,
- Coordination of transportation,
- Asset development and career advancement services, and
- Other workplace support services including services not specifically related to job skill training that enable the individual to be successful in integrating into the job setting.

Ongoing supports and identification of long term natural supports are imperative for the worker with significant disabilities to participate in competitive employment and to ensure job stabilization and career advancement. Employment Services – Individual may also include support to establish and/or maintain self-employment, including home-based self-employment.

Employment Services – Individual is not designed to provide general skills training to “prepare” individuals for employment in the community. Instead, all supports provided must be directly related to achieving the identified employment goal on the Individual Plan of Supports for Employment (IPSE) with an expected outcome of community integrated employment. Services should be directly related to the job seeker’s individualized employment goal. General skills training in broad areas are not allowed as this is provided in other services (Career Prep). Examples of general skills training may include practicing interviewing skills when there is no interview scheduled, learning to use the computer in order to complete applications online, or practicing task completion with simulated tasks that are not part of a specific job.

ANTICIPATED OUTCOMES:

It is expected that Employment Services - Individual will support individuals to achieve sustained independent employment, paid at or above minimum wage, in a community integrated employment setting among the general workforce, at a job that meets the individual’s personal and career goals.

It is expected that DDSN Employment Services - Individual be provided in a manner that promotes:

- Dignity and respect.
- Health, safety and well-being.
- Individual and family participation, choice control and responsibility.
- Relationships with family and friends and community connections.
- Personal growth and accomplishments.
- Independence and integration.

It is expected that Employment Services - Individual reflect the principles of DDSN and therefore services should:

- Be person centered.
- Be responsive, efficient, and accountable.
- Be individually focused and strengths-based.
- Maximize potential based on an individual's interests, preferences and choices.
- Be based on best and promising practices.

DRAFT

Standard		Guidance
1	Employment Services – Individual will be provided in accordance with all state and federal laws.	
2	Employment Services - Individual will be provided in accordance with applicable DDSN Directives, procedures and guidance.	
3	Employment Services - Individual will only be provided by DDSN qualified Employment Services providers.	
4	<p>The Employment Services provider must designate a Program Director who:</p> <ul style="list-style-type: none"> • Is at least 21 years of age; • Has at least a baccalaureate degree from an accredited college or university in the human services or related field and two (2) years of experience in administration or supervision in the human services field or has a master’s degree from an accredited college or university in the human services or related field and one (1) year of experience in administration or supervision in the human services field; • Has references from past employment. 	A Program Director may serve more than one program.
5	<p>Employment Services - Individual will be provided by staff who:</p> <ul style="list-style-type: none"> • Are at least 18 years of age; • Have a valid high school diploma or its certified equivalent; • Have references from past employment if the person has a work history; • Are capable of aiding in the activities 	<p>Competency in the following areas may be considered the equivalent to a high school diploma. Staff must be able to:</p> <ol style="list-style-type: none"> a. Read and comprehend written instructions which may include health care information; b. Write and type information sufficient to communicate facts clearly and complete required documentation; c. Communicate verbal or written information effectively to others.

	Standard	Guidance
	<p>of daily living and implementing the Individual Plan of Supports for Employment (IPSE) of each individual for whom they are responsible;</p> <ul style="list-style-type: none"> • Have a valid driver's license if duties require transportation of individuals. 	<p>Documentation demonstrating competencies in items a – c must be maintained in the staff's file.</p>
6	<p>Staff must meet requirements for criminal background checks.</p>	<p>Checks must be done in accordance with DDSN Directive 406-04-DD: Criminal Record Checks and Reference Checks of Direct Caregivers: https://ddsn.sc.gov/sites/default/files/Documents/Quality%20Management/Current%20Directives/406-04-DD%20-%20Revised%20%28011817%29.pdf</p>
7	<p>Staff must pass an initial physical exam prior to working in the program.</p>	<p>Pass = No documentation in the physical exam report of conditions present that would jeopardize health and safety of individuals receiving services or staff's ability to perform required duties.</p>
8	<p>Staff must pass initial tuberculosis screening prior to working in the program and annually thereafter.</p>	<p>Pass = no evidence of communicable disease. TB tests must meet requirements of DDSN Directive 603-06-DD: Guidelines for Screening for Tuberculosis which can be found: https://ddsn.sc.gov/sites/default/files/Documents/Quality%20Management/Current%20Directives/603-06-DD%20-%20Revised%20%28102014%29.pdf</p>
9	<p>Staff must be trained and be deemed competent in accordance with DDSN Directives.</p>	<p>DDSN Directive 567-01-DD Employee Orientation, Pre-Service and Annual Training Requirements can be found: https://ddsn.sc.gov/sites/default/files/Documents/Quality%20Management/Current%20Directives/567-01-DD%20-%20Revised%20%28070715%29.pdf</p>
10	<p>There will be a staff development/in-service education program operated by each Employment Services provider which requires all staff to participate in in-service education programs and staff development opportunities in accordance with DDSN Directives.</p>	<p>Staff must periodically be required to demonstrate continuing competency on the most critical information and skills taught in the curriculum. Providers have wide latitude in designing the format of such rechecks.</p> <p>Encouraging staff commitment to continuing personal and professional development will expand the capacity to provide quality service and supports. Staff should routinely be exposed to information regarding training resources and opportunities. Supervisors should be working with staff to identify annual personal and professional goals.</p>

	Standard	Guidance
11	<p>Each Employment Services provider will have written policies on:</p> <ul style="list-style-type: none"> • Use of volunteers and substitutes; • Program evaluation; • Administration of medication; • Admission and discharge of participants; • Personnel practices; • Procedures to be followed when a participant is discovered to be missing; • Keeping and managing a waiting list for those who are seeking entry into each service provided in the program that includes the frequency with which the list will be reviewed. 	
12	<p>Individuals receiving Employment Services - Individual are free from abuse, neglect and exploitation.</p>	<p>DDSN Directive 534-02 DD: Procedures for Preventing and Reporting Abuse, Neglect, or Exploitation of People Receiving Services from DDSN or a Contracted Provider Agency: https://ddsn.sc.gov/sites/default/files/Documents/Quality%20Management/Current%20Directives/534-02-DD%20-%20Revised%20%28012615%29.pdf</p>
13	<p>Individuals receiving Employment Services - Individual are:</p> <ul style="list-style-type: none"> • Informed of their rights • Supported to learn about their rights • Supported to exercise their rights 	<p>Rights include: Human rights, Constitutional rights and Civil rights:</p> <ul style="list-style-type: none"> • Each individual’s right to privacy, dignity and confidentiality in all aspects of life is recognized, respected and promoted. • Personal freedoms are not restricted without due process. • Individuals are expected to manage their own funds to the extent of their capability. • Due process is upheld, including the Human Rights Committee review of restriction of personal freedoms.

