

Service Name: **DD Local Administration**

Service ID Code: **DD 02**

I. Service Description

A. DD Local Administration (DD 02) is the central management of a Community Developmental Disability Program for which financial assistance is included in either the Financial Assistance Award or the Service Element Prior Authorization of this Agreement. DD 02 includes service eligibility determination, planning and resource development, coordination of Community Developmental Disability Program services with state and other community services, negotiation and monitoring of contracts and subcontracts, and documentation of service delivery in compliance with state and federal requirements.

B. Definitions: For purposes of this Service Description, the terms listed below shall have the following meanings:

“Eligibility Specialists” shall mean the individual(s) retained to perform Eligibility Determination Services.

“Geographic Service Area” shall mean the geographic area of County or the geographic area of all counties in which County shall provide DD 02 Services as listed in a special condition for a particular line of the Financial Assistance.

II. Performance Requirements

A. In providing DD 02 Services for Developmental Disability Services, County must comply with OAR Chapter 411, Division 320, as such rules may be revised from time to time.

B. Eligibility Determination: Providers of DD 02 Services funded through this Agreement must:

1. Employ an identified individual as an Eligibility Specialist or have an agreement with another CDDP to perform eligibility determination which includes the Provider of DD 02 Services in their Geographic Service Area.
2. If Provider of DD 02 Services funded through this agreement provides Eligibility Determination, the Provider of DD 02 Services must employ sufficient staff to perform the CDDP’s eligibility requirements.
3. If the Provider of DD 02 Services agrees to accept the provision of Eligibility Determination for another CDDP, the Provider of DD 02 Services must employ sufficient staff to perform the eligibility requirements for the Geographic Service Area the Provider of DD 02 Services has agreed to serve in addition to their own CDDP’s eligibility requirements.

4. Eligibility Specialists employed to provide eligibility services:
 - a. Must meet the criteria of a Services Coordinator as defined in OAR 411-320-0030, as such rules may be revised from time to time.
 - b. Must be able to pass a competency based training given by the Department's Diagnosis and Evaluation Coordinator, within one year of hire.
5. Provider of DD 02 Services funded through this Agreement must use Department approved forms and procedures for eligibility determination services.
6. Provider of DD 02 Services funded through this Agreement must participate in at least 20 hours of training related to developmental disabilities or eligibility on an annual basis.
7. Eligibility Specialist shall participate in at least one of the semi-annual trainings facilitated by the Department's Office of Developmental Disability Services.
8. Inform the Department's Office of Developmental Disability Services the name(s) of the CDDP's designated Eligibility Specialist(s), and assuring this information is current should changes occur.

III. Special Reporting Requirements

- A. Provider of DD 02 Services funded through this Agreement shall report eligibility activities using forms and procedures prescribed by the Department. Data may include, at minimum: intakes; eligibility decisions; and appeals.
- B. Provider of DD 02 Services funded through this Agreement shall provide documentation that the Eligibility Specialists meet the qualifications set forth in Section II Performance Requirements, above, using forms and procedures prescribed the Department.

IV. Financial Assistance Calculation and Disbursement Procedures

- A. Calculation of Financial Assistance: Department will provide financial assistance for DD 02 Services, from DD 02 funds included in a particular line in the Service Element Prior Authorization, in an amount equal to the monthly amount as set forth in the accepted Service Element Prior Authorization and approved in the Provider Prior Authorization, as such amounts may be updated from time to time, during the period specified in the Service Element Prior Authorization, subject to the following:

1. Total Department financial assistance for all DD 02 Services delivered under Service Element Prior Authorization shall not exceed the total funds awarded for DD 02 Services as specified in the Service Element Prior Authorization for DD 02 Services funded through this Agreement.
 2. If County fails to deliver DD 02 Services for part of the month, the financial assistance for that month of service will be prorated and the Department may reduce future disbursements of DD 02 funds accordingly. If requested by Department, County shall also accept an appropriate SEPA Adjustment to reflect that reduction in the financial assistance for DD 02 as a result of County's failure to deliver the DD 02 Services during the entire month.
- B. Disbursement of Financial Assistance: Department will disburse to Provider of DD 02 Services the financial assistance awarded for DD 02 Services under a particular line of the Service Element Prior Authorization and as approved by the Department in a Provider Prior Authorization in substantially equal monthly allotments during the period specified in that line of Service Element Prior Authorization, subject to the following:
1. Department may, after 30 days (unless parties agreed otherwise) written notice to County, reduce the monthly allotments based on under used allotments identified through eXPRS or applicable Special Terms and Conditions.
 2. Department may, upon written request of County, adjust monthly allotments.
 3. Upon amendment to the Financial Assistance Award or acceptance of a Service Element Prior Authorization, Department shall adjust monthly allotments as necessary to reflect changes in the funds awarded for DD 02 Services on that line of the Financial Assistance Award.
- C. Agreement Settlement: Agreement Settlement will be used to confirm County's administration of its CDDP and reconcile any discrepancies that may have occurred during the term of this Agreement between actual Department disbursements of financial assistance awarded for DD 02 Services under a particular line of the Service Element Prior Authorization and amounts due for such services based on the delivery of Services and the financial assistance awarded for DD 02 Services under a particular line of the Service Element Prior Authorization.

Service Name: **SHORT TERM CRISIS SERVICES FOR CHILDREN AND ADULTS**

Service I.D. Code: **DD 44**

I. Service Description

Crisis Services (DD 44) are: (a) services delivered to children and adults who are eligible for Crisis Services under Oregon Administrative Rule Chapter 411, Division 320, as such rules may be revised from time to time. The purpose of DD 44 Services is (i) to maintain the individual in, or return the individual to, the community or (ii) to maintain the child in the home, but services may include temporary out-of-home placement.

II. Performance Requirements

Providers of DD 44 Services funded through this Agreement must comply with the requirements of Oregon Administrative Rule Chapter 411, as such rules may be revised from time to time.

III. Special Reporting Requirements

All individuals receiving DD 44 Services supported with funds provided under this Agreement must be enrolled in one or more of the following:

- a DHS Service Eligibility System
- CPMS, and the individual's CPMS record for DD 44 Services must be maintained, as specified by the Department
- if applicable, as further specified in this Service Description, special conditions, Special Terms and Conditions of this Agreement
- or as instructed by Department

IV. Financial Assistance Calculation and Disbursement Procedures

A. Calculation of Financial Assistance: Department will provide financial assistance for DD 44 Services identified in a particular line of the Financial Assistance Award in an amount equal to the actual expenses incurred by a Provider in delivering DD 44 Services under that line of the Financial Assistance Award during the period specified on that line, subject to the following:

1. Total Department financial assistance for all DD 44 Services delivered under a particular line of the Financial Assistance Award shall not exceed the total funds awarded for DD 44 Services as specified in that line of the Financial Assistance Award.
2. Department is not obligated to provide financial assistance for any DD 44 Services that are not properly reported to Department through CPMS (or through

other method permitted or required by this Service Description or applicable Special Terms and Conditions) by the date 60 days after the earlier of termination of this Agreement, termination of Department's obligation to provide financial assistance for DD 44 Services, or termination of County's obligation to include the Program Area, in which DD 44 Services fall, in its CMHP.

- B. Disbursement of Financial Assistance: Unless a different disbursement method is specified in that line of the Financial Assistance Award, Department will disburse the financial assistance awarded for DD 44 Services in a particular line of the Financial Assistance Award to County in substantially equal monthly allotments during the period specified in that line of the Financial Assistance Award, subject to the following:
1. Department may, after 30 days (unless parties agreed otherwise) written notice to County, reduce the monthly allotments based on under used allotments identified through CPMS or through other reports required or permitted by this Service Description or applicable Special Terms and Conditions.
 2. Department may, upon written request of County, adjust monthly allotments.
 3. Upon amendment to Financial Assistance Award, Department shall adjust monthly allotments as necessary, to reflect changes in the funds awarded for DD 44 Services on that line of the Financial Assistance Award.
- C. Agreement Settlement: Agreement Settlement will reconcile any discrepancies that may have occurred during the term of this Agreement between actual Department disbursements of financial assistance awarded for DD 44 Services under a particular line of the Financial Assistance Award and amounts due for such Services based on actual expenditures incurred by a Provider in delivering DD 44 Services under that line of the Financial Assistance Award during the term of this Agreement, as such expenses are properly reported in CPMS or by other reporting method required or permitted by this Service Description or applicable Special Terms and Conditions.

Service Name: **SHORT TERM CRISIS SERVICES FOR CHILDREN AND ADULTS**

Service I.D. Code: **DD 44**

I. Service Description

Crisis Services (DD 44) are: (a) services delivered to children and adults who are eligible for Crisis Services under Oregon Administrative Rule Chapter 411, Division 320, as such rules may be revised from time to time. The purpose of DD 44 Services is (i) to maintain the individual in, or return the individual to, the community or (ii) to maintain the child in the home, but services may include temporary out-of-home placement.

II. Performance Requirements

Providers of DD 44 Services funded through this Agreement must comply with the requirements of Oregon Administrative Rule Chapter 411, as such rules may be revised from time to time.

III. Special Reporting Requirements

All individuals receiving DD 44 Services supported with funds provided under this Agreement must be enrolled in one or more of the following:

- a DHS Service Eligibility System
- CPMS, and the individual's CPMS record for DD 44 Services must be maintained, as specified by the Department
- if applicable, as further specified in this Service Description, special conditions, Special Terms and Conditions of this Agreement
- or as instructed by Department

IV. Financial Assistance Calculation and Disbursement Procedures

A. Calculation of Financial Assistance: Department will provide financial assistance for DD 44 Services identified in a particular line of the Financial Assistance Award in an amount equal to the actual expenses incurred by a Provider in delivering DD 44 Services under that line of the Financial Assistance Award during the period specified on that line, subject to the following:

1. Total Department financial assistance for all DD 44 Services delivered under a particular line of the Financial Assistance Award shall not exceed the total funds awarded for DD 44 Services as specified in that line of the Financial Assistance Award.
2. Department is not obligated to provide financial assistance for any DD 44 Services that are not properly reported to Department through CPMS (or through

other method permitted or required by this Service Description or applicable Special Terms and Conditions) by the date 60 days after the earlier of termination of this Agreement, termination of Department's obligation to provide financial assistance for DD 44 Services, or termination of County's obligation to include the Program Area, in which DD 44 Services fall, in its CMHP.

