

REAL LIVES LAW WORK PLAN

May 4, 2016 Meeting Update – Previously Completed Items Removed

<p>1.(b)</p>	<p>DDS shall offer SD to all individuals eligible through the DDS. SD shall be based on the participant’s judgment and preferences set for in their PCP. ...not Mass Health eligible but otherwise eligible for DDS may participate.</p>	<p>This item was discussed at the March 2, 2016 meeting.</p>	<p>DDS Posts a document titled “The Individual Choice, Portability and Provider Selection 2010 User Guide for Individuals and Families” on the DDS internet site. The document was distributed to all individuals and guardians at the Annual ISP in 2010, and offered at each subsequent ISP meeting. Comprehensive information about self-directed service options needs to be further developed to distribute to individuals and guardians at service junctures.</p> <p>All services provided in Autism Waiver program are self- directed. SD services are also an option for people participating the in Department of Elementary and Secondary Education Program.</p> <p>All of the waiver services available on the 3 DDS Home and Community Based Waivers are posted on the DDS website.</p> <p>The <i>Choosing Which Service Method is Best for Me</i> brochure has been updated and is posted on the DDS website.</p> <p>DDS will propose adding language to the eligibility determination letter at a future meeting.</p>
<p>1.(e)</p>	<p>DDS shall</p>		
	<p>(6) ensure value of individual budget is equivalent to amount DDS would have spent through a traditional service model... DDS shall develop an appeals process for decisions re individual budgets;</p>	<p>Appeal process is in place.</p>	<p>If there is disagreement around an allocation, DDS would utilize the existing ISP appeal process. Appeal Forms were provided to the SDAB at the March 4 2015 meeting.</p> <p>This item was discussed at the March 2, 2016 meeting. The outcome of the discussion was that 1) the committee was unanimous that budget</p>

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			<p>allocations should be determined on needs, not on what would have been spent in a traditional service model, and 2) DDS will prepare guidance for determining and adjusting budget allocations for AWC and PDP to be presented at a future meeting.</p>
	<p>(14) provide information in (13) to individuals upon: (A) notify to an individual of priority for services; (B) at commencement of development support plan; (C) commencement of renewal of support plan; (D) annual notification to person who declined a support plan of their option to participant in the individual support plan; (E) entry to DDS turning 22 program;</p>	<p>COMPLETED</p> <p>This item was discussed at the March 2, 2016 meeting. A copy of the revised ISP letter to be provided to committee members at the May 2016 meeting.</p>	<p>DDS Posts a document titled “The Individual Choice, Portability and Provider Selection 2010 User Guide for Individuals and Families” on the DDS website. The document was distributed to all individuals and guardians at the Annual ISP in 2010 and is offered at each subsequent ISP meeting. Comprehensive information about self-directed service options needs to be further developed to distribute to individuals and guardians at service junctures.</p> <p>All services provided in the Autism Waiver program are self-directed. All of the waiver services available on the waiver are posted on the DDS website.</p> <p>Upon a person being given a resource allocation, including at the time of prioritization and entering the Turning 22 program, an Area Office representative meets with the individual to begin service planning. At that time the Area Office representative will review the <i>Choosing Which Service Method is Best for Me</i> brochure and include self-direction options that may be available to them for their consideration.</p> <p>When applicable, the ISP invitation letter will include a statement about self-direction and the brochure will be enclosed with the letter. The invitation letter is sent to each individual (and or their representative), including those individuals who have declined to participate in their ISP.</p> <p>This brochure is also given out at many other forums, gathering and</p>

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			trainings such as family and staff forums and trainings on self-direction, area and regional meetings for families of individuals 18-22 regarding turning 22 services, and self-advocate trainings.
1.(o)	The State Auditor, pursuant to...., shall audit the SD option as the Auditor determines necessary and shall make recommendations to DDS, the House and Senate Ways and Means Committee and Joint Committee on Children, Families and Persons with Disabilities about changes in law or regulation that may improve the efficiency of the SD option, decrease costs, improve services or prevent waste, fraud or abuse.		
SEC 5	Section 4 is repealed. <i>[See Section 8]</i>		
SEC 7	The State Auditor, pursuant to..., shall audit the SD option established under...., at least once during the first 4 years of its operation. <i>[By 8/18]</i>		
SEC 8	Effective date of Section 5 is 3 years from date of this act. <i>[8/6/17]</i>		

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	ONGOING ITEMS		
1.(d)	<p>The DDS and the SDAB shall develop informational materials and training for the DDS staff regarding SD. Training to include concept and practice of SD, inform DDS staff about the mechanics of SD, including, but not limited to, the development of individual budget selection, purchase and use of services, supports and goods by participants; information regarding the types of services that may be utilized; about the selection and supervision of the vendors; the respective roles of independent facilitator, financial management service and the DDS.; methods of identifying and reporting instances of suspected waste, fraud and abuse. DDS to educate all staff except janitorial, maintenance, secretarial, on all service options including, but not limited to, SD annually.</p>	Ongoing	<p>Materials handed out at the 1/9/15 meeting were: DDS Self Determination Policy; Implementing the Principles of Participant Direction in Everyday Lives –State Advisory Committee Presentation, November 14, 2008; Summary of DDS Report to the Governor and Legislature, Implementation of a Self Determination Model at the Department of Developmental Services, July 2009;</p> <p>The Massachusetts Medicaid Home and Community Based Waiver Program “Choice Portability, Provider Selection” June 23, 2010;</p> <p>DDS Self-Directed Supports Pilot 2012 – 2013; Real Lives Law August 6, 2014.</p> <p>Additional informational materials provided at 3/4/15 meeting include: Choosing Which Service Method is Best for Me Brochure; SDAB appointed member list; DDS ISP forms and End Notes; DDS Waiver Services Definitions; MA Participant Directed Program Required Packets Forms per Service; MA Participant Directed Program New Provider Paperwork Matrix; PPL on line budget as seen through the portal; DDS ISP appeal documents; PPL Timesheet/invoice; PPL Monthly Budget Expenditure Report; Agency with Choice Qualified Providers; and CORI form.</p>

