

CHAPTER 51 - OVERSIGHT AND MONITORING OF DEVELOPMENTAL HOME SERVICES

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REFERENCES: ARS 36-591, 36-592; AAC R6-6-1001, R6-6-1101

PURPOSE: To outline the roles, responsibilities, and requirements of the Division, Qualified Vendors, and licensees in the provision of Developmental Home services. Specifically, to:

- Outline the experience and expertise, and the training requirements of the Qualified Vendor (agency) staff and licensing workers.
- Establish minimum standards for Home Studies.
- Provide guidance for entering information into the Division's licensing system, *Quick Connect*.
- Provide guidance for submitting monthly census and changes information.

Roles and Responsibilities

The Division

The Division reviews, approves, or denies applications and renewals for developmental home licenses to applicants or licensees.

The Division contracts with Qualified Vendors for Developmental Home services and pays Qualified Vendors as outlined in the Division's Rate Book.

The Division monitors/audits Qualified Vendors at least annually to ensure that they have systems in place to provide oversight for compliance to licensing rules, Division Policies and Procedures, Qualified Vendor Agreement, and best practices. New Qualified Vendors are monitored/ audited within six (6) months after implementing the service and annually thereafter. The Division issues corrective actions plans as necessary when issues of non-compliance are identified through its monitoring/auditing system. Protective service agencies (e.g. Department of Child Safety, Adult Protective Services, law enforcement) investigate member abuse, neglect, and exploitation. The Division provides the protective service agencies information to aid in the completion of an investigation.

Prior to initial licensure and every three years thereafter, the Department conducts a life-safety inspection. A new inspection must be completed if the licensee moves to a new address or completes remodeling.

The Qualified Vendor Agency

Through its licensing staff, the Qualified Vendor is responsible to recruit, train, and provide technical assistance and oversight to applicants and licensed providers of Developmental Home services. Through the established rate model, the Qualified Vendor receives payment from the Division for administrative costs including but not limited to recruitment, training, technical assistance, and oversight. The Qualified Vendor also makes payment(s) to the licensee for direct Developmental Home services.

The Qualified Vendor is responsible to review vendor calls and facilitate appropriate placements in Developmental Homes. Only Division members or child siblings of members may be placed in Developmental Homes. Children deemed likely to be eligible for Division

services may be placed upon approval by the Division staff. Qualified Vendors must ensure new placements are not assigned to homes with an open licensing investigation, an open protective service investigation or in a home that has received a notice of an adverse licensing action.

Education and Experience

A licensing worker must have one or more of the following:

- A bachelor's degree in a related human services field
- Two (2) years of post-secondary education in a related human services field and two (2) years of directly related work experience
- A minimum of five (5) years of directly related work experience. Directly related work experience includes work in the field of developmental disabilities, family home licensing, or child welfare.

A licensing supervisor must meet the requirements of licensing worker and have two (2) years of supervisory experience or demonstrated leadership experience.

A licensing supervisor who is completing the duties of both the supervisor and the licensing worker, it is necessary to meet the higher requirements of the supervisor.

All existing licensing staff must be in compliance with the required education and experience within 24 months of the effective date of this policy.

Case Load Ratio

A full-time licensing worker may not be responsible for more than twenty (20) licensed homes for training, technical assistance, and oversight.

Training

- A. A licensing worker or supervisor must have a current level I fingerprint clearance card and within the first ninety (90) days of employment complete *all* of the following training areas:
1. Article 9 (*Requires a certified instructor*)
 2. Articles 10 & 11
 3. Mandated reporting
 4. Incident reporting
 5. Cultural Competency
 6. HIPAA
 7. *Provider Manual Chapter 51; Oversight and Monitoring of Developmental Home services*
 8. Prevention & Support (*Requires a certified instructor*)
 9. The Placement Process

10. The Planning Process
11. Introduction to the Four Developmental Disabilities
12. Licensing forms & *Quick Connect*
13. Record keeping
14. Behavior treatment planning
15. Positive Behavior Support
16. Medication management
17. Life safety rules
18. Member fund management
19. Investigations
20. Guardianship and Legal issues
21. The Child and Family Team Process

Licensing workers and supervisors are required to attend the Division's licensing and home assessment seminar within six (6) months of being assigned to a licensee. In addition, a licensing worker or supervisor is required to complete a minimum of ten (10) hours of training per year.