	Standard	Guidance
		<ul style="list-style-type: none"> Individuals with limited knowledge and experience receive training and opportunities to explore their individual rights and the responsibilities that accompany them. <p>Supports regarding rights and responsibilities provided to individuals receiving Employment Services – Individual must be employment related.</p>
14	<p>Employment Services - Individual will only be provided to those who are authorized by a DDSN qualified Case Manager.</p> <p>Services provided in the absence of an authorization or in excess of the amount (units) authorized are not reimbursable.</p>	<p>Case Managers may only authorize services based on the following authorization schedule:</p> <p>Assessment: 5 units Employment Activities: 70 units</p> <ul style="list-style-type: none"> -Community Based Assessment -Benefits Analysis -Job Development -Coaching -Other (per service definition) <p>Follow Along: 30 units</p> <p>Additional service units may be authorized beyond this authorization schedule based on an assessed need with appropriate justification/documentation.</p> <p>Case Management will provide the chosen Employment Services - Individual provider with an authorization that at a minimum includes the following information:</p> <ul style="list-style-type: none"> Worker information: name, address, DOB, referral date, SS#, Medicaid # (when applicable), emergency contact information, and name with contact information of referring Case Manager; Type of service authorized, number of authorized units, effective date of the authorization and the expiration date of the authorization; Additional information: Critical and emergency information, relevant health/medical information, and care and supervision information.

	Standard	Guidance
		<p>All employment documentation (Comprehensive Vocational Services Assessment, Individual Plan of Supports for Employment and the ISP/SC Individual Employment Log) must be available in Therap for review by the Case Manager.</p> <p>Most people with disabilities can be successfully employed through the utilization of traditional supported employment strategies. Traditional supported employment strategies are employed as the model for DDSN Employment Services - Individual and outlined in the “Model” section of this document (pg.4).</p> <p>When traditional supported employment strategies (which may include but are not limited to advocacy, person focused assessment, job development, job carving, assistive technology, job modifications, natural supports, behavioral training, job coaching and self employment) have been appropriately implemented, but do not result in a positive employment outcome for the person, formal “Customized Employment” strategies may be appropriate and necessary.</p> <p>The need for formal “Customized Employment” including, but not limited to, in-depth discovery, can only be demonstrated when the traditional supported employment model has been appropriately implemented and demonstrated to be ineffective for the person supported.</p> <p>However, “Customized Employment,” including, but not limited to in-depth discovery, can be requested with adequate documentation which thoroughly describes the need and rationale as to why traditional supported employment is not sufficient.</p>
15	Individuals receiving Employment Services - Individual are supported to make decisions and exercise choice regarding their work.	Decisions and choices made by the individual related to employment must be documented in the Comprehensive Vocational Service Assessment, Individual Plan of Supports for Employment (IPSE) and/or ISP/SC Individual Employment Log.

	Standard	Guidance
16	<p>Within 15 business days of receipt of a referral/authorization, the Employment Services provider will make available to the referring Case Manager:</p> <ul style="list-style-type: none"> • Confirmation of acceptance into the service with start date; • Information that the individual will be placed on the provider’s waiting list; or • Information that the referral is being rejected with reason for rejection. 	<p>An Initial Interview must be conducted to explain independent competitive integrated employment and its benefits. Participants must understand the scope of Employment Services – Individual to include fading through natural supports and/or assistive technology.</p> <p>If the referral is rejected, an explanation must be documented and be available to the Case Manager.</p> <p>Determining an individual is not “ready” for employment should not be a reason for rejection of the referral. All individuals referred should be given the opportunity to try employment.</p>
17	<p>Within 30 calendar days of the service start date, the Comprehensive Vocational Service Assessment will be completed that identifies the abilities/strengths, interests/preferences, paid and unpaid work experience and needs/supports of the individual in the following areas:</p> <ul style="list-style-type: none"> • Self-Advocacy/Self Determination; • Self-Esteem; • Coping Skills; • Personal Responsibility; • Personal Health and Hygiene; • Socialization; • Community Participation; • Mobility and Transportation; • Community Safety; • Money Management; • Pre-Employment; • Job Search; • Communication; • Skills; • Supports. 	<p>Annual assessments are not required.</p> <p>It is suggested that Employment Services providers secure information regarding legal guardianship and criminal history if applicable.</p> <p>All employment documentation (Comprehensive Vocational Services Assessment, Individual Plan of Supports for Employment and the ISP/SC Individual Employment Log) must be available in Therap for review by the Case Manager.</p>