- B. Disbursement of Financial Assistance: Unless a different disbursement method is specified in that line of the Financial Assistance Award, Department will disburse the financial assistance awarded for DD 44 Services in a particular line of the Financial Assistance Award to County in substantially equal monthly allotments during the period specified in that line of the Financial Assistance Award, subject to the following:
1. Department may, after 30 days (unless parties agreed otherwise) written notice to County, reduce the monthly allotments based on under used allotments identified through CPMS or through other reports required or permitted by this Service Description or applicable Special Terms and Conditions.
 2. Department may, upon written request of County, adjust monthly allotments.
 3. Upon amendment to Financial Assistance Award, Department shall adjust monthly allotments as necessary, to reflect changes in the funds awarded for DD 44 Services on that line of the Financial Assistance Award.
- C. Agreement Settlement: Agreement Settlement will reconcile any discrepancies that may have occurred during the term of this Agreement between actual Department disbursements of financial assistance awarded for DD 44 Services under a particular line of the Financial Assistance Award and amounts due for such Services based on actual expenditures incurred by a Provider in delivering DD 44 Services under that line of the Financial Assistance Award during the term of this Agreement, as such expenses are properly reported in CPMS or by other reporting method required or permitted by this Service Description or applicable Special Terms and Conditions.

Service Name: **NURSING FACILITY SPECIALIZED SERVICES**

Service I.D. Code: **DD 45**

I. Service Description

Nursing Facility Specialized Services (DD 45) are individualized habilitation services for persons with developmental disabilities residing in "Nursing Facilities", as defined in OAR 411-070-0005(26), as such rule may be revised from time to time. These services are to be integrated with, but are in addition to, care the Nursing Facility is required to provide.

For purposes of this Agreement, an individual shall be considered to have received DD 45 services only when one of the following conditions is met:

- A. Individual receiving DD 45 Services funded through this Agreement, as described in Section II (A) through (E), has consistently maintained a documented DD 45 Service participation level as required in II Performance Requirements, C. Minimum Hours of Service; or
- B. The Provider is actively involved in initial planning and assessment activities for the individual, including development of the individual's annual service plan as required by OAR 411-320-0150, as such rules may be revised from time to time. Such planning activity performed on behalf of the individual shall be noted on the individual's case record required in section II (E) below. The individual may be considered to have received DD 45 Services under this Section I(A) for a maximum of 14 consecutive days, beginning with the date the individual is first enrolled in the Provider's services; or
- C. The individual had been receiving DD 45 Services from the Provider, as described in Sections II (A) through (E), immediately prior to the absence and the individual is absent from Provider's DD 45 Services, for not more than 5 consecutive days (excluding weekends and holidays), unless an exception is granted by Department, as a result of incarceration or absence without leave, and it has not been determined that the individual will not be returning to Provider's DD 45 Services; or
- D. The individual had been receiving DD 45 Services from the Provider, as described in Sections II (A) through (E), immediately prior to the absence and the individual is absent from Provider's DD 45 Services for not more than 14 consecutive days, not to exceed 45 days in any one-year period unless an exception is granted by the Department, as a result of being on vacation or family visit and it has not been determined that the individual will not be returning to Provider's DD 45 Services; or

- E. The individual had been receiving DD 45 Services from the Provider, as described in Sections II (A) through (E), immediately prior to the absence and the individual is absent from Provider's DD 45 Services for not more than 90 consecutive days as a result of being on convalescent leave, on leave under the Family Medical Leave Act, or admittance to either a medical hospital, psychiatric hospital, or a State-Operated Community Program, and it has not been determined that the individual will not be returning to Provider's DD 45 Services.

II. Performance Requirements:

- A. Services to be Provided: DD 45 Services funded through this Agreement must be directly tied to the findings of assessment(s) of the service needs of individuals receiving the DD 45 Services, including service needs identified in the "Pre-Admission Screening" or "PAS" level II assessment, which is defined, for purposes of this Service Description, as the current version of the "Pre-Admission Screening" required by OAR 411-070-0043, as such rules may be revised from time to time. Additional assessments, including the "Minimum Data Set" or "MDS" which Nursing Facilities must complete for all residents, may be used to identify or clarify additional service needs.
- B. Eligibility for Services: All individuals receiving DD 45 Services funded through this Agreement must have been determined, through the Pre-Admission Screening process, to: (1) be eligible for developmental disability services, with eligibility determined in accordance with OAR Chapter 411, Division 320, as such rules may be revised from time to time; (2) require Nursing Facility services and does not have an active plan to return to another community residential service placement; and (3) require specialized habilitation services specifically related to the individuals' developmental disabilities as defined by OAR 411-070-0005 (63), as such rules may be revised from time to time.
- C. Minimum Hours of Service: Providers of DD 45 Services funded through this Agreement must provide at least 25 hours per week of direct Service outside of the Nursing Facility setting to each individual receiving DD 45 Services funded through this Agreement. Time to transport an individual receiving DD 45 Services to the Provider's service site, community activities and events may be included in computing the 25 hours of service.
- D. Providers of DD 45 Services funded through this Agreement must be certified to provide "Employment And Alternatives To Employment Services" consistent with the provisions of OAR Chapter 411, Division 345-0030, as such rule may be revised from time to time.
- E. Record keeping: Providers of DD 45 Services funded through this Agreement must maintain a case record for each individual served, that includes: a description of the specific habilitation services to be provided with DD 45 funds as outlined in OAR Chapter 411, Division 320, as such rule may be revised from time to time;

documentation of enrollment in DD 45 Services in CPMS; copies of records documenting the level of participation and attendance for each individual receiving DD 45 Services; copies of Incident Reports, as defined in OAR Chapter 411, Division 320, as such rule may be revised from time to time; and a copy of the Nursing Facility Rehabilitation Plan as required in OAR 411-086-0220, as such rule may be revised from time to time.

III. Special Reporting Requirements

A. CPMS:

1. All individuals receiving DD 45 Services with funds provided under this Agreement must be enrolled in CPMS, and the individual's CPMS record for DD 45 Services must be maintained, as specified in Department's CPMS manual for Developmental Disability Services, and, if applicable, as further specified in this Service Description, special conditions, Special Terms and Conditions of this Agreement, or as otherwise instructed by Department.
 2. An individual enrolled in CPMS in DD 45 Services must be reported in CPMS as terminated from a Provider's DD 45 Services when the individual dies, moves out of the nursing facility, or if still residing in a Nursing Facility, has not received DD 45 Services for more than 30 consecutive days.
- B. Provider of DD 45 Services funded through this Agreement must make information described in II Performance Requirement available to County and Department upon request.
- C. County must provide written notification, to Department's SPD program specialist for specialized nursing services, within 14 days after an individual receiving DD 45 Services funded through this Agreement dies, moves out of a Nursing Facility, or is disenrolled from DD 45 Services for any other reason.

IV. Financial Assistance Calculation and Disbursement Procedures

- A. Calculation of Financial Assistance: Department will provide financial assistance for DD 45 Services identified in a particular line of the Financial Assistance Award in an amount equal to the applicable monthly rate set forth on the Developmental Disability Rate Schedule attached to the Financial Assistance Award, as such schedule may be amended from time to time, multiplied by the number of monthly units of DD 45 Services delivered at that rate under that line of the Financial Assistance Award during the period specified in that line, subject to the following:
1. Total Department financial assistance for all DD 45 Services delivered under a particular line of the Financial Assistance Award shall not exceed the total funds awarded for DD 45 Services as specified in that line of the Financial Assistance Award.

2. Department will not provide financial assistance for any units of DD 45 Services delivered during a particular month under a particular line of the Financial Assistance Award in excess of the number of units specified in that line of the Financial Assistance Award.
 3. If at the end of any month during the period specified on a particular line of the Financial Assistance Award the cumulative-to-date monthly average number of units of DD 45 Services delivered under that line of the Financial Assistance Award falls below 95% of the number of units specified in that line of the Financial Assistance Award, Department may unilaterally reduce the amount of financial assistance and the number of units specified in that line of the Financial Assistance Award, to make it consistent with the actual delivery of services, and County shall execute and deliver to Department an appropriate amendment to the Financial Assistance Award to reflect that reduction.
 4. Department is not obligated to provide financial assistance for any DD 45 Services that are not properly reported through CPMS (or through other method required or permitted by this Service Description or applicable Special Terms and Conditions) by the date 60 days after the earlier of termination of this Agreement, termination of Department's obligation to provide financial assistance for DD 45 Services, or termination of County's obligation to include the Program Area, in which DD 45 Services fall, in its CMHP.
 5. The rate or rates specified in the Developmental Disability Rate Schedule will be identified by Provider, may vary from Provider to Provider and may be changed by amendment to the Financial Assistance Award. The rate or rates specified in the Developmental Disability Rate Schedule are not tied to any particular line in the Financial Assistance Award and County is not required to contract for service delivery with any particular Provider identified in the Developmental Disability Rate Schedule; provided, however, that, in aggregate across all lines of the Financial Assistance Award that award funds for DD 45 Services, Department will not pay any rate specified in the Developmental Disability Rate Schedule for a particular month for more than the number of units specified at that rate for that month; provided, further, that if County wishes to shift units among Providers listed in the Developmental Disability Rate Schedule or shift units from a Provider listed in the Developmental Disability Rate Schedule to a Provider not listed in the Developmental Disability Rate Schedule, County must notify Department in writing of the change and execute an amendment to the Agreement implementing the change.
- B. Disbursement of Financial Assistance: Unless a different disbursement method is specified in that line of the Financial Assistance Award, Department will disburse the financial assistance awarded for DD 45 Services in a particular line of the Financial Assistance Award to County in substantially equal monthly allotments during the period specified in that line of the Financial Assistance Award, subject to the following:

1. Department may, after 30 days (unless parties agreed otherwise) written notice to County, reduce the monthly allotments based on under used allotments identified through CPMS or through other reports required or permitted by this Service Description or applicable Special Terms and Conditions.
 2. Department may, upon written request of County, adjust monthly allotments.
 3. Upon amendment to the Financial Assistance Award, Department shall adjust monthly allotments as necessary, to reflect changes in the funds awarded for DD 45 Services on that line of the Financial Assistance Award.
- C. Agreement Settlement: Agreement Settlement will reconcile any discrepancies that may have occurred during the term of this Agreement between actual Department disbursements of financial assistance awarded for DD 45 Services under a particular line of the Financial Assistance Award and financial assistance due for such services based on the rate or rates set forth in the Developmental Disability Rate Schedule, the number of units specified in that line of the Financial Assistance Award and the number of monthly units of DD 45 Services actually delivered under that line of the Financial Assistance Award during the period specified on that line, as properly reported in CPMS or by other reporting method required or permitted by this Service Description or applicable Special Terms and Conditions.