Records

The Qualified Vendor must create an organized system to maintain all licensing documents. The licensing file includes training certificates, Department of Economic Security (DES) forms, and documentation to verify licensing compliance where applicable. The licensing file must be kept in locked storage or secure electronic storage when not in use and made available to the Division upon request. When a licensed provider transfers from one Qualified Vendor to another Qualified Vendor the sending agency must provide a copy of the provider's licensing file, as outlined in this Chapter. The receiving Qualified Vendor must update any missing items within thirty (30) days of the transfer.

- A. The licensing file must include the following DES forms:
 1. LCR-1056A: DES Applicant Statement of Understanding
 2. LCR-1040A: Health Self-Disclosure/Physician Statement
 3. LCR-1034A: Criminal History Self-Disclosure
 4. DD-289 or DD-281: Child or Adult Developmental Home Agreement
 5. LCR-1031B: Child or Adult Developmental Home Caregiver Assessment Guide (for persons licensed after implementation of this policy).
 6. LCR-1054A: Signed Initial Application
 7. LCR-1053A: Signed Renewal Application

8. Third Party Agreement
 9. LCR-1078A: Developmental Home Application Cover Page
- B. The licensing file must include the following documents, as applicable:
1. Training Certificates
 2. Fingerprint Clearance Documentation
 3. Interstate Central Registry clearance (For Child Developmental Homes; for applicants and household members who have resided outside of Arizona within the prior five (5) years)
 4. Three References
 5. Marriage License
 6. Divorce Decree(s) for the current 10-year period prior to application
 7. Birth Certificates (or proof of legal residency)
 8. Valid driver's License for any individuals providing transportation
 9. Current Vehicle Registration for any vehicles regularly used to provide transportation
 10. Current Vehicle Insurance for any vehicles regularly used to provide transportation
 11. Verification of income
 12. Immunization records for children
 13. Interview Documentation, pre-licensure and renewal
 14. OLCR inspection report
 15. Evacuation plan
 16. Rabies vaccinations for dogs
 17. Copy of the actual license
 18. Monitoring Forms
 19. Incident Reports
 20. Licensing investigations and any corrective action plans
 21. Documentation verifying qualifications of any alternate caregivers (Level 1 fingerprint clearance card, CPR, First Aid, Article 9, orientation to member, APS Registry check and DCS Central Registry check)

Potential Applicants for Developmental Home Licensure

A Qualified Vendor must inform a potential applicant of the Developmental Home requirements for licensure under A.A.C. R6-6-1001 or A.A.C. R6-6-1101 *Application for License*. The Qualified Vendor may not “counsel out” or in any way dissuade an applicant who wishes to apply to the Department for a developmental home license.

If the Qualified Vendor determines it is not able to work with an applicant who wishes to apply for a license, the determination may not be based on race, religion, national origin, sex, sexual orientation, gender identity or a similar protected class.

A Qualified Vendor must assist any applicant with whom they decline to work to find an alternative vendor or, if no alternative vendor is available, refer the applicant to the Division. The Qualified Vendor must transfer any application information to the alternative vendor or Division, as applicable.

Applicants for licensure may be married or unmarried persons. No more than two single individuals may be licensed at the same address if they both plan on providing care. This could include a cohabiting couple, a set of adult siblings, or a parent and adult child, or roommates who wish to be licensed together. Married applicants must be licensed jointly unless a married applicant applies to be licensed individually and one or more of the following applies to the applicant’s spouse:

- A. Expected to be absent from the household for nine or more of the following 12 months due to employment, military service, or other planned absence.
- B. Legally separated and living in another residence and the applicant has the right to exclusive use of the residence.
- C. Medically or physically incapacitated to the degree that the spouse is unable to provide care for a member.

The Qualified Vendor is responsible to provide or arrange pre-licensure and annual training for applicants. Pre-licensure training must meet the specific content requirements outlined by the Division. The Qualified Vendor is responsible to ensure that the licensee receives a pre-placement orientation to each member’s needs and planning documents.

Home Study, Home Visits, and Technical Assistance

Prior to licensure, the applicant and household members must participate in interviews and assist the licensing worker to evaluate the applicant with respect to character, family stability, and the ability to care for persons with developmental disabilities. Each applicant and household member should be interviewed individually. Married or cohabiting couples should be interviewed at least once together. If the applicant has children in the home, children should be interviewed if possible. All interviews should be conducted by the licensing worker in-person. Information gathered during the interviews is summarized and included in the Home Study submitted through *Quick Connect*.