	Standard	Guidance
18	<p>Based on the results of the Comprehensive Vocational Service Assessment, within 30 calendar days of the service start date, an Individual Plan of Supports for Employment (IPSE) is developed by the Program Director or his/her designee with participation from the individual and/or his/her personal representative or legal guardian (if applicable).</p>	<p>The IPSE is designed to be a working document and annual plans are not required. The ISP/SC Individual Employment Log is designed to provide an ongoing account of activities, demonstrating progression toward independent competitive integrated employment.</p> <p>Centers for Medicare/Medicaid Services (CMS) Home and Community Based Services Final Rule:</p> <p>A person-centered service plan will assist the individual in achieving personally defined outcomes in the most integrated community setting, ensure delivery of services in a manner that reflects personal preferences and choices and contribute to the assurance of health and welfare.</p> <p>https://www.medicaid.gov/medicaid/hcbs/downloads/1915c-fact-sheet.pdf</p>
19	<p>The plan must include:</p> <ul style="list-style-type: none"> • The Employment Goal specific to the individual, based on their interests, preferences, strengths, and experience, with the expected outcome of sustained independent employment, at or above minimum wage, in a community integrated setting among the general workforce, at a job that meets the individual’s personal and career goals; • A description of objectives/activities identified to support the employment outcome; • Type and frequency of supervision needed based on assessment; • Emergency contact information; • Relevant medical information; • Any information necessary to support the person in an employment setting. 	<p>Objectives/activities must focus on the individual’s abilities/strengths, interests/preferences, and needs/supports with the expected outcome of independent competitive integrated employment.</p> <p>Strategies may include the use of job duty, task analyses, assistive technology, natural supports, prompting procedures, and reinforcement and self-management procedures. These objectives/activities are provided in a least intrusive method of support.</p> <p>During the job development phase of Employment Services – Individual, the individual must be supported/assisted to arrange for his/her transportation to/from work. Assisting/supporting to arrange for transportation is the responsibility of the Employment Services – Individual provider. Transporting the individual to/from work is not the responsibility of the Employment Services – Individual provider. All critical and emergency information for this individual must be documented in the plan.</p> <p>Known medications taken by the individual must be listed and any assistance of medicating must be documented (self-medicate or assisted medicate). All known relevant medication information must be</p>

	Standard	Guidance
		<p>documented including specific instructions concerning individual reactions, side effects or restrictions to medicine must be documented.</p> <p>DDSN Directive 510-01 DD: Supervision of People Receiving Services:</p> <p>Services provided shall include the provision of any interventions and supervision needed by the person which include dining/eating.</p> <ul style="list-style-type: none"> • The supervision to be provided must be based on assessed needs. • The Employment Services provider will provide supervision, however they will not serve as the employer of record or supervisor of individuals in their employment situation. Individuals in employment situations will maintain a natural employee/employer relationship with their employer. <p>https://ddsn.sc.gov/sites/default/files/Documents/Quality%20Management/Current%20Directives/510-01-DD%20-%20Revised%20%28083117%29.pdf</p> <p>All employment documentation (Comprehensive Vocational Services Assessment, Individual Plan of Supports for Employment and the ISP/SC Individual Employment Log) must be available in Therap for review by the Case Manager.</p>
20	The objectives/activities in the plan must support the provision of Employment Services - Individual as defined in these standards.	<p>Goals/objectives/activities designed to prepare individuals for competitive, integrated employment are not reimbursable as Employment Services – Individual. Examples of employment preparation goals/objectives/activities include, but are not limited to:</p> <ul style="list-style-type: none"> • Numerous community based assessments that are not individualized and not focused on the individual’s employment goal; • Interviewing skills training not focused on a scheduled interview;

Standard		Guidance
		<ul style="list-style-type: none"> • Simulated work outside of a natural work setting; • Computer skills training with the sole objective to complete applications.
21	As soon as the plan is developed, it must be implemented.	
22	<p>When independent competitive integrated employment is secured for the individual, details regarding this job placement must be documented to include:</p> <ul style="list-style-type: none"> • Start date; • Employer; • Location (address); • Wage; • Hours per week (schedule); • Transportation arrangements; • Wage reporting responsibility; • When the job ends, the end date and reason. 	<p>A Record of Employment must be completed for each position secured. For each additional position, a new Record of Employment must be completed.</p> <p>All employment documentation (Comprehensive Vocational Services Assessment, Individual Plan of Supports for Employment and the ISP/SC Individual Employment Log) must be available in Therap for review by the Case Manager.</p>
23	Upon job placement, if the individual receives Social Security benefits or other government assistance, the plan for reporting wages to the appropriate agency(s) must be documented to ensure the best interests of the individual are served.	<p>Documentation must be completed on the Record of Employment in the IPSE.</p> <p>Examples of assistance provided in the management of monies may include:</p> <ul style="list-style-type: none"> • Ensuring wages are reported to SSA (if necessary); • Annual income taxes; and/or • Other earned income related responsibilities.
24	Upon job placement, a strategy for coaching to include fading through natural supports or assistive technology is developed. Minimal, long term supports to assist with maintaining the job, employee/employer satisfaction, facilitating advancement, wage reporting and general monitoring are available based on need.	It is expected that Employment Services – Individual will be needed throughout the individual’s career. Once stable on the job, follow along services will be provided until these are no longer desired/ needed .

	Standard	Guidance
25	<p>Documentation of activities directly related to achieving independent competitive employment must be entered into the ISP/SC Individual Employment Log to support each unit of service reported.</p> <p>Documentation must include:</p> <ul style="list-style-type: none"> • The date of the activity; • Time in/time out for each activity (exact times); • Contact type; • The location of the activity; • With whom the activity took place; • And a detailed description of the activity. 	<p>For each unit of service reported, documentation must be present to show the service was provided at a 1:1 staffing ratio on the day the service was reported.</p> <p>All employment documentation (Comprehensive Vocational Services Assessment, Individual Plan of Supports for Employment and the ISP/SC Individual Employment Log) must be available in Therap for review by the Case Manager.</p>
26	<p>The Program Director or his/her designee must ensure that all billable units of Employment Services – Individual are entered into the Day Supports Attendance Log (DSAL) by the fifth business day of the following month.</p>	<p>The Day Supports Attendance Log (DSAL) is located on the DDSN Application Portal.</p> <p>Failure to enter units of service delivered into DSAL within by the established deadline may result in nonpayment.</p> <p>While any staff member may enter information into DSAL. However, if the entry is not completed by the Program Director or his/her designee, the documentation must be present indicating the Program Directors'/designee's review of the information.</p> <p>While any staff member may enter information into DSAL, the Program Director or his/her designee must indicate on the documentation provided that they reviewed the information. This documentation can be noted in the log, or a clinician report can be run and saved with progress status and comments entered.</p>
27	<p>Documentation must be:</p> <ul style="list-style-type: none"> • True and accurate; • Complete; 	<p>Electronic entries, initials and/or signatures on the ISP/SC Individual Employment Log are sufficient.</p>

