

Division of Developmental Disabilities

POLICY NOTIFICATION

Early Notification Transmittal Date: Dec 24, 2025

Public Comment Transmittal Date: Jan 28, 2026

NOTIFICATION

DDD is proposing *changes to the following policy* :

Provider Manual, Chapter 34 **Provider Publications**

Description of *changes* :

- Updated the policy to align with current requirements.
- Updated the document to align with DDD's policy formatting standards.

PUBLIC COMMENT TIMELINE

Dates: Public comment will be open for 30 days beginning January 28, 2026 and closing February 27, 2026, 11:59 pm, Arizona time.

Instructions: (Complete instructions are located on the Division's [webpage](#))

- Comments may be submitted online by clicking [here](#).
- Do not include any information that is confidential, covered under HIPAA, or inappropriate for public disclosure.

If access to the online form is not available or if you have questions, please email the DDD Policy Unit at DDDpolicy@azdes.gov.

34 PROVIDER PUBLICATIONS

REVISION DATES: XX/XX/XXXX, 2/24/2021

REVIEW DATES: 11/17/2025, 6/5/2024, 10/18/2023

EFFECTIVE DATE: February 1, 2016~~Effective upon signature of Amendment #1 RFQVA 710000~~

REFERENCES: RFQVA DDD-2024

~~As specified in the Qualified Vendor Agreement, 6.3.5.2, the Qualified Vendor shall provide to the Division for review all reports or publications (written, visual, and/or audio communications) which are intended for Division members or applicants for services funded or partially funded by the Division. The preceding sentence does not apply to communications directed to the general public or persons who are not members or applicants for services funded or partially funded under the Qualified Vendor Agreement. In all provider publications, including website content, the Qualified Vendor is responsible for complying with any applicable laws and regulations regarding individual rights and Protected Health Information.~~

PURPOSE

The purpose of this policy is to establish requirements for Qualified Vendors to obtain approval from the Division of Developmental Disabilities (Division) for reports and Member Materials related to services funded or partially funded under the Qualified Vendor Agreement (QVA).

DEFINITIONS

1. "Business Day" means 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays listed in A.R.S. § 1-301.

2. “Calendar Day” means every day of the week including weekends and holidays.
3. “Member” means the same as “Client,” a person receiving developmental disabilities services from the Division, as specified in A.R.S. § 36-551.
4. “Member Materials” means any materials created for and given to the Members served by the Qualified Vendor or their Responsible Person. This includes, but is not limited to, email templates, Member newsletters, presentations, surveys, printed materials that reference the Division or Division services, audio and video scripts, form letter templates, and website content.
5. Protected Health Information” or “PHI” means individually identifiable health information about a Member that is transmitted or maintained in any medium where the information is:
 - a. Created or received by a:
 - i. Healthcare provider;
 - ii. Health plan;
 - iii. Employer; or

- iv. Healthcare clearinghouse.
 - b. Relates to the:
 - i. Past, present, or future physical or mental health condition of a Member;
 - ii. Provision of healthcare to a Member; or
 - iii. Payment for the provision of healthcare to a Member
 - c. Excludes information in:
 - i. Education records covered by the Family Educational Rights and Privacy Act as amended, 20 U.S.C. 1232g;
 - ii. Records described at 20 U.S.C. 1232g(a)(4)(B)(IV);
 - iii. Employment records held by a Covered Entity in its role as an employer; or
 - iv. Regarding a person who has been deceased for more than 50 years.
- 6. "Qualified Vendor" means a provider of community developmental disability services that has applied for Qualified Vendor status, meets the criteria for Qualified Vendor status, and

has entered into a Qualified Vendor Agreement with the Department.

7. “Qualified Vendor Agreement” or “QVA” means the valid, executed contract between the Department and a Qualified Vendor describing the services the Qualified Vendor is qualified to provide and the terms and conditions governing the relationship between the Department and the Qualified Vendor including any amendments, attachments, schedules, or exhibits.
8. “Responsible Person” means an adult with a developmental disability who is a Member or an applicant for whom no guardian has been appointed, the parent or guardian of a minor with a developmental disability, or the guardian of an adult with a developmental disability.

POLICY

Qualified Vendor Responsibilities

A. QUALIFIED VENDOR RESPONSIBILITIES

1. The Qualified Vendor shall submit Member Materials to the Division for review and approval.

2. The Qualified Vendor shall ensure all submitted Member Materials:
- a. Comply with Arizona Health Care Cost Containment System (AHCCCS) and Division policies, the QVA, and state and federal laws regarding individual rights and Protected Health Information.
 - b. Are in an editable format using either Microsoft Office or Google Workspace.
 - c. Have a reading level of 6th grade or lower, as measured by the Flesch-Kincaid scale.
 - d. Include the following statement on printed materials:
Under Titles VI and VII of the Civil Rights Act of 1964 (respectively Title VI and Title VII) and the Americans with Disabilities Act of 1990 Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975, insert Qualified Vendor name here) prohibits discrimination in admissions, programs, services, activities, or employment based on race, color, religion, sex, national origin, age, and disability. The (insert Qualified Vendor name here)

shall make a reasonable accommodation to allow a Person with a disability to take part in a program, service, or activity. Auxiliary aids and services are available upon request to Members with disabilities. For example, this means that if necessary, the (insert Qualified Vendor name here) shall provide sign language interpreters for people who are deaf, a wheelchair accessible location, or enlarged print materials. It also means that the (insert Qualified Vendor name here) will take any other reasonable action that allows you to take part in and understand a program or activity, including making reasonable changes to an activity. If you believe that you will not be able to understand or take part in a program or activity because of your disability, please let us know of your disability needs in advance if possible. To request this document in an alternative format or for further information about this policy please contact: (insert Qualified Vendor contact person and phone number here).

