

1007 SUPPORTING SEPARATED OR DIVORCED FAMILIES

EFFECTIVE DATE: December 7, 2022

REFERENCES: A.R.S. § 25-403.06

PURPOSE

This policy sets forth guidance on working with parents or guardians of Division of Developmental Disabilities (DDD) Members, when the parents or guardians are separated or divorced, in order to ensure continuity of communication for planning and implementing Member services.

DEFINITIONS

1. "Member" means an individual who is receiving services from the Division of Developmental Disabilities (Division).
2. "Support Coordinator" means the same as "Case Manager" under A.R.S. § 36-551

POLICY

A. DOCUMENTATION

1. When the Support Coordinator becomes aware that a Member's parents or guardians are separated or divorced, the Support Coordinator shall request a copy of the court ordered custody

agreement or Parenting Plan to be placed in the Member's file.

2. The Support Coordinator may initiate services or implement changes in the Member's services, including change of providers, prior to the requested custody agreement or Parenting Plan being received when:
 - a. Both parents or guardians are involved in the planning process, and
 - b. Both parents or guardians agree with the proposed changes.
3. When the Support Coordinator becomes aware that any court-approved changes have occurred to the custody agreement or Parenting Plan, the Support Coordinator shall request a copy to be placed in the Member's file.
4. When the Support Coordinator becomes aware of any updates to any informal agreements, after finalizing the custody agreement or Parenting Plan, the Support Coordinator shall request a notarized copy of this information be placed in writing by both parties, and placed in the Member's file.

B. COMMUNICATION

1. Division staff shall send information to both parties equally, in the same manner whenever possible, when both parties have joint legal custody.
2. When Division staff respond to communication from one party, staff shall document the discussion in an email to both parties to confirm the conversation.

C. PLANNING MEETINGS

1. The Support Coordinator shall include both parties and the Member in service planning meetings, at mutually agreeable times and locations, unless both parties agree that one person shall be the representative decision maker.
2. The Support Coordinator is not responsible for scheduling two separate meetings when parents or guardians do not wish to interactively participate in the same planning meeting.
3. The Division may grant separate meetings if one party has a Protective Order against the other party. If the Division is aware of a Protective Order, the Support Coordinator shall obtain a

copy of the Protective Order file in the Legal section of the Member's file.

4. The Support Coordinator shall first attempt to schedule meetings in the Member's home, however, meetings can be held at a neutral location such as a Division office.
5. If a required meeting cannot be scheduled because of the failure of the parties to reach agreement on time or location, please see Section E.

D. ASSESSING SERVICES

1. When parents share joint legal custody, the Division shall provide services in the parents' homes or in the community in the same percentage of time outlined in the custody agreement or Parenting Plan, unless otherwise agreed to by both parties.
2. Division staff shall support goals for skill development as mutually agreed upon by the planning team. If more than one Qualified Vendor or Independent Provider is in place for a teaching/Habilitative service, Division staff shall assist the

planning team with coordinating the teaching strategies within both parties' homes as skills are more likely to be generally applied to other settings.

3. The Division may complete home modifications in the home where the Member spends the majority of their time to meet the Member's accessibility needs, as determined medically necessary by the home modification assessment. When the Member also lives part-time with the other party, home modifications may also be provided in the other party's home, at the time the other party chooses to have an assessment to determine medically necessary home modifications to meet the Member's accessibility needs at that home environment.

E. CONFLICT RESOLUTION

When parents with joint legal custody cannot agree, despite facilitation by Support Coordination staff, the Division shall not initiate new services or implement changes in the Member's services, including change of providers.