	Standard	Guidance
	<ul style="list-style-type: none"> Logically sequenced; Typed or handwritten in permanent dark ink; and Dated and signed by the person making the entry. 	
28	At least monthly, the plan is monitored by the Program Director or his/her designee to determine its effectiveness in achieving the individual's employment goal.	<p>The Program Director or his/her designee will monitor the plan monthly by review of the ISP/SC Individual Employment Log.</p> <p>Electronic entries, initials and/or signatures on the ISP/SC Individual Employment Log are sufficient.</p>
29	The plan is amended when changes to the plan are necessary with participation from the individual and/or his/her personal representative or legal guardian (if applicable) .	<p>Changes may include, but are not limited to:</p> <ul style="list-style-type: none"> Goals/objectives/activities are no longer appropriate; Goals/objectives/activities no longer support progress; and/or The individual's employment goal or life situation has changed. <p>Amendments are documented on the ISP/SC Individual Employment Log with notation of the individual's and/or his/her personal representative or legal guardian's participation and agreement (if applicable).</p>
30	<p>If termination of Employment Services – Individual is being considered, an exit interview is conducted to discuss termination.</p> <p>The results of the exit interview are documented and must be available to the individual's Case Manager within five (5) business days of the interview.</p>	<p>An exit interview is conducted when an individual no longer wants the service, relocates, chooses another Employment Services provider for supports, is admitted to a nursing home, moves into a correctional facility, or refuses to cooperate with the terms listed in the Partnership Agreement - Terms and Conditions. An exit interview must be conducted prior to termination of Employment Services - Individual which includes notation of the reason for termination and includes the individual's signature. If an exit interview and/or signature is not possible, notation on the exit interview form must be made explaining the need to terminate service and the reason an interview/signature is not possible.</p>

	Standard	Guidance
31	<p>A record shall be maintained for each individual, which contains, at a minimum, the items listed below. All documents and entries shall be legible, dated, and signed by the person making the entry. If symbols are used, explanatory legends must be provided.</p> <ul style="list-style-type: none"> • Comprehensive Vocational Service Assessment; • Individual Plan of Supports for Employment (IPSE); • Record of Employment; • ISP/SC Individual Employment Log that supports the provision of Employment Services - Individual; • Record of unusual behavior incidents which are recorded at the time of occurrence; • Record of illness and accidents; • Record of critical incidents. 	<p>Record of illnesses and accidents will be maintained for those accidents that occur during service provision and for illnesses made known to the Employment Services provider.</p>
32	<p>Reporting requirements are performed per DDSN policies and Directives.</p>	<p>Including, but not limited to:</p> <ul style="list-style-type: none"> • DDSN Directive 100-09 DD: Critical Incident Reporting https://ddsn.sc.gov/sites/default/files/Documents/Quality%20Management/Current%20Directives/100-09-DD%20-%20Revised%20%28110117%29.pdf • DDSN Directive 505-02 DD: Death or Impending Death of Persons Receiving Services from DDSN https://ddsn.sc.gov/sites/default/files/Documents/Quality%20Management/Current%20Directives/505-02-DD%20-%20Revised%20%28020217%29.pdf • DDSN Directive 534-02 DD: Procedures for Preventing and Reporting Abuse, Neglect, or Exploitation of People Receiving Services from DDSN or a Contracted Provider Agency https://ddsn.sc.gov/sites/default/files/Documents/Quality%20Management/Current%20Directives/534-02-DD%20-%20Revised%20%28012615%29.pdf



DDSN Executive Memo

**TO: EXECUTIVE DIRECTORS, DSN BOARDS
CEOS, CONTRACTED SERVICE PROVIDERS**

FROM: SUSAN KREH BECK, ED.S., LPES, NCSP *for: Honey*

DATE: JULY 9, 2019

RE: Market Rate Case Management Issue – June 2019 Billing Report

Attached are the following reports: June 2019 Billing Efficiency Report; Sensitivity Analysis of Case Management Market Rate Risk; and "Analysis of High and Low Billing Rates from June 2018 to June 2019."

The June 2019 Billing Efficiency Report average provider market rate revenue was 60.4% of the current monthly capitated band payment. Below is a chart of each month's average provider market rate revenue compared to the current monthly capitated band payment since the beginning of tracking this issue.

