


"A field of choices...
Where abilities grow"



Policies and Procedures

Revised/Approved November 2019

Policy 1	Implementation Responsibilities
Policy 2	Single Point of Application
Policy 3	Affiliation Process
Policy 4	Training on Eligibility Determination
Policy 5	Uniform Access to Services
Policy 6	Quality Oversight and Enhancement
Policy 7	Continuity and Portability of Services
Policy 8	Gatekeeping
Policy 9	Statewide Waiting List
Policy 10	Council of Community Members
Policy 11	Dispute Resolution
Policy 12	Fiscal Management
Policy 13	Functional Assessment
Policy 14	Provider Choice


<p>"A field of choices... Where abilities grow"</p> 	Policy 1
	Implementation Responsibilities
	Effective Date: January 1997
	Last Revision Date: November 2019

CDDO of Butler County in it's capacity as the Community Developmental Disability Organization (CDDO) will perform all duties and functions as required by the Secretary for the Kansas Department for Aging and Disability Services (KDADS) as outlined in K.A.R. 30-64-22.

Procedure:

The CDDO will:


1. Collect and report information required for the Basis Assessment and Service Information System (BASIS)/functional assessment - Policy 13.
2. Assure copies of the financial audits/management letters received by the CDDO are provided to KDADS.
3. Provide any other information/reports available to monitor how services are provided in Butler County.
4. Organize a Council of Community Members per 30-64-31 - Policy 10.
5. Organize a local committee on quality assurance per 30-64-27 - Policy 6.
6. Ensure all persons receive equal access to services, including persons currently residing in any Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID) or institution - Policy 6.
7. Provide each person receiving or applying for community services and their guardian (if applicable) information at least annually on the following:
 - a. types of services and service providers available in Butler County
 - b. their rights pursuant to the Developmental Disabilities Reform Act (DD Reform Act) and implementing regulations
 - c. ensures the person/their guardian know they can choose their community service provider - Policy 2 and 14.
8. Promote the efficient delivery of services within the service area by ensuring that each community service provider enters into an affiliation agreement with the CDDO abides by the procedures applicable to that service area as established by the CDDO - Policy 3.

<p>"A field of choices... Where abilities grow"</p> 	Policy 2
	Single Point of Application
	Effective Date: January 1997
	Last Revision Date: October 2017

The CDDO of Butler County shall serve as the single point of application, eligibility determination and referral for all individuals desiring to receive Intellectual/Developmental Disability (I/DD) community services in Butler County.

Procedure:


1. CDDO staff will meet with interested person(s) and explain the role of the CDDO, the eligibility process and assist in completing the application for services. Staff will also go over other documents needed to determine eligibility.
 - a. Once the required documentation is received, CDDO staff will determine if the applicant meets the criteria to be considered a person with an intellectual or developmental disability as outlined in the HCP/CDDO Policy on eligibility determination.
2. The CDDO will complete the appropriate eligibility form (Developmental Delay Checklist, Developmental Disability Form or MR-9) and then notify the applicant in writing of the eligibility decision within ten working days of receiving the documentation necessary to make a determination.
3. If the applicant is found eligible, the letter tells them to contact the CDDO to schedule their initial BASIS/Functional Assessment.
4. At the assessment meeting, CDDO staff will also discuss the types and availability of community services available within the CDDO of Butler County service area. This is done to assist the person in determining which category of services will meet the persons need.
5. The applicant will also need to fill out the Case Management Choice form indicating if they want to receive TCM services and which provider they choose. Applicants have the option of not having a TCM.
6. If the applicant is found ineligible they are notified in writing of the reason(s) they were found ineligible. The letter will also include other community services available and the right to request reconsideration by an independent third party. If upon reconsideration the determination is unchanged, the applicant will be informed in writing of their right to an administrative hearing.
7. CDDO of Butler County will maintain a list of persons who have made application for community services and have been determined eligible, allowing access to the list by the affiliated community service providers in the service area unless the person/their guardian chooses not to have their name included.

<p>"A field of choices... Where abilities grow"</p> 	Policy 3
	Affiliation Process
	Effective Date: January 1997
	Last Revision Date: October 2017

CDDO of Butler County promotes the development of effective and efficient community services that afford choice and satisfaction of persons served and their families/guardians. The CDDO will affiliate with any requesting entity to provide services to eligible individuals if the requesting entity meets the qualifications for and abides by the following procedures. Affiliates must be chosen by the person or their guardian for service provision.