Service Name: **TARGETED CASE MANAGEMENT**

Service I.D. Code: **DD 48**

I. Service Description

Targeted Case Management (DD 48) Services are evaluation and coordination of services delivered to individuals with developmental disabilities who are in need of DD Services funded by Department. The purpose of DD 48 Services is to provide a fixed point of entry for such individuals. DD 48 Services include assessment of the level of care needed by each individual eligible for DD Services, assistance to individuals and/or their families in obtaining services, monitoring the delivery and outcomes of Department-funded DD Services provided to individuals residing in County, responding to individuals' needs for crisis intervention services, ensuring provision of protective services for individuals aged 18 and over, as necessary, and ensuring the development and monitoring the implementation of annual plan for each individual.

II. Performance Requirements

- A. Providers of DD 48 Services funded through this Agreement must comply with the requirements of OAR Chapter 411, Division 320, as such rules may be revised from time to time.
- B. Providers of DD 48 Services funded through this Agreement must provide, at minimum, one (1) annual billable service to all individuals receiving DD 48 Services funded through this Agreement.
- C. All individuals receiving DD 48 Services funded through this Agreement must be eligible for developmental disability services, with eligibility determined in accordance with OAR Chapter 411, Division 320, as such rule may be revised from time to time.

III. Special Reporting Requirements

- A. For each individual that applies for DD Services funded through this Agreement and is determined eligible for DD Services, the Provider of DD 48 Services shall create and submit a Client Prior Authorization (CPA) for DD 48 Services for Targeted Case Management (TCM) within 15 days of Provider of DD 48 Services determining the individual eligible for DD 48 Services.
- B. All individuals receiving DD 48 Services with funds provided under this Agreement must have an active and successful submission of a CPA within eXPRS for the period DD 48 Services were provided to the individual in order to claim an encounter. TCM CPAs as submitted through eXPRS for DD 48 Services funded through this Agreement will serve as the CDDP enrollment roster for DD Services.

- C. Individual's CPA for DD 48 Services must be maintained for the duration the individual receives DD 48 services from Provider of DD 48 services funded under this Agreement. Updates or changes to an individual's eligibility or service period for DD 48 Services funded through this Agreement must be reflected in the individual's CPA within 15 days of Provider of DD 48 Services receiving notification of change, and, if applicable, as further specified in this Service Description, special conditions, Special Terms and Conditions of this Agreement, or as otherwise instructed by Department.
- D. Provider for DD 48 Services funded through this Agreement shall report DD 48 encounters through eXPRS for each day a billable service is provided, following instructions designated by Department within 15 days of Provider of DD 48 Services delivery of DD 48 Services.
- E. Providers of DD 48 Services funded through this Agreement will complete and submit DD Service eligibility/enrollment/update form following instructions and form(s) designated by Department within 15 days of Provider of DD 48 notification and availability of information.
- F. If requested by Department, in an effort to calculate or update DD 48 payment rates, Providers of DD 48 Services funded through this Agreement shall submit detailed information on expenditures for DD 48 Services following instructions designated by Department.

IV. Financial Assistance Calculation and Disbursement Procedures

- A. Calculation of Financial Assistance: Department will provide financial assistance for DD 48 Services, from DD 48 funds included in a particular line in the Service Element Prior Authorization, in an amount equal to the monthly amount as set forth in the accepted Service Element Prior Authorization and approved in the Provider Prior Authorization, as such amounts may be updated from time to time, during the period specified in the Service Element Prior Authorization, subject to the following:
 - 1. Total Department financial assistance for all DD 48 Services delivered under Service Element Prior Authorization shall not exceed the total funds awarded for DD 48 Services as specified in the Service Element Prior Authorization for DD 48 Services funded through this Agreement.
 - 2. For each month for which DD 48 Services are reported in eXPRS as delivered to an individual, at least one billable service must have been delivered to the individual and documented in the individual's case file. Department will not provide financial assistance for more than one billable service per individual per month.

For purposes of this service description, a qualifying billable service means performance, by a Service Coordinator, both as defined in OAR Chapter 411, Division 320, as such rule may be revised from time to time, and consistent with published instructions of the Department, of one or more of the following:

- a. Activities performed for the purpose of carrying out the Community Developmental Disability Responsibilities specified in OAR Chapter 411, Division 320, as such rules may be revised from time to time; or
 - b. Activities performed for the purposes of carrying out the Developmental Disability Case Management Program Responsibilities specified in OAR Chapter 411, Division 320, as such rules may be revised from time to time; or
 - c. Activities performed in the review and remediation if necessary, of individual client records as required in OAR Chapter 411, Division 320, as such rule may be revised from time to time, but only when:
 - (i) Such review is conducted in response to a request from Department as part of a statewide quality assurance activity; or
 - (ii) Such review is defined within the scope of the CDDP Quality Assurance Plan, as defined in OAR Chapter 411, Division 320, as such rule may be revised from time to time and that review has been authorized, by the SPD staff person designated by Department as the SPD Quality Assurance Coordinator, to be deemed a qualifying billable service.
3. Department is not obligated to provide financial assistance for any DD 48 Services that are not properly documented in individual case files, or are not properly reported through eXPRS by the date 60 days after the earlier of termination of this Agreement, termination of Department's obligation to provide financial assistance for DD 48 Services, or termination of County's obligation to include the Program Area, in which DD 48 Services fall, in its CMHP.
 4. Provider of DD 48 Services must resolve all Provider Liability Accounts (PLA) relating to DD 48 Services, by ensuring the PLA ending balance is zero, within 60 days after the earlier of termination of this Agreement, termination of Department's obligation to provide financial assistance for DD 48 Services, or termination of County's obligation to include the Program Area, in which DD 48 Services fall, in its CMHP.
- B. Disbursement of Financial Assistance: Department will disburse to Provider of DD 48 Services the financial assistance awarded for DD 48 Services under a particular line of the Service Element Prior Authorization and as approved by the Department in a Provider Prior Authorization in substantially equal monthly allotments during the period specified in that line of Service Element Prior Authorization, subject to the following:

1. Department may, after 30 days (unless parties agree otherwise) written notice to County, reduce the monthly allotments based on under used allotments identified through eXPRS or applicable Special Terms and Conditions.
 2. Department may upon written request of County, adjust monthly allotments.
 3. Upon amendment to the Financial Assistance Award or acceptance of a Service Element Prior Authorization, Department shall adjust monthly allotments as necessary, to reflect changes in the funds awarded for DD 48 Services on that line of the Financial Assistance Award.
 4. Department may reduce monthly allotments based on the Provider of DD 48 Services Provider Liability Account (PLA) as reported through eXPRS.
- C. Agreement Settlement: Agreement Settlement will reconcile any discrepancies that may have occurred during the term of this Agreement between actual Department disbursements of financial assistance awarded for DD 48 Services under a particular line of the Service Element Prior Authorization and amounts due for such services, subject to IV. Financial Assistance Calculation and Disbursement Procedures Section B. 1., based on the amount of qualifying billable services actually delivered and reported in accordance to III Special Report Requirements, Section B. and the rate or rates set forth in the DD 48 Financial Assistance Rate during the term of the Agreement, as such services are properly reported in eXPRS or applicable Special Terms and Conditions.

Service Name: **COMPREHENSIVE IN-HOME SUPPORT SERVICES FOR ADULTS**

Service ID Code: **DD 49**

I. Service Description and Definitions

- A. Service Description: Comprehensive In-Home Support Services for Adults (DD 49) are services that enable individuals aged 18 years or older with developmental disabilities to continue in their family homes. DD 49 Services include assistance in: determining support needs; finding and arranging resources and personal support services to meet the individuals' needs; assisting individuals to make informed decisions about personal support needs and support providers; and monitoring and improving the quality of personal supports. Personal supports may include, but are not limited to: respite care; non-medical transportation; in-home staffing; supported employment services; community inclusion activities; and environmental accessibility adaptations. DD 49 Services may also include fiscal intermediary services, such as assisting individuals or their families in complying with payroll and related requirements for employers when the individuals or their families employ their own caregivers.
- B. Definitions: For purposes of this Service Description for DD 49 Services, "In-Home Support Plan" or "IHS Plan" shall have the meaning set forth in OAR Chapter 411, Division 330, as such rules may be revised from time to time.

II. Performance Requirements

- A. Providers of DD 49 Services funded through this Agreement must comply with the requirements of OAR Chapter 411, Division 330, as such rules may be revised from time to time.
- B. All individuals receiving DD 49 Services funded through this Agreement must be eligible for developmental disability services, with eligibility determined in accordance with OAR Chapter 411, Division 320, as such rule may be revised from time to time.
- C. Only individuals who require more than \$21,562.00 for the period July 1, 2009 through June 30, 2011:
1. DD 49 Services, or
 2. DD 49 Services in combination with any associated Employment and Community Inclusion Services (DD 54)
- to enable them to continue to live in their family homes are eligible for DD 49 Services funded through this Agreement.
- D. Project Evaluation: If requested by Department, Providers of DD 49 Services funded through this Agreement must participate in a Department-authorized external evaluation

of the impact and effectiveness of the DD 49 Services. Participation includes, but is not limited to: furnishing all readily available program data within statutory and regulatory limits governing confidentiality, granting permission for staff and individuals to be interviewed and/or respond to questionnaires, and participating in other evaluation activities as may reasonably be required by Department.

III. Special Reporting Requirements

All individuals receiving DD 49 Services with funds provided under this Agreement must be enrolled in CPMS, and the individual's CPMS record for DD 49 Services must be maintained, as specified in Department's CPMS manual for Developmental Disability Services, and, if applicable, as further specified in this Service Description, special conditions, Special Terms and Conditions of this Agreement, or as otherwise instructed by Department.

