

## **1240-E HABILITATION SERVICES AND DAY TREATMENT SERVICES**

REVISION DATE: 5/31/23, 9/11/2019, 9/15/2017, 7/15/2016, 7/3/2015,  
3/2/2015, 9/15/2014

EFFECTIVE DATE: June 30, 1994

REFERENCES: AMPM 1240-E, Division Medical Policy 1240-J

### **PURPOSE**

This policy outlines the requirements for and describes covered hourly and daily Habilitation services and Day Treatment Services for Division Members who are eligible for Arizona Long Term Care Services (ALTCS).

For the purpose of this policy, Daily Habilitation is Habilitation provided in a Member's Own Home or community setting. Daily Habilitation may also be referred to as Supported Living or Independently Designed Living Arrangement (IDLA).

### **DEFINITIONS**

1. "Community Residential Setting" means the same as in A.R.S. § 36-551.
2. "Competitive Integrated Employment" means work that is performed on a full-time or part-time basis for which an

individual is:

- a. Compensated at or above minimum wage and comparable to the customary rate paid by the employer to employees without disabilities performing similar duties and with similar training and experience;
  - b. Receiving the same level of benefits provided to other employees without disabilities in similar positions;
  - c. At a location where the employee interacts with other individuals without disabilities; and
  - d. Presented opportunities for advancement similar to other employees without disabilities in similar positions.
3. “Day Treatment” means a service that engages Members in their communities to develop, or enhance skill development, for activities of daily living and employment while meeting their specialized sensorimotor, cognitive, communication, social interaction, and behavioral needs and foster the acquisition of skills explore their communities, to learn about their interests, to engage with others, and to gain skills needed for greater

independence.

4. “Direct Care Worker (DCW)” means An individual who assists an elderly individual or an individual with a disability with activities necessary to allow them to reside in their home. These individuals, also known as Direct Support Professionals, must be employed/contracted by DCW Agencies or, in the case of member-directed options, employed by ALTCS members in order to provide services to ALTCS members.
5. “Habilitation” means the process by which an individual is assisted to acquire and maintain those life skills that enable the individual to cope more effectively with personal and environmental demands and to raise the level of the individual’s physical, mental, and social efficiency as specified in A.R.S. § 36-551 (18).
6. “Home and Community Based Services (HCBS)” means Home and community-based services, as specified in A.R.S. § 36-2931 and A.R.S. § 36-2939.
7. “Member” means a person enrolled with the Division of

Developmental Disabilities.

8. "Own Home" means a residential dwelling that is owned, rented, leased, or occupied by a Member, including a house, a mobile home, an apartment, or other similar shelter. A home is not a facility, a setting, or an institution, or a portion of any of these that is licensed or certified by a regulatory agency of the state as
  - a:
    - a. Health care institution under A.R.S. § 36-401.
    - b. Residential care institution under A.R.S. § 36-401.
    - c. Community residential setting under A.R.S. § 36-551, or
    - d. Behavioral health facility under 9 A.A.C. 20, Articles 1, 4, 5, and 6 (A.A.C. R9.101).
9. "Planning Document" means a plan which is developed by the planning team, such as an Individualized Family Service Plan (IFSP) or Person Centered Service Plan (PCSP).
10. "Planning Team" means a group of individuals that shall include the Member, Responsible Person, Support Coordinator, and a

representative from the agency for Member's living in a licensed setting and with the Member's consent, and any individuals important in the Member's life, including but not limited to, extended family members, friends, service providers, community resource providers, representatives from religious/spiritual organizations, and agents from other service systems. The size, scope, and intensity of involvement of the team Members are determined by the objectives of the Planning Team to best meet the needs and individual goals of the Member.

11. "Responsible Person" means the parent or guardian of a minor with a developmental disability, the guardian of an adult with a developmental disability, or an adult with a developmental disability who is a client or an applicant for whom no guardian has been appointed as defined in A.R.S. §36.-551
12. "Support Coordinator" means the same as "Case Manager" under A.R.S. § 36-551.

## **POLICY**

### **A. HABILITATION SERVICES**

1. The Division shall contract with service providers to provide Habilitation services to Division Members.
2. The Division shall cover Habilitation services when medically necessary and cost effective.
3. The Division shall assess for and authorize Habilitation services when a need for Habilitation services has been identified by the Planning Team.
4. The Division shall ensure that Members assessed for Habilitation have Habilitation outcomes, based on the Responsible Person's priorities and goals, identified in the Planning Document to improve or learn new skills.