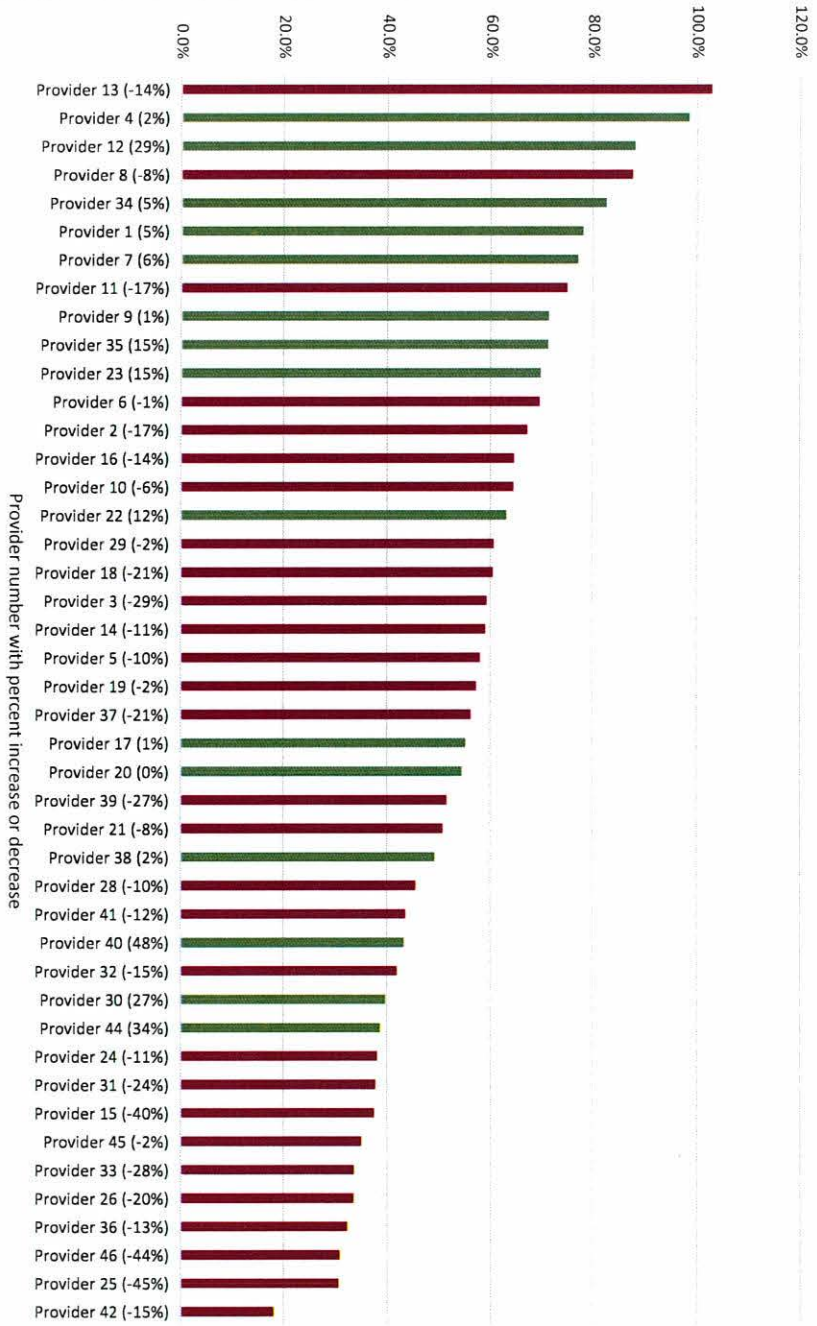
Month	Average Provider Market Rate Revenue	Estimated Revenue/Consumer	Estimated Revenue Reduction/Consumer
June 2019	60.4%	\$84	\$55
May 2019	69.2%	\$96	\$43
April 2019	63.8%	\$89	\$50
March 2019	60.0%	\$83	\$56
February 2019	50.4%	\$70	\$69
January 2019	51.5%	\$72	\$67
December	38.4%	\$53	\$86
November	42.4%	\$59	\$80
October	52.1%	\$72	\$67
September	45.4%	\$63	\$76
August	52.8%	\$73	\$66
July	47.6%	\$66	\$73
June	43.1%	\$60	\$79
May	39.9%	\$55	\$84
April*	--	--	--
March (Month Prior to Change)	31.5%	\$44	\$95

*Month of Change (not measured)

If you have misplaced your previously supplied unique provider number to interpret the attached charts, please send email to Sandra Delaney (sdelaney@ddsn.sc.gov) who can provide you with your unique number.

If you have questions, please contact Ben Orner at borner@ddsn.sc.gov or (803) 898-3520.

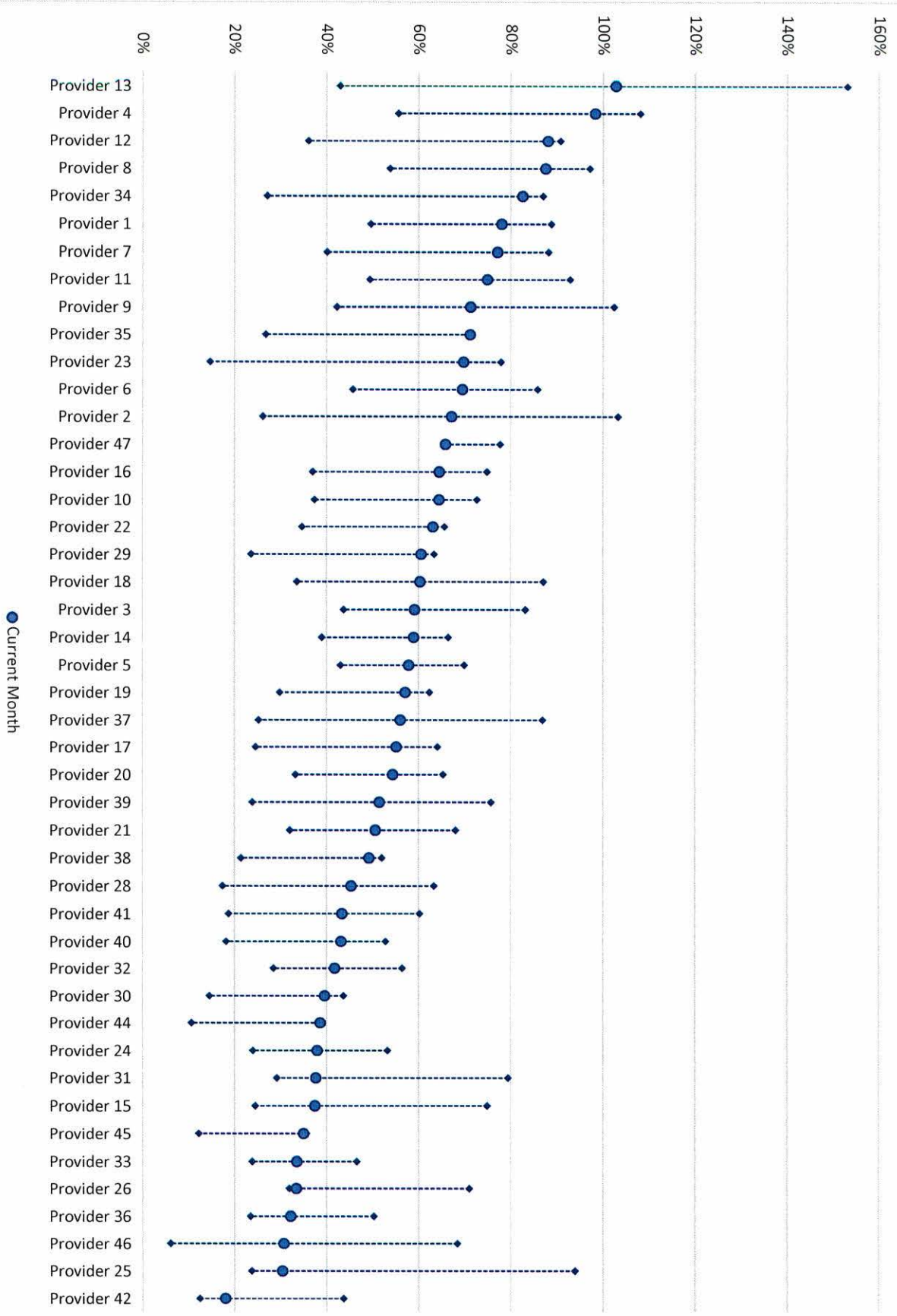
Percent of Current Band Payments if Waiver Billed at \$25/\$15
June 2019