IV. Financial Assistance Calculation and Disbursement Procedures

- A. Calculation of Financial Assistance: Department will provide financial assistance for DD 49 Services identified in a particular line of the Financial Assistance Award in an amount equal to the actual allowable costs incurred by a Provider in delivering DD 49 Services under that line of the Financial Assistance Award during the period specified in that line, subject to the following:
1. Allowable costs are costs necessarily incurred, during the term of this Agreement, in implementing In Home Support Plans for individuals receiving DD 49 Services with funds provided under this Agreement to the extent such costs are allowed under OAR Chapter 411, Division 330, as such rules may be revised from time to time.
 2. Total Department financial assistance for all DD 49 Services delivered under a particular line of the Financial Assistance Award shall not exceed the total funds awarded for DD 49 Services as specified in that line of the Financial Assistance Award.
 3. Department is not obligated to provide financial assistance for any DD 49 Services that are not properly reported to Department as required by this Agreement by the date 60 days after the earlier of termination of this Agreement, termination of Department's obligation to provide financial assistance for DD 49 Services, or termination of County's obligation to include the Program Area, in which DD 49 Services fall, in its CMHP.
- B. Disbursement of Financial Assistance: Unless a different disbursement method is specified in that line of the Financial Assistance Award, Department will disburse the financial assistance awarded for DD 49 Services in a particular line of the Financial Assistance Award to County in substantially equal monthly allotments during the period specified in that line of the Financial Assistance Award, subject to the following:

1. Department may, after 30 days (unless parties agreed otherwise) written notice to County, reduce the monthly allotments based on under used allotments identified through CPMS or through other reports required or permitted by this Service Description or applicable Special Terms and Conditions.
 2. Department may, upon written request of County, adjust monthly allotments.
 3. Upon amendment to the Financial Assistance Award, Department shall adjust monthly allotments as necessary, to reflect changes in the funds awarded for DD 49 Services on that line of the Financial Assistance Award.
- C. Agreement Settlement: Agreement Settlement will reconcile any discrepancies that may have occurred during the term of this Agreement between actual Department disbursements of financial assistance awarded for DD 49 Services under a particular line of the Financial Assistance Award and amounts due for such services based on actual Allowable Costs incurred by a Provider in delivering DD 49 Services under that line of the Financial Assistance Award during the term of this Agreement, as such expenses are properly reported in CPMS or by other reporting method required or permitted by this Service Description or applicable Special Terms and Conditions.

Service Name: **RESIDENTIAL FACILITIES**

Service I.D. Code: **DD 50**

I. Service Description

Residential Facilities (DD 50) Services are care, training, and support services delivered in neighborhood homes to individuals with developmental disabilities who require 24-hour care, supervision, and training.

For purposes of this Agreement, an individual shall be considered to have received DD 50 services only when one of the following conditions is met:

- A. The individual is residing and overnight care is provided at the Provider's facility; or
- B. The individual had been receiving DD 50 Services at the Provider's facility, as described in Section I(A) above, immediately prior to the absence and the individual is absent, for not more than 5 consecutive days (excluding weekends and holidays), unless an exception is granted by Department, as a result of incarceration or absence without leave, and it has not been determined that the individual will not be returning to the facility; or
- C. The individual had been receiving DD 50 Services at the Provider's facility, as described in Section I(A) above, immediately prior to the absence and the individual is absent, for not more than 14 consecutive days, not to exceed 45 days in any one-year period unless an exception is granted by the Department, as a result of being on vacation or family visit and it has not been determined that the individual will not be returning to the facility; or
- D. The individual had been receiving DD 50 Services at the Provider's facility, as described in Section I(A) above, immediately prior to the absence and the individual is absent, for not more than 90 consecutive days as a result of being on convalescent leave, or admittance to either a medical hospital, psychiatric hospital, or a State-Operated Community Program, and it has not been determined that the individual will not be returning to the facility.

II. Performance Requirements

- A. Providers of DD 50 Services funded through this Agreement must provide those DD 50 Services in facility(ies) licensed under one of the following Department rules, as such rules may be revised from time to time: (a) OAR Chapter 411, Division 325, pertaining to 24-Hour Residential Services for Children and Adults with Developmental Disabilities; or (b) OAR Chapter 411, pertaining to Services for Seniors and People with Disabilities, Division 55 (Residential Care Facilities) or Division 56 (Assisted Living Facilities); or (c) OAR Chapter 309, Division 035, pertaining to Residential Care Facilities For Mentally or Emotionally Disturbed Persons. Providers of DD 50 Services funded through this Agreement must comply with the OARs under which they are licensed.

- B. All individuals receiving DD 50 Services funded through this Agreement must be eligible for DD Services, with eligibility determined in accordance with OAR Chapter 411, Division 320, as such rule may be revised from time to time.
- C. If a Provider of DD 50 Services funded through this Agreement provides such services at a facility described in the Residential Staffing Requirements table, set forth in Exhibit C-4 of this Agreement, the Provider must comply with the specified staffing requirements when delivering services at that facility.
- D. If a Provider of DD 50 Services funded through this Agreement provides such services at a facility licensed under OAR Chapter 411, Division 325, pertaining to 24-Hour Residential Services for Children and Adults with Developmental Disabilities, the Provider must comply with the following requirements:
 - 1. Vacancy Reserve Fund: The Board of Directors (or other governing authority as applicable) of the Provider must define, establish, and maintain a "vacancy reserve" fund in an amount sufficient to ensure that the Provider can continue to provide services that meet applicable statutory, administrative rule, and contract requirements when payments are reduced due to vacancies. If the reserve fund falls below the level established by the Board/governing authority, the Board/governing authority must develop and implement a plan to replenish the reserve fund in a timely manner. Each Provider subject to the vacancy reserve fund requirement must include a line item on its routine financial statements that documents the status of its vacancy reserve fund.
 - 2. If Provider delivers DD 50 Services funded through this Agreement at more than one physical site, Provider must send at least one employee assigned to manage DD 50 Services at one or more of Provider's DD 50 facilities to Department-sponsored training regarding health and medical issues for individuals with developmental disabilities, at least one day per year, if such training is scheduled by Department. Department will make every reasonable effort to provide such training on a regional basis throughout the state.
 - 3. Provider must comply with Section 3 of Exhibit D of this Agreement entitled "Additional Requirements for Developmental Disability Residential Services".

III. Special Reporting Requirements

- A. For purposes of Medicaid compliance, Department must be notified when an eXPRS Disbursement Claim is submitted, with respect to DD 50 Services described in section I (B), (C) or (D) of this Service Description. Notification required under this section must be provided to Department's Seniors and People with Disabilities Office of Federal Resources and Eligibility Determination, using forms and procedures designated by Department.

B. If a Provider of DD 50 Services funded through this Agreement provides such services at a facility licensed under OAR Chapter 411, Division 325, pertaining to 24-Hour Residential Services for Children and Adults with Developmental Disabilities, the Provider must comply with the following requirements:

1. Vacancy Reserve Fund: Provider must submit its vacancy reserve fund plans, and/or the current status of these reserve funds, to County or Department upon request.
2. Direct Service Staff Wages and Turnover: Providers of DD50 services funded through this Agreement must report to Department staff wages and turnover data using forms and procedures designated by Department.

IV. Financial Assistance Calculation and Disbursement Procedures

A. Calculation of Financial Assistance: Department will provide financial assistance for DD 50 Services, from DD 50 funds included in the Service Element Prior Authorization (SEPA), in an amount equal to the monthly rate set forth in a Client Prior Authorization (CPA) authorizing the use of financial assistance for delivery of DD 50 services to an individual specified in that CPA, multiplied by the number of months of DD 50 Services delivered (as defined in section I (A) through (D) above) to that individual during the period specified in the CPA, subject to the following:

1. Total Department financial assistance for delivery of DD 50 Services to an individual specified in a CPA shall not exceed the amount of financial assistance authorized in that CPA. If no CPAs are submitted for DD 50 Services, no financial assistance will be provided for DD 50 Services.
2. The financial assistance for a partial month of DD 50 Service will be prorated.
3. Department will reduce the financial assistance for DD 50 Services delivered to an individual during the period specified in the CPA by the amount received, as payment of a portion of the cost of those Services, by the Provider of the DD 50 Services from the individual receiving the Services.
4. If during any month during the period specified in a particular line of the SEPA that awards funds for DD 50 Services and that specifies one or more units in the SEPA Detail, fewer than 95% of the units of DD 50 Service so specified are delivered under that line, Department may reduce the amount of financial assistance specified in that line of the SEPA, and the number of units of Service, to make it consistent with the actual delivery of DD 50 Services under that line and County shall accept an appropriate SEPA Adjustment to reflect that reduction.
5. Department is not obligated to provide financial assistance for a unit of DD 50 Service, from funds awarded in the SEPA, if a Disbursement Claim for financial assistance for that unit of DD 50 Service is not received by Department by the date 60 days after the earlier of termination of this Agreement, termination of

Department's obligation to provide financial assistance for DD 50 Services, or termination of County's obligation to include the Program Area, in which DD 50 Services fall, in its CMHP.

- B. CPA Monthly Rate: For individuals receiving DD 50 Services funded through this Agreement who have been assessed by the Department through the process approved by the Department for establishing DD 50 Service Rates based on client service needs, the Department shall establish the CPA monthly rate. In addition to the client service needs, the established CPA monthly rate will be determined based on the individual's DD 50 placement at the effective date of the CPA. Exhibit C-5 details the current assessed rates for each tier for each licensed capacity. For those individuals whose service need exceeds tier 6, an exception rate will be established by the Department in accordance with a process approved by Department. The Department will set the CPA rate for the assessed individual as of the specified effective date established by the Department's assessment unit, upon the County's acceptance of the associated SEPA, when applicable. For assessed individuals eligible for DD 50 Services in accordance to Section II (B.), above, and receiving DD 50 Services in accordance to Section I, above, the assessed individual's CPA rate will remain in effect until the Department reestablishes the individual's rate through a process approved by the Department.
- C. Disbursement of Financial Assistance: Department will disburse to Provider the financial assistance awarded for DD 50 Services under a particular line of the Service Element Prior Authorization and as approved by County in a CPA authorizing use of financial assistance for delivery of DD 50 services to an individual specified in that CPA in response to and as soon as reasonably possible after submission and Department verification of a Disbursement Claim with respect to DD 50 Services.
- D. Exceptions to Pay for Vacancies: In exceptional circumstances, the Department may agree to provide financial assistance for delivery of DD 50 Service capacity that is not utilized, as opposed to the normal DD 50 Services financial assistance calculation methodology that provides financial assistance only for DD 50 Services actually delivered. Exceptional circumstances include: (i) when Department agrees to provide financial assistance for unutilized DD 50 Service capacity in order to ensure the availability of DD 50 Services for a particular individual in the near future, or (ii) when unexpected financial difficulties are encountered by a particular Provider as a result of an unusually high rate of unutilized service capacity in that Provider's system, through no fault of that Provider. Department will award, disburse and settle funds for unutilized DD 50 Service capacity in service element DD 57 (DD Special Projects, Start-Up).