Procedure:

1. Any Community Service Provider (CSP) that wishes to affiliate with the CDDO must complete the affiliate application and provide the required documents.
2. When all affiliation information and documentation has been received by CDDO of Butler County an Affiliation Agreement will be completed and signed by both parties.
3. The Agreement must specify services to be provided in Butler County.
4. The new affiliate's information is added to the CDDO website and provided to all case managers.
5. CDDO of Butler County may refuse to enter into an Affiliation Agreement with any provider that:
 - a. Refuses to accept reimbursement rate for services to be provided which is at least equal to that established by the Secretary to apply to the CDDO, or as agreed to in the Affiliation Agreement;
 - b. Has established a pattern of failing or refusing to abide by the service area procedures established by the CDDO; or failing to comply with its Affiliation Agreement with the CDDO; or
 - c. The CDDO has demonstrated to the satisfaction of the Secretary that being required to enter into such an agreement would seriously jeopardize the CDDO's ability to fulfill its responsibilities either under regulations or pursuant to its contract with the Secretary.

<p>"A field of choices... Where abilities grow"</p> 	Policy 4
	Training on Eligibility Determination
	Effective Date: January 2013
	Last Revision Date: November 2019

The CDDO of Butler County will identify training procedures to ensure the employees of the CDDO who process applications and referrals for services or determination of eligibility are trained as prescribed by the Kansas Department for Aging and Disability Services. Eligibility training will be developed by the CDDO and approved by the Council of Community Members. Training will be offered in a manner and frequency that shall ensure that employees of the CDDO who perform eligibility functions are competent to perform their duties.


Procedure:

Initial training will include:

1. One-on-one training with an experienced CDDO Eligibility staff with no less than 3 years of experience in determining eligibility
2. Review of the current KDADS policy on eligibility determination.
3. Review of the current Eligibility Handbook
4. Review of the services/providers available in Butler County as well as other area organizations that may be of assistance to a person applying for services.

On-going training will include but is not limited to the following:


1. Review of any updates to the KDADS policy or Eligibility Handbook.
2. Participation in the KDADS and Interhab CDDO workgroup eligibility discussions
3. Participation in the Multi-County CDDO Council meetings
4. Participation in other trainings regarding disability and community resources

<p>"A field of choices... Where abilities grow"</p> 	Policy 5
	Uniform Access to Services
	Effective Date: January 1997
	Last Revision Date: November 2019

All eligible persons with developmental disabilities residing in Butler County requesting community services shall have access to any community services regardless of the severity of their disability, exceptions may only be determined by the Secretary.

Procedure:

1. Community Service Providers (CSP) affiliating with CDDO of Butler County will make their services available to all persons determined eligible at the CDDO's single point of application.
2. CSPs may specialize in services (for example case management only) but cannot specialize based on severity of an individual's disability.
3. The CDDO shall not require any CSP to accept more persons than the CSP can effectively serve. If a CSP elects to set a maximum capacity or put a temporary hold on referrals, this information will be provided in writing to the CDDO.
4. If all CSPs are at maximum capacity, the CDDO will work with providers to expand capacity or solicit additional community service providers to meet service demands.
5. Services may be refused to a person only if the Secretary of the Kansas Department for Aging and Disability Services determines that person to be inappropriate for community services because he/she presents a clear and present danger to self, or the community.

<p>"A field of choices... Where abilities grow"</p> 	Policy 6
	Quality Oversight and Enhancement
	Effective Date: January 1997
	Last Revision Date: November 2019


The CDDO will ensure that all affiliates provide services that are responsive to person-centered planning, that the rights of individuals served are protected, and that individuals are given opportunities of choice. The Community Council will also serve as the Quality Assurance Committee.

This process will determine through on-site visits and documentation/record reviews whether each of the following is occurring:

1. Services are provided consistent with the Person-Centered Support Plan (PCSP);
2. Services that are paid for are delivered;
3. The person is afforded all legally protected rights;
4. Services are provided in a manner that offers opportunities for choice to the person being served.

Procedure:

1. CDDO staff conducts on-site reviews and records reviews for 20% of all individuals receiving case management plus at least one additional service (excluding services funded by family support). All reviews will be processed by the Executive Director to determine if any concerns are noted and/or follow-up is needed.
2. Results are shared with the provider reviewed. Any request for corrective action will be due 30 days from the date provider is notified.
3. Results of reviews including any necessary follow-up are shared with the Community Council/Quality Assurance Committee and the Board of Directors.


