

SCIOTO COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

POLICY 5.12 SUPPORTED LIVING

I. Introduction:

Scioto County Board of DD subscribes to the belief that individuals should have the opportunity to live as independently as possible.

To this end, the Scioto County Board of DD shall arrange for supported living in accordance with Ohio Revised Code 5126.43 within the limits of available resources and this policy on behalf of and with the consent of individuals based on their individual service plans developed under Section 5126.41 of the Ohio Revised Code. (Ref.: ORC 5126.051)

II. Definitions

As defined in Ohio Revised Code (ORC) 5126.01 (X)(1)& (2)

- A. “Supported living” means services provided for as long as twenty-four hours a day to an individual with a developmental disability through any public or private resources, including moneys from the individual, that enhance the individual’s reputation in community life and advance the individual’s quality of life by doing the following:
 - 1. Providing the support necessary to enable an individual to live in a residence of the individual’s choice, with any number of individuals who are not disabled, or with not more than three individuals with developmental disabilities unless the individuals are related by blood or marriage;
 - 2. Encouraging the individual’s participation in the community;
 - 3. Promoting the individual’s rights and autonomy;
 - 4. Assisting the individual in acquiring, retaining, and improving the skills and competence necessary to live successfully in the individual’s residence.
- B. “Supported living” includes the provision of all of the following:
 - 1. Housing, food, clothing, habilitation, staff support, professional services, and any related support services necessary to ensure the health, safety, and welfare of the individual receiving the services;

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2. A combination of lifelong or extended-duration supervision, training, and other services essential to daily living, including assessment and evaluation and assistance with the cost of training materials, transportation, fees, and supplies;
3. Personal care and homemaker services;
4. Household maintenance that does not include modifications to the physical structure of the residence;
5. Respite care services;
6. Program management, as described in ORC Section 5126.14.

III. Eligibility for Scioto County Supported Living Funding

- A. Individuals must be determined eligible to receive services from SCBDD in accordance with ORC 5126.01.
- B. Individuals must consent to have an SCBDD Service and Support Administrator (Reference definition of SSA in ORC 5126.15).
- C. Individuals cannot be residents of Skilled or Intermediate Care Facilities, licensed residential facilities, or foster care homes and also receive supported living funding. (See 'Obtaining Supported Living Services' section below.)
- D. Individuals cannot be receiving Home and Community Based Waiver funds (e.g., Ohio Homecare Waiver, Individual Options Waiver, Level One Waiver, SELF, etc.) and receive supported living funding. EXCEPTIONS can be made for emergencies and one-time residence setup. (See 'Obtaining Supported Living Services' section below.)
- E. Individuals who meet the criteria for emergency status found in OAC 5123:2-1-08 (5) may be eligible for short-term Supported Living funding.

IV. Obtaining Supported Living Services

- A. For individuals already enrolled, referrals for supported living services are made to the Service and Support Administration (SSA) Director, or designee, based upon individual need and availability of local Supported Living funds. Due to the limited nature of these funds, whenever possible alternative funding sources will be used to meet the needs of the individual.

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- B. Beginning with the adoption of this policy, long-term use of Supported Living funds will be discouraged. Whenever possible, individuals will be moved to HCBS waiver programs in accordance with laws and rules governing waiting lists regarding the refinancing of Supported Living (Ref.: OAC 5123:2-1-08). Exceptions will be made for those individuals already receiving Supported Living funds, who do not have other sources of financial support (e.g., Medicaid Waivers).
- C. Only Supported Living providers certified per ORC 5123.161 who have registered with the Provider Liaison at SCBDD may provide services. Certified Supported Living Providers are to contract with the individual and SCBDD in accordance with ORC 5126.45.
- D. Individuals/guardians, with the help of an SSA, family members, or advocate, will choose from a pool of available Supported Living providers. (See section on Supported Living Provider Selection below.)(Ref: ORC 5126.42)
- E. The SSA and the individual/guardian, along with those whom he/she chooses, will assess the individual's needs and develop an Individual Service Plan using best practices, current procedures adopted by the SSA Department, and in accordance with ORC 5126.41.
- F. SCBDD recognizes that individuals who are transitioning to their own home may need one-time, short-term financial assistance. Even if these individuals are receiving HCBS Waiver funds or have other funding sources which do not cover these expenses, SCBDD may use Supported Living funds to assist. Individuals are expected to reimburse the Supported Living program for these services, as they are able.