Service Name: **SUPPORTED LIVING SERVICES**

Service I.D. Code: **DD 51**

I. Service Description

Supported Living Services (DD 51) are individualized supports, delivered in a personalized manner, to people with developmental disabilities. DD 51 Services include care, training, and support that promote opportunities for individuals to live in their own homes, apartments, or in their family homes, and to be a part of and participate in the communities in which they live.

For purposes of this Agreement, an individual shall be considered to have received DD 51 services only when one of the following conditions is met:

- A. The Provider is actively involved in planning, assessment and support activities for the individual, including the development and implementation of the individual's "Individual Support Plan" ("ISP") as defined in OAR 309-041-1300 through 309-041-1370, as such rules may be revised from time to time; or
- B. The individual had been receiving DD 51 Services from Provider, as described in Section I(A) above, immediately prior to the absence and the individual is absent from Provider's DD 51 Services for not more than 5 consecutive days (excluding weekends and holidays), unless an exception is granted by Department, as a result of incarceration, or absence without leave, and it has not been determined that the individual will not be returning to Provider's DD 51 Services; or
- C. The individual had been receiving DD 51 Services from Provider, as described in Section I(A) above, immediately prior to the absence and the individual is absent from Provider's DD 51 Services for not more than 14 consecutive days, not to exceed 45 days in any one-year period unless an exception is granted by the Department, as a result of being on vacation or family visit, and it has not been determined that the individual will not be returning to Provider's DD 51 Services; or
- D. The individual had been receiving DD 51 Services from Provider, as described in Section I(A) above, immediately prior to the absence and the individual is absent from Provider's DD 51 Services for not more than 90 consecutive days as a result of being on convalescent leave, or admittance to either a medical hospital, psychiatric hospital, or a State-Operated Community Program, and it has not been determined that the individual will not be returning to Provider's DD 51 Services.

II. Performance Requirements

- A. Providers of DD 51 Services funded through this Agreement must comply with OAR 309-041-0551 through 309-041-0830, as such rules may be revised from time to time.
- B. All individuals receiving DD 51 Services funded through this Agreement must be eligible for developmental disability services, with eligibility determined in accordance with OAR 411 Division 320, as such rule may be revised from time to time.
- C. Vacancy Reserve Fund: The Board of Directors (or other governing authority as applicable) of each Provider of DD 51 Services funded through this Agreement must define, establish, and maintain a "Vacancy Reserve" fund in an amount sufficient to ensure that the Provider can continue to provide services that meet applicable statutory, administrative rule, and contract requirements when payments are reduced due to vacancies. If the reserve fund falls below the level established by the Board/governing authority, the Board/governing authority must develop and implement a plan to replenish the reserve fund in a timely manner. Each Provider subject to the vacancy reserve fund requirement must include a line item on its routine financial statements that documents the status of its vacancy reserve fund.
- D. Providers of DD 51 Services funded through this Agreement must comply with Section 3 of Exhibit D entitled "Additional Requirements for Developmental Disability Residential Services".

III. Special Reporting Requirements

- A. For purposes of Medicaid compliance, Department must be notified when an eXPRS Disbursement Claim is submitted, with respect to DD 51 Services described in section I(B), (C) or (D) of this Service Description. Notification required under this section must be provided to Department's Seniors and People with Disabilities Office of Federal Resources and Eligibility Determination, using forms and procedures designated by Department.
- B. Vacancy Reserve Fund: Providers of DD 51 Services funded through this Agreement must submit their vacancy reserve fund plans, and/or the current status of these reserve funds, to County or Department upon request.
- C. Direct Service Staff Wages and Turnover: Providers of DD 51 Services funded through this Agreement must report to Department staff wages and turnover data using forms and procedures designated by Department.

IV. Financial Assistance Calculation and Disbursement Procedures

- A. Calculation of Financial Assistance: Department will provide financial assistance for DD 51 Services, from DD 51 funds included in the Service Element Prior Authorization, in an amount equal to the monthly rate set forth in a CPA authorizing the use of financial assistance for delivery of DD 51 services to an individual specified in that CPA, multiplied by the number of months of DD 51 Services delivered (as defined in section I (A) through (D) above) to that individual during the period specified in the CPA, subject to the following:
1. Total Department financial assistance for delivery of DD 51 Services to an individual specified in a CPA shall not exceed the amount of financial assistance authorized in that CPA. If no CPAs are submitted for DD 51 Services, no financial assistance will be provided for DD 51 Services.
 2. The financial assistance for a partial month of DD 51 Service will be prorated.
 3. Department will reduce the financial assistance for DD 51 Services delivered to an individual during the period specified in the CPA by the amount received, as payment of a portion of the cost of those Services, by the Provider of the DD 51 Services from the individual receiving the Services.
 4. If during any month during the period specified in a particular line of the Service Element Prior Authorization that awards funds for DD 51 Services and that specifies one or more units in the Service Element Prior Authorization Detail, fewer than 95% of the units of DD 51 Service so specified are delivered under that line, Department may unilaterally reduce the amount of financial assistance specified in that line of the Service Element Prior Authorization, and the number of units of Service, to make it consistent with the actual delivery of DD 51 Services under that line and County shall accept an appropriate SEPA Adjustment to reflect that reduction.
 5. Department is not obligated to provide financial assistance for a unit of DD 51 Service, from funds awarded in the Service Element Prior Authorization, if a Disbursement Claim for financial assistance for that unit of DD 51 Service is not received by Department by the date 60 days after the earlier of termination of this Agreement, termination of Department's obligation to provide financial assistance for DD 51 Services, or termination of County's obligation to include the Program Area, in which DD 51 Services fall, in its CMHP.

- B. Disbursement of Financial Assistance: Department will disburse to Provider the financial assistance awarded for DD 51 Services under a particular line of the Service Element Prior Authorization and as approved by County in a CPA authorizing use of financial assistance for delivery of DD 51 services to an individual specified in the CPA in response to and as soon as reasonably possible after submission and Department verification of a Disbursement Claim with respect to DD 51 Services.
- C. Exceptions to Pay for Vacancies: In exceptional circumstances, the Department may agree to provide financial assistance for delivery of DD 51 Service capacity that is not utilized, as opposed to the normal DD 51 Services financial assistance calculation methodology that provides financial assistance only for DD 51 Services actually delivered. Exceptional circumstances include: (i) when Department agrees to provide financial assistance for unutilized DD 51 Service capacity in order to ensure the availability of DD 51 Services for a particular individual in the near future, or (ii) when unexpected financial difficulties are encountered by a particular Provider as a result of an unusually high rate of unutilized service capacity in that Provider's system, through no fault of that Provider. Department will award, disburse and settle funds for unutilized DD 51 Service capacity in service element DD 57 (DD Special Projects, Start-Up).

Service Name: **TRANSPORTATION SERVICES**

Service I.D. Code: **DD 53**

I. Service Description

Transportation Services (DD 53) are public or private transportation provided to individuals with developmental disabilities when: (a) unsubsidized public or private transportation is not available and (b) transportation is required for effective participation in employment or other services needed by an individual (such as community access).

II. Performance Requirements

Unless otherwise authorized in writing by Department, all individuals receiving DD 53 Services funded through this Agreement must also be receiving, at the same time, either: (a) one or more of the following services funded through this Agreement: Employment and Community Inclusion Services (DD 54), Residential Facilities (DD 50) Services, Supported Living Services (DD 51), Comprehensive In-Home Support Services For Adults (DD 49), Host Homes (DD52), and/or DD Foster Homes (DD 58) Services.

III. Special Reporting Requirements

- A. All individuals receiving DD 53 services must be enrolled in CPMS, and the individual's CPMS record for DD 53 services must be maintained, as specified in Department's CPMS manual for Developmental Disability Services, and, if applicable, as further specified in this Service Description, special conditions, Special Terms and Conditions of this Agreement, or as otherwise instructed by Department.
- B. If requested by Department, County shall submit information on actual expenditures of DD 53 funds under this Agreement. Information shall be provided using forms and procedures designated by Department.

IV. Financial Assistance Calculation and Disbursement Procedures

- A. Calculation of Financial Assistance: Department will provide financial assistance for DD 53 Services identified in a particular line of the Financial Assistance Award in an amount equal to the amount specified on that line, subject to the following:
 - 1. If at the end of any month during the period specified on a particular line of the Financial Assistance Award the cumulative-to-date monthly average number of units of DD 53 Services delivered under that line of the Financial Assistance Award is below 95% of the number of units specified in that line of the Financial Assistance Award, Department may reduce the amount of financial assistance and

the number of units specified in that line of the Financial Assistance Award consistent with the under delivery and County shall execute and deliver to Department an appropriate amendment to the Financial Assistance Award to reflect that reduction. For purposes of the reduction in financial assistance under this Section IV(A)(1), the amount of the reduction shall be consistent with the under utilization of the rates for DD 53 Services set forth in the Developmental Disability Rate Schedule, as reflected in CPMS data submitted to Department for DD 53 Services.