<p>"A field of choices... Where abilities grow"</p> 	Policy 7
	Continuity and Portability of Services
	Effective Date: January 1997
	Last Revision Date: October 2017

CDDO of Butler County ensures that persons receiving Home and Community Based Services shall receive services consistent with the individual's Person-Centered Support Plan, and that those services are portable across the state. The individual may request this funding be transferred to any service area of their choice within the state of Kansas.

Procedure:

1. CDDO staff will make sure that each person who has applied for, accepted and begun receiving community services continues to receive services consistent with their support plan. Services are monitored on-going through the formal quality assurance process (policy 6) and reviews/visits by CDDO staff.

2. If the person moves from the CDDO service area to another CDDO service area and wants to continue receiving community services, CDDO staff will work with the case manager to transfer the necessary documents to the new CDDO. The CDDO will fill out the CDDO Area Transfer form.

<p>“A field of choices... Where abilities grow”</p> 	Policy 8
	Gatekeeping
	Effective Date: January 1997
	Last Revision Date: July 2019

CDDO of Butler County will review requests for Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID) placement made by individuals in its CDDO area. CDDO of Butler County will determine eligibility for this level of placement and ensure that the individual fully understands community services and is afforded informed choice of placement. Individuals who choose community services will be reintegrated into the community.

Procedure:


Individuals residing in an ICF/IID with Butler County identified as their home county will be informed of community services available in Butler County annually – Policy 14.

For individuals requesting public or private ICF/IID placement the CDDO will:

1. Determine if the person has an intellectual disability as defined by KDADS policy.
2. The CDDO will assist the team as needed with completing the required paperwork for admission per KDADS policy.

For Individuals requesting community placement from an ICF/IID:


1. The CDDO will make contact with the person/their guardian and follow the Single Point of Application policy and continue to work with the chosen provider(s) and MCO to plan for placement in the community.

<p>"A field of choices... Where abilities grow"</p> 	Policy 9
	Statewide Waiting List
	Effective Date: January 1997
	Last Revision Date: July 2019

The CDDO will assist any person who has been determined eligible for I/DD services, yet for whom funding is not currently available under the terms of the contract with KDADS, with being placed on the statewide waiting list.

Procedure:

1. If no funds are currently available under the terms of the contract with KDADS and the person agrees to accept funding when offered (per KDADS policy), the person will be added to the statewide waiting list.
2. The CDDO will assist each person in obtaining available community resources until funding is available.

<p>"A field of choices... Where abilities grow"</p> 	Policy 10
	Council of Community Members
	Effective Date: January 1997
	Last Revision Date: November 2019

CDDO of Butler County will ensure that persons served, their family members, guardians, affiliates and other interested parties from the community form and maintain a Community Council that will reflect a majority membership (51 percent) from persons served and their family members or guardians who are not employees of the CDDO or its affiliates.

The Community Council will meet at least quarterly to make suggestions and recommendations to the CDDO and the Board of Directors concerning the types and manner of services being offered. They are empowered to develop, monitor and provide a dispute resolution process to individuals receiving or requesting service. They will also provide oversight of quality of service provided requesting improvement in quality as necessary. The Community Council also serves as the quality assurance committee for the CDDO of Butler County. The Community Council must approve substantial changes to CDDO policies.


Procedure:

1. Annually each licensed/affiliated provider will be asked to send written notification to the CDDO with the name of one provider representative and an alternate to serve as the voting member for their agency. They are also asked to provide a minimum of two consumer representatives/parents/guardians who wish to serve on the council. The CDDO will verify nominees meet the above requirements and are eligible for participation. Council members shall not serve more than two consecutive three-year terms.
2. The council will meet at least quarterly, more often if deemed necessary. The membership will determine meeting dates/times.
3. A quorum must be present for meetings to be held, meaning 51% consumer representation at the meeting (persons served, parents or guardians).
4. New officers will be voted on annually at the first meeting of the new calendar year. Officers will include a president and vice president.

The CDDO will provide a staff liaison to the Council to assist in:

1. Providing for meetings.
2. Development of meeting agendas.
3. Forwarding information to Council members.
4. Recording Council minutes.
5. Ensuring that a quorum of 51% of members is present
6. Compiling quality assurance and dispute resolution information to share with the Council.