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			<p>Training program developed with review and input from self-advocates and the full SDAB on May 6.</p> <p>It was posted on PACE in June for staff to be trained. It has also been posted on the DDS SD web site. An update on the status of staff trained will be provided at the Sept. meeting.</p> <p>The PACE training module has been posted on the DDS SD website.</p> <p>The module will be updated in the coming months and DDS staff will be trained annually thereafter.</p> <p>The draft Participant Directed User Manual for DDS support brokers and service coordinators was provided to board members at the January 6, 2016 meeting.</p>
<p>1.(e)</p>	<p>(12) facilitate individual and family understanding of SD and related issues of budgeting, planning, service and provider selection and staff and employee management;</p>	<p>Ongoing</p>	<p>DDS Support Brokers work individually with participants and families to plan and budget based on their vision and needs. Support Brokers provide guidance, support and facilitation to increase learning & comfort with the process based on the participant/family’s experience. Support Brokers provide guidance around recruitment and employee management. The Regional Liaisons will develop: 1) training for participant/family & Support Brokers on tools for employee management such as developing job descriptions, advertising etc., 2) Peer & Family support opportunities to share learning and best practice.</p>

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	<p>(18) provide in consult with SDAB an annual report to chairs of the House and Senate Ways and Means and to the Chairs of the Joint Committee on Children, Families, and Persons w/ Disabilities not later than September 1; (i) any modification or improvements made by DDS on the administration of SD, (ii) recommended legislation, (iii) assessment of performance of providers, vendors and persons who received funds for services, supports and goods(iv) number of participants using SD in previous year, (v) number of participants per region, (vi) types and amounts of services, supports and goods purchased under SD in a manner that facilitates year to year comparisons, (vii) ranges and averages for expenditures from all individual budgets, including adjustments made (pursuant to subsection (i), and (viii) the number who withdrew voluntarily from the option;</p>	<p>Report submitted to committee Chairs Sept. 1, 2015.</p>	<p>Data collection completed. Report was drafted in July, reviewed by SDAB and EHS in July/early August, final edits and data updates was drafted in August. Report was submitted to committee Chairs Sept. 1.</p>
	<p>(19) provide except as necessary to comply with privacy laws, any information requested by Attorney General, State Auditor, Inspector General, senate or house committees on post audit and oversight, DPPC, any DDS, agency or law body investigating suspected neglect or physical, emotion or financial abuse. The Superior Court to have jurisdiction over disputed requests for information.</p>	<p>Ongoing</p>	<p>DDS will comply and provide as requested.</p> <p>DDS has received information requests from the IG, has responded and will continue to do so.</p>
<p>1.(m)</p>	<p>(1) Any chosen planning team member, SDAB, mandated reporter of DPPC, and other persons involved in the preparation or implementation of SD plan who suspects, by action or inaction, financial abuse, including, but not limited to, mismanagement, misappropriation or waste of participants SD funds or individual budget shall immediately report such actions or inactions to the DPPC. DPPC shall evaluate and forward the report to the appropriate law enforcement or state</p>	<p>Annual Report sent to committee chairs on/about September 15, 2015.</p>	<p>DPPC's current practice is to forward reports of financial abuse to the appropriate law enforcement or state agency. DPPC has coordinated with the State Auditor's Office and forwarded all reports of financial abuse received by DPPC for November & December of 2014 and January through June 2015. DDS reviewed these reports of suspected financial abuse and determined that none of the reports received by the DPPC</p>

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	agencies and forward all reports of suspected financial abuse to the State Auditor. DPPC shall provide an annual itemization to the Chairs of the Joint Committee on Families, Children and Persons with Disabilities detailing the number, types, geographic locations of specific reports and the agency (or agencies) to which the complaint was referred.		during this time period involved DDS self-determination participants' funds.
1.(p)	The Attorney General or the DDS may independently investigate any allegations of mistreatment, waste, abuse, fraud or breach of any explicit or implied duties under this section. The Attorney General or DDS, on behalf of the participant, may seek to recover any monies lost due to mismanagement, waste, abuse, fraud or breach of any explicit or implied duties under this section in the superior court.	Ongoing	All complaints regarding mistreatment and abuse are filed with DPPC. When a complaint is screened out due to being outside the scope and authority of DPPC, (e.g. waste, fraud), DDS will refer the matter to other authorities, or if appropriate, conduct an investigation of the matter. DDS will seek to recover money lost based on the outcome of the investigation.
SEC 3	Subject to appropriation, DDS shall contract with an independent research organization or academic institution not later than 8/1/19 to evaluate SD authorized in Section 19.... and recommend improvements to the SD option.	Ongoing	<p>This topic was a discussion item on Sept. agenda.</p> <p>At the November meeting board members were invited to join a subcommittee charged with developing the evaluation.</p> <p>An update on the membership and projected work of the subcommittee was discussed at the January 6 meeting.</p> <p>This topic will continue to be discussed at future meetings as appropriate. As the contracted evaluation will not be completed until FY 19, this item will be moved to the items listed as ongoing.</p>