*Executive Office of Health and Human Services*

*Department of Developmental Services*

**POLICY TITLE: Class Members Residing in Nursing Homes and Rest Homes**

**DDS POLICY #: 2000-2**

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**COMMISSIONER’S SIGNATURE: Commissioner**

**I. Introduction**

It is the policy of the Department of Mental Retardation to ensure that services and supports provided to nursing and rest home residents who are state school class members comply with the requirements of the 1993 order issued by the federal district court in those cases.

**II. The Department's General Commitment to Provide Services and Supports to State School Class Members in Nursing and Rest Homes**

The Department is responsible, through the Area Office, for the delivery of services and supports to state school class members, including ISP development, service procurement and coordination, contract negotiation, and planning and development. The Department is responsible for ensuring that each state school class member receives the services and supports that satisfy the requirements of the 1993 federal court order even though such services and supports may be provided by agencies other than the Department.

**III. Ensuring That Adequate and Appropriate Services and Supports are Provided to All Class Members Residing in Nursing and Rest Homes**

The Department of Mental Retardation shall ensure the following:

1. Each state school class member will have an identified area of service. The Area Director responsible for that area will ensure that the requirements of this policy are met.
2. Each state school class member will have an assigned service coordinator. The service coordinator is responsible for developing and implementing the class member's ISP, monitoring and coordinating appropriate services and supports, and advocating on behalf of the individual.
3. Each state school class member will have an Individual Support Plan (ISP) which is professionally developed and periodically reviewed.
4. Each state school class member residing in a nursing or rest home will have monthly visits. These visits should include a meeting with the individual and any nursing home or rest home staff that may have information on the current status of services and supports for the individual. The monthly visit may be made by the service coordinator or designated area office clinician; however at least one of every three monthly visits must be made by the service coordinator. For any monthly visit that is made by a designated area office clinician, the assigned service coordinator for the state school class member will be briefed and informed about the visit and the visit will be documented in the client file.

**IV. Individual Support Planning Requirements**

The ISP process and the planning for state school class members in nursing and rest homes are based on the Department regulations (115 CMR 6.00). However, in view of the Department's commitment to individuals residing in nursing and rest homes, an elaboration of those regulations and the addition of some special requirements are described herein.

1. The ISP's for this population are to be conducted on-site at the nursing or rest home and must include as much participation as possible from the individual, his or her family or guardian, nursing or rest home staff, day or employment providers, and the service coordinator.
2. ISP's are to be professionally prepared and reviewed on a semi-annual basis. Services and supports are to be planned in an individualized and rational manner. The needs identified are to be based on the actual needs of the individual and not on the availability of services and supports.
3. The Area Director and service coordinator are to ensure that services and supports provided for this group are appropriate and least restrictive as possible, based on each individual's identified needs.
4. The Area Director must address any unmet needs of state school class members to ensure that the state meets its obligation of substantially providing services described in their ISPs. The provision of services and supports to meet those needs must be prioritized and integrated into area planning.
5. The Department will coordinate with other state agencies involved in providing services and supports to state school class members residing in nursing and rest homes to ensure that adequate and appropriate services and supports are provided to these individuals.