Sensitivity Analysis of Case Management Market Rate Risk (7/9/2019)			
Provider Name	Market Rate (25/15) Rev. Compared to band Payment for May 2019	May Provider Size (by consumer count)	25% Quartiles
Provider 13	102.8%	Very Small	Top Quartile 65.8%-102.8%
Provider 4	98.3%	Medium	
Provider 12	88.0%	Small	
Provider 8	87.5%	Small	
Provider 34	82.6%	Very Small	
Provider 1	78.0%	Large	
Provider 7	77.1%	Very Small	
Provider 11	74.9%	Small	
Provider 9	71.3%	Very Small	
Provider 35	71.2%	Very Small	
Provider 23	69.7%	Small	
Provider 6	69.5%	Medium	
Provider 2	67.1%	Very Small	
Provider 47	65.8%	Very Small	
Provider 16	64.5%	Large	Upper Middle Quartile 64.5%-63.1%
Provider 10	64.4%	Large	
Provider 22	63.1%	Large	
Provider 29	60.6%	Small	Lower Middle Quartile 54.4%-60.6%
Provider 18	60.3%	Medium	
Provider 3	59.1%	Large	
Provider 14	59.0%	Small	
Provider 5	57.9%	Medium	
Provider 19	57.1%	Large	
Provider 37	56.0%	Very Small	
Provider 17	55.2%	Small	
Provider 20	54.4%	Medium	
Provider 39	51.5%	Very Small	
Provider 21	50.6%	Small	
Provider 38	49.2%	Small	
Provider 28	45.4%	Very Small	
Provider 41	43.4%	Medium	
Provider 40	43.2%	Small	
Provider 32	41.8%	Small	
Provider 30	39.6%	Very Small	
Provider 44	38.6%	Very Small	
Provider 24	38.0%	Medium	
Provider 31	37.7%	Very Small	
Provider 15	37.4%	Very Small	
Provider 45	35.0%	Very Small	
Provider 33	33.5%	Very Small	
Provider 26	33.5%	Very Small	
Provider 36	32.2%	Very Small	
Provider 46	30.7%	Very Small	
Provider 25	30.4%	Very Small	
Provider 42	18.1%	Small	
Total		-	100%

Size	Number
Large	500+
Medium	300-499
Small	150-299
Very Small	0-149

Analysis of High and Low Billing Rates from June 2018 to June 2019





SOUTH CAROLINA DEPARTMENT OF
Disabilities and Special Needs

Waiver Case Management

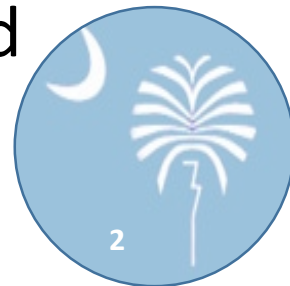
Presented to the DSN Commission

July 18, 2019



Waiver Case Management (WCM) Service Implementation July 1, 2019

- DHHS has chosen to implement July 1, 2019.
- WCM: monthly contact, quarterly face-to-face, face-to-face in home once/6 mos., allows billing when hospitalized.
- In order to obtain stakeholder input, draft DDSN Waiver Case Management Standards were distributed for public comment on April 30th.
- These standards were approved by the DSN Commission Policy Committee on June 5th and were presented to the full DSN Commission on June 20th (today).
- Necessary changes will be forwarded to DHHS for consideration prior to its June issuance of the final Waiver Case Management Policy Manual and approval of DDSN standards.



7 WCM Training Dates Completed

- June 18, 2019 Rich/Lex
- June 19, 2019, Florence, SC 29506
- June 20, 2019, Spartanburg, SC 29307
- June 21, 2019, DDSN Central Office Room 251 and via Skype
- June 26, 2019, DDSN Central Office Room 251 and via Skype
(RECORDED AND POSTED ON DDSN PORTAL)
- June 27, 2019, Ladson, SC 29456
- June 28, 2019, Anderson, SC 29621



DHHS WCM Rates

- DHHS used rate setting methodology to set \$100/hour with travel and \$62/hour no travel WCM “market rates.” The current DHHS rates are \$162/\$156.
- The \$100/\$62 is a pass through rate.
- A case manager generally has to bill between 4-5 hours each on-duty day for the provider to break-even.
- Break-even billing efficiency (4.00 - 5.28 hours billable/day) is due to providers having wide variations in case management program cost structures. A lean provider has the right ratio of case managers: consumer cases; a working supervisor carrying a case load; low-end retirement & health benefits; and low overhead. A high cost structure has the opposite.



Sensitivity Analysis

- Charts in Binder
- 75% of DDSN Waiver Consumers are with Providers that are billing at over 54% of the current payments.
- One year ago (June 2018) only 12% of DDSN Waiver Consumers were with providers billing over 54%.
- The highest billing rate one year ago was 75.1%.