V. Payment for Supported Living Services

- A. Certified Supported Living providers will provide services as specified in the Individual Service Plan, document the delivery of those services, and submit billing to the Service and Support Administration Department monthly.
- B. SCBDD adopts Appendix A of OAC 5123:2-9-30 (effective date: 2-5-2018) as the rate of reimbursement to Supported Living providers.
- C. There is no reimbursement to the provider for expenses incurred during the delivery of Supported Living services. Examples include admission to movies, concerts, and other recreation/leisure activities, parking, etc. In situations where such expenses exceed \$10, the Individual Service Plan should specify if/how the individual can assist with costs in excess of \$10.

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- D. Only Supported Living funds received from DODD and designated as such will be used to reimburse certified Supported Living providers. No funds will be taken from the General Fund to be used for such expenses.

VI. Grievance Procedures

- A. The resolution of grievances between the County Board and providers or between the Board and an entity with which it has a shared funding agreement, will follow the grievance procedure outlined in the contract or agreement. If there is not a grievance procedure in these documents, the parties will use the Board's Administrative Resolution of Complaints policy from this Manual.
- B. Grievances between individuals served and the Board may be resolved using the Board's Administrative Resolution of Complaints policy in this Manual.
- C. Grievances between an individual and a provider will be resolved with the assistance of the individual's Service and Support Administrator. Individuals have the right to change providers and providers may elect not to work with all individuals.

VII. Supported Living Provider Selection

- A. The Board shall develop and implement a provider selection system. This system shall enable an individual to choose to continue receiving supported living from the same providers, to select additional providers, or to choose alternative providers.
- B. Annually, the Board shall review its provider selection system to determine whether it has been implemented in a manner that allows individuals free choice of provider.
- C. In developing a provider selection system, the Board shall create a pool of providers for individuals to use in choosing their providers of supported living. The pool shall be created by placing in the pool all providers on record with the Board or by placing in the pool all providers approved by the Board through soliciting requests for proposals for supported living contracts. In either case, only providers that are certified by the director of DODD may be placed in the pool.
- D. If the Board places all providers on record in the pool, the Board shall review the pool at least annually to determine whether each provider has continued Interest in being a provider and has maintained its certification by the department. At any time, an interested and certified provider may make a

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request to the board that it be added to the pool, and the board shall add the provider to the pool not later than seven days after receiving the request.

- E. If the Board solicits requests for proposals for inclusion of providers in the pool, the Board shall develop standards for selecting the providers to be included. Requests for proposals shall be solicited at least annually. When requests are solicited, the Board shall cause legal notices to be published at least once each week for two consecutive weeks in a newspaper with general circulation within the county. The Board's formal request for proposals shall include a description of any applicable contract terms, the standards that are used to select providers for inclusion in the pool, and the process the Board uses to resolve disputes arising from the selection process. The Board shall accept requests from any entity interested in being a provider of supported living for individuals served by the board. Requests shall be approved or denied according to the standards developed by the Board. Providers that previously have been placed in the pool are not required to resubmit a request for proposal to be included in the pool, unless the Board's standards have been changed.
- F. In assisting an individual in choosing a provider, the Board shall provide the individual with uniform and consistent information pertaining to each provider in the pool. An individual may choose to receive supported living services from a provider who is not included in the pool, as long as the provider is certified by the director of the Ohio Department of Developmental Disabilities and is included in the ISP. Payment for such a provider through supported living funds will be at the discretion of the superintendent or designee.

IX. Quality Assurance

Quality assurance reviews will be performed in accordance with OAC, ORC, and the Supported Living Quality Assurance policy in this Manual.