The licensing worker must visit the home monthly to provide technical assistance, support to the licensee, and ensure compliance with licensing rules, Division Policies and Procedures, the Qualified Vendor Agreement, the Third-Party Developmental Home Agreement, and best practices. The licensing worker must document all visits in the Division’s licensing data system, *Quick Connect* (QC). If there are no members placed in the home, only quarterly visits are required.

The licensing worker must perform quarterly license monitoring visits. For the quarterly monitoring visits, the licensing worker must use forms approved by the Division and ensure all forms are filed in the Qualified Vendor's licensing files.

Note: New placement visits must be completed within 7 days. For licensees providing care for the first time, a licensing worker must visit the home once per week during the first four weeks of placement.

A comprehensive licensee visit must be completed every quarter using the *Developmental Home Compliance Review* (form LCR-1079A). A visit includes the following:

- A. A review of any expiring certifications or documents
- B. An inspection of the premises ensure compliance with the licensing and life-safety rules.
- C. A review of the file (progress reports, medication logs etc.).
- D. A discussion of any placement challenges including methods used for managing inappropriate behaviors.
- E. A discussion about the progress of the member on his or her habilitation goals
- F. A discussion of any changes or upcoming changes in the household
- G. A discussion of past or upcoming appointments
- H. A review of transportation arrangements
- I. A review of any alternate supervision plans
- J. A discussion of member funds
- K. A discussion of member choice
- L. A discussion of member's social and recreational activities
- M. Interaction or observation of the member in the home setting

Quarterly visits are based on the calendar year. Quarterly visits must be completed by March 31st, June 30th, September 30th, and December 31st. At least one unannounced home visit must be completed each calendar year using the *Abbreviated Developmental Home Compliance Review* (form LCR-1079B).

Visits must be documented in *Quick Connect* within ten (10) business days of the visit. Documentation must include:

- A. Date of the visit
- B. Type of visit (scheduled or unannounced)
- C. Length of the visit
- D. Location
- E. Individuals contacted during the visit

- F. A general visit summary which includes:
1. A summary of key discussion points during the visit
 2. A statement identifying the monitoring tool used during the visit
 3. A statement of whether there were any licensing violations noted and a statement indicating any calls to protective services as a result of the visit
 4. A statement of any corrective actions needed including a notation of any repeat issues
 5. A summary of any items requiring follow-up
 6. Verification that the follow up was completed from the last review

Annual renewal is an annual reassessment of character, family stability and the ability to care for persons with developmental disabilities. The annual renewal may be combined with a quarterly monitoring visit. A renewal visit includes interviews with licensees and a setting inspection. During the renewal visit, the licensing worker collects, or reviews documents needed for the renewal application. Renewal applications must be submitted through Quick Connect at least 30 days prior to the expiration of the license.

If a licensing investigation is requested by the Division due to a complaint or significant compliance concern, The Qualified Vendor must contact the licensee and initiate an investigation within ten (10) days. The Qualified Vendor must submit a report to OLCR within 21 days using the *Licensing Investigation Template* (form LCR-1080A).

At all visits, a *Notice of Inspection Rights* (form LCR-1005A) must be reviewed and completed. The licensee must receive a copy of any monitoring forms completed during the visit.

Developmental Home Census and Reporting Changes

The Division manages the Network capacity to support its membership. In order to ensure that the capacity is accurate, the Qualified Vendor must submit to the Division no later than the last day of the reporting month a census of each developmental home it has an agreement with. The census must be submitted on the Division's approved Census form via secure methods to DDDDevelopmentalHomeCensus@azdes.gov.

Additionally, the Qualified Vendor must notify the Division of all changes in member placement including internal moves (within the agency) or external moves (to another vendor). The moves must be reported on the same form as the monthly Census and to the same email address within two business day of the member moving. The Qualified Vendor must highlight the members who have moved to identify the placement changes.

Finally, using the Census form, the Qualified Vendor must report changes that impact the capacity of a home due to bed holds. A bed hold means that the provider has capacity on the license but plans not to accept a new member placement for a time-limited basis. The Qualified Vendor shall review extended bed holds to determine if a recommendation to reduce the licensed capacity should be made the Division. The bed hold categories include the following and must include and anticipated duration of hold:

- A. The developmental home provider identifies family or personal reasons.
- B. The home had a recent member disruption.

- C. There is an open licensing issue
- D. The developmental home provider is currently on a corrective action

The bed hold information must be reported in the comment section of the Developmental Home census form.