### **B. HOURLY AND DAILY HABILITATION**

1. The Support Coordinator may assess for Hourly or Daily Habilitation when the Member has outcomes in their Planning Document that require a service to support the Member in:

- a. Independence and socialization skills
- b. Safety and community skills
- c. Member's health and safety.
- d. Essential activities required to meet the Member's personal and physical needs
- e. Alternative and/or adaptive communication skills
- f. Self-help/living skills
- g. Developing the Member's support system to reduce the need for paid services.
- h. Helping family members learn how to teach the Member a new skill.
- i. Developing skills for independent living in their home, including adaptive and self-determination skills, while offering supervision and assistance to assure their health and safety.
- j. To socialize with their housemates, their family, their

friends, and community members.

2. The Support Coordinator shall consider the following when assessing for Hourly or Daily Habilitation:
  - a. Existing community support systems have been exhausted and no other service is available.
  - b. The Member's documented needs cannot be met by the Member's informal support system, employment program, or Day Treatment program.
  - c. When the Member requires Habilitation to support their home program strategies for therapy services.
  - d. Members want to live as independently as possible and develop or enhance their independence in their home, participation in their community, and relationships with others.
  
4. The Division shall authorize Habilitation Hourly or Daily Habilitation in the following settings:
  - a. The Member's Own Home;



- b. A community setting chosen by the Responsible Person;
  - c. The setting where the expected skills shall be applied;
  - d. In a Direct Service Provider's (DSP) residence when the residence is also the Member's Own Home.
5. The Division shall not authorize Hourly or Daily Habilitation in the following settings:
- a. During the time the Member is attending Day Treatment and Training, or
  - b. To substitute for Day Treatment and Training services;
  - c. In a Qualified Vendor owned or leased service site;
  - d. When the Member is hospitalized;
  - e. To Members living in a Community Residential Setting, skilled nursing facilities, non-state operated Intermediate Care Facilities, or Level I or Level II behavioral health facilities;
  - f. Habilitation Hourly and Habilitation Daily shall not be

approved concurrently

- g. In schools or while being transported by the school.
- g. Substitute for Respite
- h. Substitute for daycare
- i. Be used in place of regular educational programs as provided under Public Law 108-446 IDEA Part B
- j. Be used when another service is more appropriate
- k. In a Direct Service Provider's (DSP) residence when the residence is not the Member's Own Home.

## **B. DAY TREATMENT SERVICES**

1. The Division shall ensure that Day Treatment programs shall follow guidelines for language competency and provide rights and resources in a location that anyone can access at any time for reference or in the event they feel their rights are being violated.
2. The Support Coordinator shall consider the Member's ability to

gain Competitive Integrated Employment as part of the Employment First Initiative prior to assessing for Day Treatment services, refer to Division Medical Policy 1240-J.

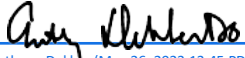
3. The Support Coordinator, after consideration of any employment and educational services, may assess for Day Treatment services.
4. The Support Coordinator shall assess for Day Treatment Child for children through the age of 17 years old.
  - a. Upon the age of 16 years old, transition plans may be individually developed, and may permit the inclusion into services with adults with consent from the Member's Responsible Person.
  - b. The transition plan and consent shall be available to the Division upon request.
5. The Support Coordinator shall assess for Day Treatment Adult for Members who are 18 years old and older.
6. The Support Coordinator shall not assess for Day Treatment

services for Members to:

- a. Substitute for Respite or day care
  - b. Be used in place of regular educational programs as provided under Public Law 105-17 ([www.gpoaccess.gov/plaws/](http://www.gpoaccess.gov/plaws/))
  - c. Be used to provide other related services that have been determined in the IEP to be educationally necessary
  - d. Be used when another service is more appropriate
  - e. Include wage-related activities that would entitle the member to wages.
5. The Division shall authorize Day Treatment services in the following settings.
- a. A setting owned or leased by the Qualified Vendor that includes planned opportunities for interaction with community members and resources, and the home program allows for participation in community events; and
  - b. Is located in the community among other residential

- buildings, private businesses, retail businesses, and
- c. A community setting that offers opportunities for interaction with community members, and
  - d. Includes opportunities to learn about volunteer work in the community and referrals (resources and services) to prepare for, obtain and support volunteer work, and
  - e. Supports and facilitates social, recreational, skill-building, and community-based activities that do not regiment, individual initiative, autonomy, and independence in making life choices including but not limited to, daily activities, physical environment, and with whom to interact.
6. The Division shall not authorize Day Treatment services in the following settings.
- a. A Community Residential Setting;
  - b. A contracted Intermediate Care Facility or
  - c. A Level I or Level II behavioral health facility;

- d. In the same room at the same time as another service, except therapy services.
  
- 7. Responsibilities for Providers delivering Day Treatment services can be found in Provider Manual Chapter 2.

Signature of Chief Medical Officer:   
Anthony Dekker (May 26, 2023 13:45 PDT)  
Anthony Dekker, D.O.