3. The Qualified Vendor shall submit each Member Material via email to the Division, DDDProviderPublications@azdes.gov, a minimum of 30 Calendar Days prior to the anticipated date of delivery or publication.
4. The Qualified Vendor shall include with each submission the email address and phone number of the Qualified Vendor staff who can best answer questions regarding the publication, as well as the name of the Qualified Vendor agency as listed on the QVA.
5. The Qualified Vendor shall respond to Division requests to edit or change information on the Member Materials within 5 Business Days of receiving requested changes.
6. The Qualified Vendor shall resubmit to the Division for approval any Member Materials that are revised per the Division's request before publication.
7. The Qualified Vendor shall move forward with publishing Member Materials if they have not received a response from the Division within 30 Calendar Days of the date it was submitted for review and approval.

- ~~A. Reports or publications requiring review by the Division include but are not limited to:~~
- ~~1. Newsletters~~
 - ~~2. Flyers referencing the Division or Division services~~
 - ~~3. Fact Sheets~~
 - ~~4. Website Content~~
 - ~~5. Radio or TV Presentations~~
- ~~B. The following information does not require review by the Division:~~
- ~~1. Changes to office locations, hours, or phone numbers~~
 - ~~2. Information regarding staff (Staff Profiles)~~
 - ~~3. Links to resources on website~~
 - ~~4. Daily/Weekly Emails~~
- ~~C. All submitted reports or publications must be in:~~
- ~~1. Compliance with AHCCCS policy, Division policy, state laws, Provider Manual, and the Qualified Vendor Agreement.~~
 - ~~2. An editable word document, not pdf; and,~~
 - ~~3. 6th grade or below reading level.~~
 - ~~4. Must include the following statement on printed material: Under Titles VI and VII of the Civil Rights Act of 1964 (respectively "Title VI" and "Title VII") and the Americans with Disabilities Act of 1990 (ADA) Section 504 of the Rehabilitation Act of 1973 and~~

~~the Age Discrimination Act of 1975, insert Qualified Vendor name here) prohibits discrimination in admissions, programs, services, activities or employment based on race, color, religion, sex, national origin, age, and disability. The (insert Qualified Vendor name here) must make a reasonable accommodation to allow a person with a disability to take part in a program, service, or activity. Auxiliary aids and services are available upon request to individuals with disabilities. For example, this means that if necessary, the (insert Qualified Vendor name here) must provide sign language interpreters for people who are deaf, a wheelchair accessible location, or enlarged print materials. It also means that the (insert Qualified Vendor name here) will take any other reasonable action that allows you to take part in and understand a program or activity, including making reasonable changes to an activity. If you believe that you will not be able to understand or take part in a program or activity because of your disability, please let us know of your disability needs in advance if at all possible. To request this document in alternative format or for further information about this policy please contact: (insert Qualified Vendor contact person and phone number here) Para obtener este documento en otro formato u obtener informaci adicional sobre esta política, (insert Qualified Vendor contact person and phone number here)."~~

~~D. Audio materials must include the script.~~

~~E. The Qualified Vendor shall submit each report or publication to (DDDProviderPublications@azdes.gov) a minimum of 30 calendar days prior to the anticipated date of delivery or publication. The submission will include the following:~~

1. ~~Email address and phone number for the employee from the Qualified Vendor who can best answer questions regarding the publication.~~

2. ~~The name of the Qualified Vendor agency as listed on its Qualified Vendor Agreement.~~

F. ~~If the Qualified Vendor does not receive a response by the 30 calendar day following submission to the Division, the Qualified Vendor may move forward with the publication.~~

~~If the Division expresses concern(s) with the information provided on the submitted report or publication, the Division will explain the concern(s) and the Qualified Vendor shall not move forward with the report or publication until the Division and Qualified Vendor have agreed upon a resolution of the concern. If the Division and Qualified Vendor are unable to resolve the concern, the Qualified Vendor may pursue review as provided in A.A.C. R6-6-2117.~~

~~Division Responsibilities~~

A. ~~Upon receipt of the draft report or publication from the Qualified~~

~~Vendor, the designated Division employee will initiate the review as described above.~~

~~B. Failure of DDD to comment on any submitted report or publication does not waive any subsequent action or constitute approval of the report or publication.~~

Signature of Communications Administrator

Joe Trentacoste

Date