2. The financial assistance provided under this Agreement for DD 53 Services may only be used to deliver DD 53 Services at the rate or rates set forth on the Developmental Disability Rate Schedule. The rate or rates specified in the Developmental Disability Rate Schedule will be identified by Provider, may vary from Provider to Provider and may be changed by amendment to the Financial Assistance Award. The rate or rates specified in the Developmental Disability Rate Schedule are not tied to any particular line in the Financial Assistance Award and County is not required to contract for service delivery with any particular Provider identified in the Developmental Disability Rate Schedule; provided, however, that, in aggregate across all lines of the Financial Assistance Award that award funds for DD 53 Services, Department will not provide financial assistance at any rate specified in the Developmental Disability Rate Schedule for a particular month for more than the number of units specified at that rate for that month; provided, further, that, if County wishes to shift units among Providers listed in the Developmental Disability Rate Schedule or shift units from a Provider listed in the Developmental Disability Rate Schedule to a Provider not listed in the Developmental Disability Rate Schedule, County must notify Department in writing of the change and execute an amendment to the Agreement implementing the change.
- B. Disbursement of Financial Assistance: Unless a different disbursement method is specified in that line of the Financial Assistance Award, Department will disburse the financial assistance awarded for DD 53 Services in a particular line of the Financial Assistance Award to County in substantially equal monthly allotments during the period specified in that line of the Financial Assistance Award, subject to the following:
1. Department may, after 30 days (unless parties agree otherwise) written notice to County, reduce the monthly allotments based on under used allotments identified through CPMS or through other reports required or permitted by this Service Description or applicable Special Terms and Conditions.
 2. Department may, upon written request of County, adjust monthly allotments.

3. Upon amendment to the Financial Assistance Award, Department shall adjust monthly allotments as necessary, to reflect changes in the funds awarded for DD 53 Services on that line of the Financial Assistance Award.
- C. Agreement Settlement: Agreement Settlement will reconcile any discrepancies that may have occurred during the term of this Agreement between actual Department disbursements of financial assistance awarded for DD 53 Services under a particular line of the Financial Assistance Award and amounts due for such Services under the terms of this Agreement.

Service Name: **EMPLOYMENT AND COMMUNITY INCLUSION SERVICES**

Service I.D. Code: **DD 54**

I. Service Description

Employment and Community Inclusion Services (DD 54) are out-of-home employment or community training services and related supports, delivered to individuals aged 18 or older with developmental disabilities, to improve the individuals' productivity, independence and integration in the community.

For purposes of this Agreement, an individual shall be considered to have received DD 54 services only when one of the following conditions is met:

- A. The Provider is actively involved in initial planning and assessment activities for the individual, including development of the individual's "Individual Support Plan" ("ISP") as defined in OAR 309-041-1300 through 309-041-1370, as such rules may be revised from time to time, prior to implementation of the ISP. Such planning activity performed on behalf of the individual shall be noted on the Attendance Records required in section III (A) below. The individual may be considered to have received DD 54 Services under this Section I(A) for a maximum of 15 consecutive days, beginning with the date the individual is first enrolled in the Provider's services; or
- B. In any given calendar month, the individual is at the Provider's site, or at the individual's work site, for the days and hours specified in the individual's ISP. If during that month the individual is at the Provider's site, or at the individual's work site, for the days and hours specified in the individual's ISP, the individual will be considered to have received DD 54 Services under this Section I(B) for the entire month; or
- C. The Provider is actively involved in job development activity for the individual while that individual is temporarily unemployed, and that job development activity has been reviewed and approved by the ISP Team, as defined in OAR 309-041-1300 through 309-041-1370, as such rules may be revised from time to time. Job development performed on behalf of the individual shall be noted in the Attendance Records required in section III (A) below. The individual may be considered to have received DD 54 Services under this Section I(C) for a maximum of 90 consecutive days, unless the ISP Team approves continued job development for up to an additional 45 day period.
- D. The individual had been receiving DD 54 Services from the Provider, as described in Sections I(A) through (C), immediately prior to the absence and the individual is absent from Provider's DD 54 Services, for not more than 5 consecutive days (excluding weekends and holidays), unless an exception is granted by Department, as a result of incarceration or absence without leave, and it has not been determined that the individual will not be returning to Provider's DD 54 Services; or

- E. The individual had been receiving DD 54 Services from the Provider, as described in Sections I(A) through (C), immediately prior to the absence and the individual is absent from Provider's DD 54 Services for not more than 14 consecutive days, not to exceed 45 days in any one-year period unless an exception is granted by the Department, as a result of being on vacation or family visit and it has not been determined that the individual will not be returning to Provider's DD 54 Services; or
- F. The individual had been receiving DD 54 Services from the Provider, as described in Sections I(A) through (C), immediately prior to the absence and the individual is absent from Provider's DD 54 Services for not more than 90 consecutive days as a result of being on convalescent leave, on leave under the Family Medical Leave Act, or admittance to either a medical hospital, psychiatric hospital, or a State-Operated Community Program, and it has not been determined that the individual will not be returning to Provider's DD 54 Services.

II. Performance Requirements

- A. Providers of DD 54 Services funded through this Agreement must comply with OAR Chapter 411, Division 345, as such rules may be revised from time to time.
- B. All individuals receiving DD 54 Services funded through this Agreement must be eligible for developmental disability services, with eligibility determined in accordance with OAR Chapter 411, Division 320, as such rule may be revised from time to time.
- C. Providers of DD 54 services funded through this Agreement may not expend any funds received through this Agreement to cover any of the following costs arising from or related to the work of individuals receiving DD 54 Services funded through this Agreement or the goods or services produced thereby: (1) the wages of individuals receiving DD 54 Services funded through this Agreement; (2) other indirect labor costs; (3) supply, equipment or marketing costs; or (4) other production costs.
- D. Unless otherwise authorized in writing by Department, all individuals receiving DD 54 Services funded through this Agreement must also be receiving, at the same time, one of the following Services funded through this Agreement: Comprehensive In-Home Supports for Adults (DD 49); Residential Facilities (DD 50) Services; Supported Living Services (DD 51); or DD Foster Homes (DD 58) Services.

III. Special Reporting Requirements

- A. Attendance Records: Providers of DD 54 Services funded through this Agreement shall maintain daily attendance records, in a format and procedure approved by Department, for all individuals to whom they deliver DD 54 Services funded through this Agreement (as defined in section I(A) through (F) above), and shall make such records available to Department or County upon request.

- B. For purposes of Medicaid compliance, Department must be notified when an eXPRS Disbursement Claim is submitted, with respect to DD 54 Services described in section I(D), (E) or (F) of this Service Description. Notification required under this section must be provided to Department's Seniors and People with Disabilities Office of Federal Resources and Eligibility Determination, using forms and procedures designated by Department.
- C. Employment Outcomes Systems (EOS): Providers of DD 54 Services funded through this Agreement shall submit reports, as part of the Department's Employment Outcomes System (EOS) or a successor reporting system developed by the Department, that include data that measure individual and program outcomes. Reports must be completed semi-annually, following instructions provided by Department.
- D. Direct Service Staff Wages and Turnover: Providers of DD 54 Services funded through this Agreement must report to Department staff wages and turnover data using forms and procedures designated by Department.

IV. Financial Assistance Calculation and Disbursement Procedures

- A. Calculation of Financial Assistance: Department will provide financial assistance for DD 54 Services, from DD 54 funds included in the Service Element Prior Authorization, in an amount equal to the monthly rate set forth in a CPA authorizing the use of financial assistance for delivery of DD 54 services to an individual specified in that CPA, multiplied by the number of months of DD 54 Services delivered (as defined in section I (A) through (F) above) to that individual during the period specified in the CPA, subject to the following:
 - 1. Total Department financial assistance for delivery of DD 54 Services to an individual specified in a CPA shall not exceed the amount of financial assistance authorized in that CPA. If no CPAs are submitted for DD 54 Services, no financial assistance will be provided for DD 54 Services.
 - 2. The financial assistance for a partial month of DD 54 Service will be prorated.
 - 3. If during any month during the period specified in a particular line of the Service Element Prior Authorization that awards funds for DD 54 Services and that specifies one or more units in the Service Element Prior Authorization Detail, fewer than 95% of the units of DD 54 Service so specified are delivered under that line, Department may reduce the amount of financial assistance specified in that line of the Service Element Prior Authorization, and the number of units of Service, to make it consistent with the actual delivery of DD 54 Services under that line and County shall accept an appropriate SEPA Adjustment to reflect that reduction.

4. Department is not obligated to provide financial assistance for a unit of DD 54 Service, from funds awarded in the Service Element Prior Authorization, if a Disbursement Claim for financial assistance for that unit of DD 54 Service is not received by Department by the date 60 days after the earlier of termination of this Agreement, termination of Department's obligation to provide financial assistance for DD 54 Services, or termination of County's obligation to include the Program Area, in which DD 54 Services fall, in its CMHP.
- B. Disbursement of Financial Assistance: Department will disburse to Provider the financial assistance awarded for DD 54 Services under a particular line of the Service Element Prior Authorization and approved by County in a CPA authorizing use of financial assistance for delivery of DD 54 services to an individual specified in that CPA in response to and as soon as reasonably possible after submission and Department verification of a Disbursement Claim with respect to DD 54 Services.
- C. Exceptions to Pay for Vacancies: In exceptional circumstances, the Department may agree to provide financial assistance for delivery of DD 54 Service capacity that is not utilized, as opposed to the normal DD 54 Services financial assistance calculation methodology that provides financial assistance only for DD 54 Services actually delivered. Exceptional circumstances include: (i) when Department agrees to provide financial assistance for unutilized DD 54 Service capacity in order to ensure the availability of DD 54 Services for a particular individual in the near future, or (ii) when unexpected financial difficulties are encountered by a particular Provider as a result of an unusually high rate of unutilized service capacity in that Provider's system, through no fault of that Provider. Department will award, disburse and settle funds for unutilized DD 54 Service capacity in service element DD 57 (DD Special Projects, Start-Up).

Service Name: ABUSE INVESTIGATION SERVICES

Service ID Code: DD 55

I. Service Description and Definitions

- A. Service Description: Abuse Investigation Services (DD 55) are the activities of responding to an abuse allegation and assuring that they the abuse investigations for adults are appropriately screened, investigated and reported.
- B. Definitions: For purposes of this Service Description, the terms listed below shall have the following meanings:
 - 1. "Geographic Service Area" shall mean the geographic area of County or the geographic area of all counties in which County shall provide DD 55 Services as listed in a special condition for a particular line of the Financial Assistance Award that awards funds for DD 55 Services.