Technical Assistance

- As of today, formal technical assistance visits have been conducted with 17 providers that were performing at less than 50% billing efficiency. DDSN Program and Audit staff offered suggestions for effective strategies to increase billing.
- Additionally in FY 2019, system-wide, 28 provider case management staff received other training and technical assistance on billable activities and the need to focus on appropriate documentation.
- DSN Advocates terminated their contract on 5/31/19.
- Fairfield DSNB has transitioned all but approximately 18 active cases to date.
- Colleton DSNB will terminate their case management contract effective 8/31/2019.
- Darlington DSNB has chosen to hire 2 new case managers.



DDSN Plan for Assistance with Retrospective Invoices

DDSN has developed invoices for all types of case management.

Each invoice reflects a breakdown of billing errors and Medicaid eligibles.

DDSN staff will analyze billing errors and Medicaid eligibles for June to remediate any outstanding issues.

In addition, DDSN staff will analyze the first full report on the new invoice system in August for July billing data and develop clear procedures for providers to independently analyze for August billing data.



- 1) Why are case management numbers down from prior year. Right or wrong, as an argument could be made either way, the state funded case management folks were in the prior year numbers but were not pulled in by my team in the 2020 numbers. The apples to apples numbers are as follows:

	<u>FY2019</u>	<u>FY2020</u>
Waiver	11,536	11,867
State	494	
TCM	838	
TOTALS	12,868	11,867

- 2) Why are individual/family support numbers down from prior year. The answer is that in 2019 they estimated the number of persons served in state funded family support/respite. The figure has always been a guesstimate. There were 2,127 consumers reflected in the prior year that were erroneously left out of our 2020 numbers. The family support/respite line in the summarized contract info was blank and should have had 2,127 in it again in 2020. The number served is based on an assumed expense level per family. The total funding and assumed cost per family was not changed so the assumed count of people served should not have changed either.
- 3) What is the explanation for the change in the Community Options contract amount. They did add two new people to their service compared to the same time in the prior year. One of these persons is funded at a band H level of \$92,361 which distorts the increase in the total contract compared to persons served. I am told it is fairly common that we pay for these higher rates to support certain persons in this type of setting.
- 4) Why is there a day service add-on for SC Mentor? This provider provides Therapeutic Family Homes and the rate does not pay for day services. If the person served desires to attend a day program, then we have to provide the funding for them to pay the day service provider. There are several other providers that also receive this funding for similar situations.

State Funded Family Support/Respite Awards

Administrative Cost Recommendation

Historically, Providers that received State Funded Family Support/Respite grants have been told that administrative costs were non-allowable costs for this grant. The theory is that this was done to maximize these dollars for services. The problem is that this program is very labor intensive on the administrative staff and the Provider is not reimbursed or otherwise compensated for the effort. We are of the opinion that this is not a fair practice and should be changed. We are recommending that the Commission approve a change to our practice to allow administrative costs as an expense in this program.

The estimated administrative costs statewide is \$80,000 of the \$1,450,000 that is expended in this program.

Chart Filter Information

FY 18/19 Legislative Authorized & Spending Plan Budget VS Actual Expenditures (as of 6/30/2019)

Please note processing of year end expenditures will continue until COB 7/12/2019

Funded Program - Bud	Original Budget	Budget Adjustments	Current Budget	YTD Actual Expense	Balance
ADMINISTRATION	\$ 8,256,999.00	-\$ 636,611.75	\$ 7,620,387.25	\$ 6,145,804.78	\$ 1,474,582.47
PREVENTION PROGRAM	\$ 657,098.00	-\$ 400,000.00	\$ 257,098.00	-\$ 15,495.00	\$ 272,593.00
GREENWOOD GENETIC CENTER	\$ 13,185,571.00	\$ 0.00	\$ 13,185,571.00	\$ 12,657,026.00	\$ 528,545.00
CHILDREN'S SERVICES	\$ 16,302,094.00	\$ 19,703,268.28	\$ 36,005,362.28	\$ 35,388,799.60	\$ 616,562.68
BABYNET	\$ 5,587,500.00	-\$ 5,587,500.00	\$ 0.00		\$ 0.00
IN-HOME FAMILY SUPP	\$ 89,589,626.00	-\$ 14,892,067.01	\$ 74,697,558.99	\$ 58,110,817.99	\$ 16,586,741.00
ADULT DEV&SUPP EMPLO	\$ 81,402,958.00	-\$ 2,295,730.00	\$ 79,107,228.00	\$ 78,419,741.63	\$ 687,486.37
SERVICE COORDINATION	\$ 22,656,140.00	-\$ 1,008,049.77	\$ 21,648,090.23	\$ 20,323,964.70	\$ 1,324,125.53
AUTISM SUPP PRG	\$ 26,355,826.00	\$ 324,001.04	\$ 26,679,827.04	\$ 13,765,720.43	\$ 12,914,106.61
Pervasive Developmental Disorder (PDD) Program	\$ 0.00		\$ 0.00	\$ 0.00	\$ 0.00
HD&SPINL CRD INJ COM	\$ 5,040,532.00	\$ 538,748.00	\$ 5,579,280.00	\$ 4,804,297.37	\$ 774,982.63
REG CTR RESIDENT PGM	\$ 84,032,118.00	\$ 3,074,006.95	\$ 87,106,124.95	\$ 70,600,024.84	\$ 16,506,100.11
HD&SPIN CRD INJ FAM	\$ 28,742,377.00	\$ 1,984,697.34	\$ 30,727,074.34	\$ 19,636,947.74	\$ 11,090,126.60
AUTISM COMM RES PRO	\$ 29,739,084.00	\$ 3,915,138.81	\$ 33,654,222.81	\$ 31,379,834.49	\$ 2,274,388.32
INTELL DISA COMM RES	\$ 317,799,720.00	\$ 16,746,809.88	\$ 334,546,529.88	\$ 329,177,754.85	\$ 5,368,775.03
STATEWIDE CF APPRO		\$ 0.00	\$ 0.00		\$ 0.00
STATE EMPLOYER CONTR	\$ 32,745,158.00	-\$ 748,538.00	\$ 31,996,620.00	\$ 27,167,898.07	\$ 4,828,721.93
DUAL EMPLOYMENT			\$ 0.00	\$ 0.00	\$ 0.00
Legislative Authorized Total	\$ 762,092,801.00	\$ 20,718,173.77	\$ 782,810,974.77	\$ 707,563,137.49	\$ 75,247,837.28
Legislative authorization capacity above actual spending plan budget			-\$64,277,657.77		
DDSN spending plan budget			\$ 718,533,317.00	\$ 707,563,137.49	\$ 10,970,179.51
Percent of total spending plan budget			100.00%	98.47%	1.53%
% of FY completed (expenditures) & % of FY remaining (available funds)			100.00%	100.00%	0.00%
Difference			0.00%	-1.53%	1.53%