7. Providing follow up on recommendations made by Council on scope and/or quality of services provided.


<p>"A field of choices... Where abilities grow"</p> 	Policy 11
	Dispute Resolution
	Effective Date: January 1997
	Last Revision Date: October 2017

CDDO of Butler County and all affiliated community service providers (CSP) will provide persons served, guardians, support networks or CSPs the means by which grievances arising from the provision of services may be resolved to mutual satisfaction of those involved. Consumers/guardians/parents who have grievances involving an affiliated Community Service Provider (CSP), or any other component of the community services system which have not been resolved through the provider's internal grievance procedure may choose to use this resource. Disputes between community service providers or disputes with the CDDO may also be resolved through this process.

Procedure:

1. In the case of a dispute regarding eligibility, the involved party may request re-consideration by an independent third party. The CDDO will make arrangements with another CDDO to review the information and provide a decision on eligibility.
2. If upon reconsideration the decision is unchanged, the party will be notified of their right to an administrative hearing, which must be provided in writing within 30 days of the final notification.
3. Parties who believe their provision of service or response to individual rights do not conform to the DD Reform Act, related regulations, or current CDDO/KDADS contract may take the following action:
 - a. The parties to the dispute will be encouraged to first follow any internal grievance/dispute process of the CSP involved.
 - b. If the dispute remains unresolved, one or both of the parties must present notice to the CDDO within thirty (30) days of the issue for dispute resolution. It is preferred the notice be in writing, but the CDDO will accept other forms.
 - c. The CDDO will notify the CDDO Dispute Resolution Committee comprised of the CDDO Executive Director, and 3 representatives from the CDDO Board of Directors. The CDDO Executive Director will not be allowed a vote in the event the dispute involves the CDDO.
 - d. Within 20 calendar days of the dispute being received by the CDDO, the CDDO Dispute Resolution Committee will hear oral presentations from grieving parties and attempt to reach a mutually satisfactory solution.
 - e. If the grievance cannot be resolved, either party may request intervention into the dispute by a mediator who has no decision-making authority and is impartial to the issues being discussed. Mediation must be completed within 40 calendar days following the original notice of dispute.


- f. The cost of a professional mediator will be shared equally by the disputing parties. Persons receiving services will not be denied mediation solely because of inability to pay applicable mediation fees.
 - g. If the dispute remains unresolved, any party to the dispute may appeal to the Kansas Department for Aging and Disability Services by presenting written notice of appeal within 10 calendar days of the appealing party's receipt of the decision.
 - h. The decision of KDADS may be appealed to the Office of Administrative Appeals within the Kansas Department of Administration.
4. The dispute resolution policy is shared annually with all individuals receiving services and is available on the CDDO website.

<p>"A field of choices... Where abilities grow"</p> 	Policy 12
	Fiscal Management
	Effective Date: October 2017
	Last Revision Date:

CDDO of Butler County will comply with fiscal management procedures outlined in K.A.R. 30-64-33.

Procedure:

1. The CDDO of Butler County shall expend all funds received pursuant to the annual contract with the State of Kansas consistent with the terms of the contract, and in accordance with applicable regulations. The CDDO will not use funds received pursuant to the annual contract to supplant funds previously received from local tax levies made pursuant to K.S.A. 19-4004, and amendments thereto.
2. The CDDO of Butler County will not transfer funds received through the annual contract with the State of Kansas to any other entity except in accordance with that contract, or as otherwise expressly authorized in advance, in writing, by the State of Kansas.
3. All funds the CDDO of Butler County receives pursuant to the annual contract with the State of Kansas shall be subject to audit and review by KDADS.
4. State Aid funds are allocated based on approved categories in the KDADS Service Taxonomy. Specific details regarding how funds are allocated can be found in the CDDO Internal Processes manual.


<p>"A field of choices... Where abilities grow"</p> 	Policy 13
	Functional Assessment
	Effective Date: July 2019
	Last Revision Date: November 2019

CDDO of Butler County will collect information from its CDDO area and report to the Secretary (Secretary of the Kansas Department for Aging and Disability Services) all individuals that are receiving supports and services.