II. Performance Requirements

- A. Providers of DD 55 Services funded through this Agreement must comply with the requirements of OAR 411-320-0040(6) and OAR 407-045-0300, as such rules may be revised from time to time.
- B. Employ an identified individual as an Abuse Investigation Specialist or have an agreement with another CDDP to perform abuse investigation activities which includes the Provider of DD 55 Services in their Geographic Service Area.
- C. Providers of DD 55 Services funded through this Agreement must at minimum employ the indicated number on the CDDP Funding Model of FTE for abuse investigation or have an agreement with another CDDP to perform DD 55 Services for the County. FTE employed for abuse investigations:
 - 1. May not be currently employed in the capacity of a case manager;
 - 2. Must have a Bachelor's Degree in human, social, behavioral or criminal science and two years human services, law enforcement, or investigative experience or an Associate's Degree in the human, social, behavioral or criminal science and four years human services, law enforcement, or investigative experience;
 - 3. Must be able to pass competency based training given by the Department's Office of Investigation and Training, within one year of hire.
 - 4. Department may approve an exception to the requirements in II. Performance Requirements C. 1. through 3. Provider of DD 55 Services funded through this Agreement must receive this approval in writing from the Department prior to implementing a variance to the requirements in II. Performance Requirements C. 1. through 3., above.

- D. Providers of DD 55 Services must use Department approved forms and procedures for protective service screening, reporting and writing of findings.
- E. Providers of DD 55 Services must complete abuse investigation reports within 45 days. If Provider of DD 55 Services requires an extension for submission of deliverables included in section II or III above, Provider of DD 55 Services must request extension in writing. Provider of DD 55 Services must receive written approval for an extension from Department prior to implementing the revised due date for deliverables in section II or III above.
- F. Providers of DD 55 Services must participate in quarterly meetings held by the Department's Office of Investigation and Training. At minimum, one meeting per Agreement year must be intended in person.
- G. Providers of DD 55 Services may identify back-up abuse investigators who are also case managers. Back-up FTE must complete the basic back-up abuse investigations training as delivered by the Department's Office of Investigation and Training. Back-up FTE may be used in cases of covering for absence of a abuse investigator described in section II Performance Requirements (B.) above.
- H. Target Population: Provider of DD 55 Services shall be derived to an individual who: has been determined eligible for DD Services; an individual who is has received or currently receiving CDDP Case Management or waiver case management funded by the Department; or an individual who has received or is currently receiving DD Services funded by the Department.

III. Special Reporting Requirements

- A. Staffing Reports: Provider of DD 55 Services funded through this Agreement shall provide annually reports to Department on utilization of DD 55 funds disbursed under this Agreement for staff who provide DD 55 Services for the County or Geographic Service Area, as applicable. Reports must, at minimum:
 - 1. Be completed using forms and procedures prescribed by Department and on a schedule designated by Department.
 - 2. The number of staff full time equivalencies (FTEs) that are dedicated to delivery of DD 55 Services.
 - 3. The individual employed to provide DD 55 Services funded through this Agreement.
 - 4. Documentation that the abuse investigator meets the qualifications set forth in section II Performance Requirements, above, or as otherwise approved in writing from the Department.
- B. Provider of DD 55 Services funded through this Agreement shall notify Department of a change in the employee designated as abuse investigator funded within 15 days of a change.

IV. Financial Assistance Calculation and Disbursement Procedures

- A. Calculation of Financial Assistance: Department will provide financial assistance for DD 55 Services, from DD 55 funds included in a particular line in the Service Element Prior Authorization, in an amount equal to the monthly amount as set forth in the accepted Service Element Prior Authorization and approved in the Provider Prior Authorization, as such amounts may be updated from time to time, during the period specified in the Service Element Prior Authorization, subject to the following:
1. Total Department financial assistance for all DD 55 Services delivered under Service Element Prior Authorization shall not exceed the total funds awarded for DD 55 Services as specified in the Service Element Prior Authorization for DD 55 Services funded through this Agreement.
 2. If County fails to deliver DD 55 Services for part of the month or longer, the financial assistance for that month of service will be prorated and the Department may reduce future disbursements of DD 55 funds accordingly. If requested by Department, County shall also accept an appropriate SEPA Adjustment to reflect that reduction in the financial assistance for DD 55 as a result of County's failure to deliver the DD 55 Services.
- B. Disbursement of Financial Assistance: Department will disburse to Provider of DD 55 Services the financial assistance awarded for DD 55 Services under a particular line of the Service Element Prior Authorization and as approved by the Department in a Provider Prior Authorization in substantially equal monthly allotments during the period specified in that line of Service Element Prior Authorization, subject to the following:
1. Department may, after 30 days (unless parties agree otherwise) written notice to County, reduce the monthly allotments based on under delivery of services identified through eXPRS or applicable Special Terms and Conditions.
 2. Department may upon written request of County, adjust monthly allotments.
 3. Upon amendment to the Financial Assistance Award or acceptance of a Service Element Prior Authorization, Department shall adjust monthly allotments as necessary to reflect changes in the funds awarded for DD 55 Services on that line of the Financial Assistance Award.
- C. Agreement Settlement: Agreement Settlement will reconcile any discrepancies that may have occurred during the term of this Agreement between actual Department disbursements of financial assistance awarded for DD 55 Services under a particular line of the Service Element Prior Authorization and amounts due for such services based on the delivery of Services and the financial assistance awarded for DD 55 Services under a particular line of the Service Element Prior Authorization.

Service Name: RENT SUBSIDIES

Service I.D. Code: DD 56

I. Service Description

Rent Subsidies (DD 56) are financial subsidies for rent and/or other allowable housing-related costs for individuals receiving Department-funded developmental disability residential services. DD 56 Services may be provided when:

- A. An eligible individual's room and board costs exceed the amount that can be billed to the individual's federal Supplemental Security Income (SSI) or equivalent funds available to the individual for these costs; and
- B. Other resources, such as federal housing subsidies, are either unavailable or insufficient to cover the individual's household expenses.

II. Performance Requirements

- A. All individuals receiving DD 56 Services funded through this Agreement must be eligible for developmental disability services, with eligibility determined in accordance with OAR Chapter 411, Division 320, as such rule may be revised from time to time.
 - Providers may expend DD 56 funds provided under this Agreement only with published Department guidelines and instructions.
- C. Providers of DD 56 Services funded through this Agreement must apply for "Section 8" or other housing subsidies available through the applicable local housing authority, for the individuals to whom the Provider furnishes DD 56 Services under this Agreement, for the residential sites at which such individuals reside, or for both, if appropriate. For each individual or facility, Providers must apply for the "Section 8" or other housing subsidies within sixty (60) days of the date the Provider begins providing DD 56 Services funded through this Agreement to an individual or, with respect to a facility, within sixty (60) days of the date the Provider begins using a facility in which an individual receiving DD 56 Services from Provider resides; provided, however, if the first opportunity set by the local housing authority to submit applications falls after the end of the foregoing sixty (60) day period, at the first opportunity set by the local housing authority.

III. Special Reporting Requirements

- A. Notification that other subsidies have been obtained: Providers of DD 56 Services funded through this Agreement must provide written notification to Department's Seniors

and People with Disabilities Office within two weeks (14 days) after any approvals of Section 8 or any other housing subsidies for individuals and/or facilities described above. Such notification must include, at a minimum:

1. The names of individuals and/or facilities for which subsidies have been approved;
 2. The sources and amounts of the subsidies itemized by individual and/or by facility;
 3. The effective dates of the subsidies.
- B. Rent Subsidy Utilization Reports: If requested by Department, County must submit information to Department on the utilization of DD 56 financial assistance provided under this Agreement. The information, at minimum, must include the number of units and the applicable rate(s) from the Developmental Disability Rate Schedule that were actually utilized. Information shall be provided using forms and procedures and in accordance with a schedule designated by Department.
- C. Application for new or renewed DD 56 Services: The award for DD 56 Services in this Agreement is established through negotiations between Department and County. Department may, at its discretion, develop a standardized application form to be completed prior to any new or expanded award and, periodically (but no more frequently than annually), to justify continuation of DD 56 funding under this Agreement. Any such applications must be completed using forms and procedures designated by Department.

IV. Financial Assistance Calculation and Disbursement Procedures

- A. Calculation of Financial Assistance: Department will provide financial assistance for DD 56 Services identified in a particular line of the Financial Assistance Award in an amount equal to the amount specified on that line, subject to the following:
1. Department may reduce DD 56 financial assistance by any Section 8 or other housing subsidy amounts approved for the same individuals and/or facilities subsidized by Department under this Agreement.
 2. If at the end of any month during the period specified on a particular line of the Financial Assistance Award the cumulative-to-date monthly average of DD 56 Services delivered under that line of the Financial Assistance Award is below 95% of the number of units specified in that line of the Financial Assistance Award, Department may reduce the amount of financial assistance and the number of units specified in that line of the Financial Assistance Award consistent with the under delivery and County shall execute and deliver to Department an appropriate amendment to the Financial Assistance Award to reflect that reduction. For purposes of the reduction in financial assistance under this Section IVA.2., the amount of the reduction shall be consistent with the under utilization of the rates for DD 56 Services set forth in the Developmental Disability Rate Schedule, as reflected in the Rent Subsidy Utilization Reports described in Section IIIB. above.