REASONABLE

Carry Forward + Cash Flow Analysis Indicates Sufficient Cash to Meet FY 19 Estimated Expenditure Commitments: YES ; At-Risk ; NO

Expenditures categorized to provide insight into direct service consumers costs vs. non-direct service costs:

Expenditure	FY 18 - % of total	FY 17 - % of total
Central Office Admin & Program	2.37%	2.36%
Indirect Delivery System Costs	1.56%	1.42%
Lander University	0.00%	0.05%
Board & QPL Capital	0.14%	0.59%
Greenwood Autism Research	0.03%	0.10%
Direct Service to Consumers	95.90%	95.48%
Total	100.00%	100.00%

NOTE: Prior FY data will be calculated and presented to provide assurance as to the consistent pattern of direct service & non-direct service expenditures and explanation for increases/decreases

2020 Capitated Amendments for Review

	Amendment #1	2020	Annual	Description
CHESCO	Band B	\$ 13,639	\$ 13,639	<i>One new Band B consumer</i>
CHESCO	Band H	\$ 277,083	\$ 277,083	<i>Three existing CRCF Vacancies filled</i>
CHESCO	Band I	\$ 14,541	\$ 14,541	<i>One new Band I consumer</i>
	Total	\$ 305,263	\$ 305,263	

	Amendment #1	2020	Annual	Description
Dorchester	Band B	\$ 95,473	\$ 95,473	<i>Seven new Band B consumers</i>
Dorchester	Band G	\$ 73,106	\$ 73,106	<i>One existing CTH II vacancy filled at Band G</i>
Dorchester	Band H	\$ 184,722	\$ 184,722	<i>Two existing CTH II vacancies filled at Band H</i>
Dorchester	Band I	\$ (29,082)	\$ (29,082)	<i>Two Band I consumer terminations</i>
	Total	\$ 324,219	\$ 324,219	

	Amendment #1	2020	Annual	Description
Laurens	Band B	\$ 40,917	\$ 40,917	<i>Three new Band B consumers</i>
Laurens	Band B outliers	\$ 99,326	\$ 24,491	<i>Two new Band B outliers (90 Days only)</i>
Laurens	Band I	\$ (29,082)	\$ (29,082)	<i>Two Band I consumer terminations</i>
Laurens	Band R	\$ 101,822	\$ 101,822	<i>Existing CTH II vacancy filled by Band R</i>
	Total	\$ 212,983	\$ 138,148	

Director's Report 07/18/2019

1. We have given DHHS information that will help them consider the 2% salary and they still have the issue under advisement. They will be consulting with the general assembly.
2. I indicated starting this month we have Organization changes underway as we marshal our resources where most needed – which includes putting the Autism division out in the field and autism eligibility alongside the ID/RD and HASCI eligibility model. I also said starting this month, I would ask departmental heads to map out their departments with the discussion around form and function – one department a month. The purpose:
 - a. To give the commission members an organizational overview in a format that is digestible and where questions can be asked and answered.
 - b. And to help orientate new commission members

With us back down to 4 commissioners and the length of this agenda, I am Putting this off until the September meeting. I do, however, have the operations organizational memo for you to have as a reference.

3. We are currently working on the spending plan for this year – it will be presented at the August meeting.
4. Communication Efforts
 - a. Today will be our first Executive Director – CEO – or whatever a company/agency calls the top dog – meeting. We will be doing this quarterly and we will discuss items such as remote access or designee; but it is our effort to engage on a face to face level those in charge in the community
 - b. On the 24th we will have our first agency management communication meeting – would have called it an ops meeting but I didn't want to confuse those in Rufus' department.
 - c. Rob McBurney is working with me to set up family/consumer engagement meetings throughout the state versus having a static advisory council – in a location most individuals and family members cannot make it. We want to reach to those who we have not previously met. Give us a chance to hear from more folks – a good variety of voices.
5. Partnership Updates
 - a. DMH – working with the executive team to improve working relationship
 - i. Cross Training

- ii. Meeting with county MH directors and our community EDs
 - iii. Talking about agreement to staff cases
-
- b. DOE – again the DSP credential, a possible DSP curriculum and beginning discussion of post-secondary technical training.
 - c. DSS – continue to work with them to get a written process for counties to utilize.
 - d. DHHS – we will be working with them to true up the service rates – based on the - still draft, still confidential Mercer Report.
6. Budget development for 2021 – we need to develop a budget request based on real numbers and Director Baker and I plan to do so in for of a team effort since much of our budget – almost all of our budget is Medicaid. My effort will be to:
- a. Get that admin contract done
 - b. As we aim to unwind the bands and move those unused dollars back into the fight, we need to true up the residential and day program rates. I will need to work closely with HHS to ensure that this is done timely and accurately.
 - c. As this is a new way to approach budget development, I would like the commission to give their approval to this process. The final effort would be the budget we bring to you prior to sending it to the state.

It does not need to be a rumor nor does it have to go through the grapevine – DDSN cost reports were not done since 2012. This subject has been mentioned before and the Commission was well aware of this. There is no recoupment that we know of yet. The 2016 looks like \$1.4M. The 2017 cost report will be done July 31st then we will be working on the 2018 and 2019 cost reports.

There are three case management waivers - not just targeted case management - also waiver case management and the third is state funded case management for those who do not have Medicaid but still need case management.