The Licensee

The licensee is required to maintain a license issued by the Division and ensure that he or she maintains compliance with the terms of the license and with applicable rules. The licensee provides direct care to Division member(s) as outlined in the member's planning documents and under the Third-Party Developmental Home Agreement.

The licensee selects a Qualified Vendor based on individual preference, however, licensee may not transfer from one Qualified Vendor to another if the license is within 90 days of expiration. If the licensee is on a corrective action plan, a transfer requires written approval of the sending Qualified Vendor, the receiving Qualified Vendor, and the Division.

A licensee must comply with all home visits conducted by the licensing worker or the Division.

Prior to initial licensure, all Child and Adult Developmental home applicants must have CPR and First Aid training, taught by an instructor certified by a nationally recognized entity such as the American Red Cross, the American Heart Association, or the National Safety Council that requires the applicant to demonstrate mastery of skills in person to the instructor. In addition, receive training (with supporting documentation verifying completion) in *all* of the following core topics and subtopics; totaling a minimum of 18 hours of course or instruction time (Courses marked with an asterisk [*] are available on the Division's website):

- A. Article 9, including member rights, taught by a certified instructor
- B. DDD Philosophy and Mission Statement*
 - 1. DDD Mission Statement
 - 2. Individual and family involvement in making choices and expressing preferences.
 - 3. Equal access to quality services and supports for all individuals.
 - 4. Individuals as welcomed, participating and contributing members in all aspects family and community life.
 - 5. The rights of all individuals and the preservation of their worth, value and dignity.
- C. Introduction to the Four Developmental Disabilities *
 - 1. What are the Four Developmental Disabilities?
 - a. Cognitive/ Intellectual Disability
 - b. Epilepsy
 - c. Cerebral Palsy

- d. Autism
 2. Diagnostic Criteria
 3. Functional Criteria
 4. Substantial Functional Limitation(s)
 5. Treatment
- D. The Planning Process and skill building*
 1. The planning process
 2. Components of a plan
 3. Long and short-term goals
 4. Measurable objectives
 5. Data collection procedures and systems
 6. Progress reports
 7. Assessing strengths and needs
 8. Methods of teaching
 9. Types of reinforcement
 10. The use of teaching strategies/plans
- E. Medication Administration*
 1. Medication storage
 2. Medication container and label
 3. The medication logs
 4. Correct dosage
 5. Forms of medication
 6. Routes of medication administration
 7. Medication error procedures
- F. Incident Reporting and Reporting Abuse, Neglect, or Exploitation*
 1. Understanding the incident reporting process
 2. Identifying emergency situations and signs of abuse
 3. Understanding mandatory reporting requirements
 4. Demonstrating how to complete an incident report

- G. Confidentiality/HIPPA*
 - 1. Limits to access to member records and personally identifiable information
 - 2. Agency procedures designed to protect/safeguard member confidentiality
 - 3. Procedures for obtaining consent prior to the release of information.
 - 4. Review of ARS 36-568.01
- H. Choking and Aspiration*
 - 1. Preventing aspiration and choking
 - 2. Common issues
 - 3. Assessment
 - 4. Intervention and prevention strategies
- I. Principles of Positive Behavior Support
 - 1. Prevention vs. intervention
 - 2. Recognizing cues
 - 3. Reinforcing appropriate behavior
 - 4. Redirection
 - 5. Consistency
 - 6. Clear communication
 - 7. Evaluating the environment
 - 8. Defensive positioning
 - 9. Providing opportunities for choices and decision making
- J. Cultural Competency (covered for CDH applicants in the *ADCS/Foster Parent College Based Pre-Service Training Program*)
- K. Client Funds Training*
- L. Documentation and Progress Reporting Requirements and vendor polices with signed and dated verification of the review.
- M. Review of *Article 10 or 11* with signed and dated verification of the review.
- N. Review of the Child or Adult Developmental Home Third Party Agreement with signed and dated verification of the review.
- O. Supporting positive relationships with family members, schools, or day programs and professional communication (covered for CDH applicants in the *ADCS/Foster Parent College Based Pre-Service Training Program*).

In addition to the DDD specific training noted above:

- A. Applicants for a Child Developmental Home license are required to complete the *ADCS/Foster Parent College Based Pre-Service Training Program*.
 - B. If required in a member's planning documents, training in *Prevention and Support*
- Licenses are additionally required to complete ten (10) hours of training annually.