

OFFICIAL POLICY

DEPARTMENT OF DEVELOPMENTAL
SERVICES



POLICY TITLE: Case Status Policy
POLICY NUMBER: 2024-02 (replaces former Policy #2003-1)
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COMMISSIONER'S SIGNATURE: Jane F. Ryder, Commissioner
Jane F. Ryder

At the core of the mission of the Department of Developmental Services (DDS) is the concept of creating opportunities for individuals with intellectual disabilities to participate fully and meaningfully in, and contribute to, their communities as valued members. A foundation of this concept is respecting the decisions that individuals make about the extent of their participation in a program of DDS supports. The Department also recognizes that there are instances where an individual no longer needs supports from DDS. When an individual chooses not to participate in a program of supports or when an individual no longer needs supports from DDS, DDS will consider these circumstances and reflect them accurately in its records and management information systems.

A. When the individual or guardian declines all supports.

Eligible individuals or their guardians (when applicable) may decline all supports offered by the Department. When an individual or guardian declines further DDS supports, the Area Office Director will request the Area Risk Management Team to review the case consistent with the "Procedure for Designating Case Status." If the Area Risk Management Team recommends accepting the declination of services, the individual's status designation will be changed to "inactive." A letter confirming this change in status will be sent to the individual/guardian with notice that if within six months of the date of the letter the individual wishes to initiate support planning, (1) DDS will make efforts to do so, and (2) the individual will be returned to "active" status. If the individual's status remains "inactive" for six months from the written status notification date, the case will be designated as "closed." If the individual seeks DDS support after the case is closed, the individual must complete a new application for eligibility and DDS will make a new determination of eligibility.

"Inactive" status will not be applied to individuals who decline all supports but have special eligibility as defined in 115 CMR 6.05.

B. When an individual relocates out of state without DDS supports.

When an eligible individual relocates out of state and is not receiving DDS supports, the individual's status designation will be immediately changed to "inactive." The Area Office Director will send notice to the individual saying the individual is no longer eligible for supports because the individual is no longer domiciled in Massachusetts. If the individual returns to live in

Massachusetts in the future, establishes domicile in Massachusetts, and wants supports from the Department, the individual must complete a new application for eligibility, and DDS will make a new determination of eligibility.

C. When an individual is determined to no longer need DDS supports.

When an individual is determined, through the ISP process, to no longer need supports nor annual contact from DDS, the individual's status designation will be immediately changed to "inactive." Notice will be sent to the individual that if within six months of the date of the letter, the individual is re-determined to need DDS supports or annual contact, the individual will be returned to "active" status. If the individual's status remains "inactive" for six months from the written status notification date, the case will be designated as "closed." If the individual seeks DDS support after the case is closed, the individual must complete a new application for eligibility and DDS will make a new determination of eligibility.

Other requirements may apply to individuals who have special eligibility status. In such cases legal counsel must be consulted prior to applying a status of "inactive" to the individual.