Procedure:

Collection of BASIS/Functional Assessment data:

1. Initial BASIS/Functional Assessment Information and Services sections will be completed by the CDDO.
2. The CDDO will annually complete the BASIS/Functional Assessment as required by Kansas Department for Aging and Disability Services (KDADS)/CDDO contract. The CDDO will also complete the Children’s Supplement for individuals age 5-10.
3. The Case Manager is responsible for making necessary changes in demographic information and forwarding them to the CDDO as they occur. The case manager should also submit a 3161 form to the Clearinghouse as needed for changes in the person or the guardian’s address or contact information.
4. CDDO staff will also go over this section annually at the time of the BASIS/Functional Assessment.
 - a) If the individual does not utilize case management services, the CDDO will update the BASIS/Functional Assessment Information section as changes occur.
5. The CDDO will enter BASIS/Functional Assessment data in to the Kansas Assessment Management Information System (KAMIS) system. Once the assessment data is entered and approved, a Notice of Action will be generated indicating if the person is functionally eligible for Home and Community Based Services (HCBS). CDDO staff will provide a copy of the Notice of Action to the person/their guardian, Managed Care Organization (MCO) and their Targeted Case Manager (TCM) if they have one. Individuals who are determined functionally eligible for HCBS will be added to the waiting list for funding.
6. If they are not functionally eligible at the time of the initial assessment, they will be added to the list if/when they are functionally eligible when re-assessed annually and services are requested.
7. See the BASIS/Functional Assessment Process area of the CDDO Internal Processes manual for more specific details on scheduling, documentation, appeals, etc.

<p>"A field of choices... Where abilities grow"</p>  <p>CDDO of Butler County</p>	Policy 14
	Provider Choice
	Effective Date: January 2013
	Last Revision Date: November 2019

Persons who receive community developmental disability services have the right to choose their service provider(s). They also have the right to change service providers. The CDDO will facilitate the provider choice/change process to ensure a smooth transition and avoid an interruption in services.

Procedure:

The policy is to help the individual and their guardian in making an educated choice regarding their service providers and to assure a seamless transition between providers when a change in provider occurs.

1. When funding is approved by the MCO or CDDO (local funds) the CDDO and targeted case manager will share information with the family regarding the provider options available in Butler County and assist them in contacting/touring providers.
2. If the CDDO is contacted directly about a desire to change providers, we will provide information on the services/providers available via phone or we can send information via mail/e-mail if requested. Information about our service providers is also available on our website www.cddobutlercounty.org.
3. The CDDO will provide a copy of the *Service Provider-Option* form to the be filled out and signed by the person/their guardian and submitted to the CDDO.
4. The CDDO will follow up with the person/their guardian if there are concerns regarding the choice or change in provider (why it is occurring, or any concern with not being aware of all their options).
5. If the desire to change service providers is due to dissatisfaction or conflict with the current provider, the person/their guardian will be given the opportunity to disclose the reason for the change and be given the option of having the CDDO mediate with the current provider.
6. The CDDO will notify both agencies and the MCO involved of any change and include a copy of the signed *Service Provider- Option* form.
7. For changes in day and/or residential services:
 - a. A transition meeting should be scheduled among all service providers within 14 business days and a *Transition of Services Form* completed.
 - b. Within two business days of the transition meeting, the Targeted Case Manager (TCM) shall provide the CDDO with a copy of the form which includes a start date for the new service provider.

- c. Prior to the change in services the TCM must provide the CDDO with any updated information for the BASIS/Functional Assessment information page.
8. For a change in TCM:
 - a. The effective date of the change is 10 business days following the date the notification of the change of service provider is sent.
 - b. Prior to the effective date, the current TCM agency must fill out the *Butler CDDO TCM Transfer Checklist* and send it along with the documents noted on the form to the new TCM provider.
9. If the change is for a service other than day, residential or TCM the case manager must work with both agencies and the MCO to determine an appropriate start date for the change in provider. Changes involving a Financial Management Services provider are always at the beginning of the month.

Annual Notification

At the initial and annual assessment the *Service/Provider Option* form is discussed, filled out and signed indicating the chosen service providers. If the guardian is not available at the time of the assessment, the information is mailed to them. The same information is mailed annually to individuals waiting for services and those living in ICF/IID's whose home county is Butler County.

This packet/information also includes:

- The types of service and providers available in Butler County
- Their rights ensured by the Developmental Disability Reform Act
- The CDDO Dispute Resolution policy