3. The financial assistance provided under this Agreement for DD 56 Services may only be used to deliver DD 56 Services at the rate or rates set forth on the Developmental Disability Rate Schedule and the reporting of DD 56 Services delivery in the Rent Subsidy Utilization Reports, if such reports are requested by Department, must specify a rate from the Developmental Disability Rate Schedule, consistent with the restrictions set forth in this Section IVA.3. The rate or rates specified in the Developmental Disability Rate Schedule will be identified by Provider, may vary from Provider to Provider and may be changed by amendment to the Financial Assistance Award. The rate or rates specified in the Developmental Disability Rate Schedule are not tied to any particular line in the Financial Assistance Award and County is not required to contract for service delivery with any particular Provider identified in the Developmental Disability Rate Schedule; provided, however, that, in aggregate across all lines of the Financial Assistance Award that award funds for DD 56 Services, the number of times a rate is specified in the Rent Subsidy Utilization Reports for a particular month may not exceed the number of units specified at that rate for that month; provided, further, that if County wishes to shift units among Providers listed in the Developmental Disability Rate Schedule or shift units from a Provider listed in the Developmental Disability Rate Schedule to a Provider not listed in the Developmental Disability Rate Schedule, County must notify Department in writing of the change and execute an amendment to the Agreement implementing the change.
- B. Disbursement of Financial Assistance: Unless a different disbursement method is specified in that line of the Financial Assistance Award, Department will disburse the financial assistance awarded for DD 56 Services in a particular line of the Financial Assistance Award to County in substantially equal monthly allotments during the period specified in that line of the Financial Assistance Award, subject to the following:
 1. Department may, after 30 days (unless parties agreed otherwise) written notice to County, reduce the monthly allotments based on under delivery of services identified through the Rent Subsidy Utilization Reports or through other reports required or permitted by this Service Description or applicable Special Terms and Conditions.
 2. Department may, upon written request of County, adjust monthly allotments.
 3. Upon amendment to the Financial Assistance Award, Department shall adjust monthly allotments as necessary, to reflect changes in the funds awarded for DD 56 Services on that line of the Financial Assistance Award.
- C. Agreement Settlement: Agreement Settlement will reconcile any discrepancies that may have occurred during the term of this Agreement between actual Department disbursements of financial assistance awarded for DD 56 Services under a particular line of the Financial Assistance Award and financial assistance due for such services under the terms of this Agreement.

Service Name: **DD SPECIAL PROJECTS**

Service I.D. Code: **DD 57**

I. Service Description

Developmental Disability Special Projects (DD 57) are developmental disability services within the scope of ORS 430.630. DD 57 Services are generally one-time-only or time-limited activities, and may include: provision of training to Providers of Department funded developmental disability services; demonstration or emergency services; activities and expenditures necessary to prepare for implementation of new or revised services ("Start-Up" activities); or other services as deemed appropriate by Department.

II. Performance Requirements

Providers of DD 57 Services funded through this Agreement must comply with performance requirements applicable to the particular DD 57 Services provided and as specified in applicable Special Terms and Conditions or Special Conditions in the Financial Assistance Award. Requirements may include the following:

- A. Services to be provided;
- B. The minimum number of individuals to be served, if applicable;
- C. Any tangible products to be produced and delivered to Department;
- D. Any other requirements the accomplishment of which is to be monitored in order to determine County's minimum performance under this Agreement; and/or
- E. Any expenditure requirements or limitations.

III. Special Reporting Requirements

- A. Providers of DD 57 Services funded under this Agreement must submit special programmatic and other reports applicable to the particular DD 57 Services provided as specified in applicable Special Terms and Conditions or Special Conditions in the Financial Assistance Award.
- B. Expenditure reports: For each DD 57 Special Project funded under this Agreement for which the applicable Special Terms and Conditions or Special Conditions in the Financial Assistance Award indicates that the financial assistance will be calculated based on actual expenditures, County shall submit the following expenditure reports to Department with respect to the project: a) Interim report of actual revenue and

expenditures for the period beginning on the date funds are first disbursed under this Agreement for the project and ending on the next July 1, due by August 31 following that July 1; and b) Final report of actual revenues and expenditures during the term of this Agreement, due within 60 days after the earlier of termination of the Agreement, termination of Department's obligation to provide financial assistance for DD 57 Services, or termination of County's obligation to include the Program Area, in which DD 57 Services fall, in its CMHP.

Expenditure reports must be prepared: a) separately for each Special Project funded through this Agreement; and b) using forms and/or procedures designated by Department.

IV. Financial Assistance Calculation and Disbursement Procedures

Department provides financial assistance for DD 57 Services in different ways, summarized as follows, and explained below:

Type of Award (Column 4 or Column 5 of Financial Assistance Award)	"Part" Code in Column One of Financial Assistance Award	Calculation of Financial Assistance	Disbursement of Financial Assistance
Approved Service Funds	A	Delivery of services	Monthly allotments
Approved Service Funds	A	Reimbursement for actual expenditures	Monthly allotments
Approved Service Funds	C	Financial Assistance conditioned on Department's receipt of a specified product, in form and substance satisfactory to Department	Invoice required
Approved Service Funds	C	Reimbursement for actual expenditures	Invoice required
Approved Start-Up	C	Reimbursement for actual expenditures	"Request for Payment of Start- Up Funds" required

A. DD 57 "Approved Services Funds" (funds listed in Column 4 of the Financial Assistance Award)

1. Calculation of Financial Assistance

- a. Financial assistance based on the amount specified in the Financial Assistance Award and delivery of Services: Unless otherwise specified in applicable Special Terms and Conditions or Special Conditions in the Financial Assistance Award, Department will provide DD 57 financial assistance identified in a particular line of the Financial Assistance Award in an amount equal to the applicable monthly rate or rates set forth in applicable Special Terms and Conditions or Special Conditions in the Financial Assistance Award multiplied by the number of months of the service actually delivered at that rate under that line of the Financial Assistance Award during the period specified in that line, subject to the conditions in section IV.C. of this Service Description.
- b. Expenditure-based financial assistance: For each DD 57 award in a particular line of the Financial Assistance Award for which applicable Special Terms and Conditions or Special Conditions in the Financial Assistance Award so indicate, Department will provide financial assistance for DD 57 Services under that line of the Financial Assistance Award in an amount equal to the actual expenses incurred by a Provider in delivering those services during the period specified in that line, consistent with the line-item budget referenced in the Special Condition identified on that line, subject to the conditions in section IV.C. of this Service Description.
- c. Product-based financial assistance: For each DD 57 award in a particular line of the Financial Assistance Award for which applicable Special Terms and Conditions or Special Conditions in the Financial Assistance Award so indicate, Department will provide financial assistance for DD 57 Services under that line of the Financial Assistance Award in an amount equal to the amount set forth on that line provided that County delivers to Department the product, in form and substance satisfactory to Department, described in the Special Condition identified on that line, subject to the conditions in section IV.C. of this Service Description.

2. Disbursement of Financial Assistance:

- a. Part A Awards: Unless a different disbursement method is specified in that line of the Financial Assistance Award, Department will disburse financial assistance awarded for DD 57 Services in a particular line of the Financial Assistance Award with an "A" in column one to County in substantially equal monthly allotments during the period specified in that line of the Financial Assistance Award, subject to the following:

- 1) Department may, after 30 days (unless parties agree otherwise) written notice to County, reduce the monthly allotments based on under used allotments identified through CPMS or through other reports required or permitted by this Service Description or applicable Special Terms and Conditions.
 - 2) Department may, upon written request of County, adjust monthly allotments.
 - 3) Upon amendment to the Financial Assistance Award, Department shall adjust monthly allotments as necessary to reflect changes in the funds awarded for DD 57 Services on that line of the Financial Assistance Award.
- b. Part C Awards: Unless a different disbursement method is specified in that line of the Financial Assistance Award, Department will disburse financial assistance awarded for DD 57 Services in a particular line of the Financial Assistance Award with a "C" in column one to County upon Department's receipt of County's properly completed invoice and completion of work to Department's satisfaction.
- B. DD 57 "Approved Start-Up" (financial assistance listed in Column 5 of the Financial Assistance Award)
1. Calculation of Financial Assistance: Department will provide financial assistance for DD 57 Services funded as Approved Start-Up in a particular line of the Financial Assistance Award in an amount equal to the actual allowable costs incurred by a Provider in delivering DD 57 Services under that line of the Financial Assistance Award during the term of this Agreement, subject to the requirements in Department's Financial Procedures Manual and the conditions in section IV.C of this Service Description.
 2. Disbursement: Department will disburse DD 57 Approved Start-Up financial assistance specified in a particular line of the Financial Assistance Award upon Department's receipt of County's properly completed "Request for Payment of Start-Up Funds", subject to the requirements in Department's Financial Procedures Manual.
- C. All DD 57 Financial Assistance: In addition to the financial assistance calculation and disbursement procedures specified separately above, for DD 57 Approved Service Funds, and DD 57 Approved Start-Up, the following financial assistance calculation and disbursement procedures apply to all DD 57 financial assistance included in the Financial Assistance Award:

1. Calculation of Financial Assistance

- a. Total financial assistance for all DD 57 Services delivered under a particular line of the Financial Assistance Award shall not exceed the total funds awarded for DD 57 Services as specified in that line of the Financial Assistance Award.
- b. Department is not obligated to provide financial assistance for any DD 57 Services that are not properly reported to Department through a method permitted or required by applicable Special Terms and Conditions, a Special Condition in the Financial Assistance Award, or, in the case of "Approved Start-Up" funds, Department's Financial Procedures Manual, by the date 60 days after the earlier of termination of this Agreement, termination of Department's obligation to provide financial assistance for DD 57 Services, or termination of County's obligation to include the Program Area, in which DD 57 Services fall, in its CMHP.

2. Agreement Settlement. Agreement Settlement will reconcile any discrepancies that may have occurred during the term of this Agreement between actual Department disbursements for DD 57 Services under a particular line of the Financial Assistance Award and financial assistance due for such Services as described above.

Service Name: **DD FOSTER HOMES**

Service I.D. Code: **DD 58**

I. Service Description and Definitions

- A. Service Description: DD Foster Homes (DD 58) are residential care and services delivered to individuals with developmental disabilities in Foster Homes as defined below. DD 58 Services include: 24-hour supervision, the provision of room and board, and assistance with the activities of everyday living, from grooming and eating to participation in leisure activities and access to services which help the individuals develop appropriate skills to increase or maintain their level of functioning.

For purposes of this Agreement, an individual shall be considered to have received DD 58 services only when one of the following conditions is met:

1. The individual is residing and overnight care is provided at the Foster Home; or
 2. The individual had been receiving DD 58 Services at the Provider's Foster Home, as described in Section I(A)(1) above, immediately prior to the absence and the individual is absent, for not more than 5 consecutive days, excluding weekends and holidays, as a result of incarceration or absence without leave, and it has not been determined that the individual will not be returning to the Foster Home; or
 3. The individual had been receiving DD 58 Services at the Provider's Foster Home, as described in Section I(A)(1) above, immediately prior to the absence and the individual is absent, for not more than 14 consecutive days, not to exceed 45 days in any one-year period for adults or 90 days in any one-year period for children unless an exception is granted by the Department, as a result of being on vacation, family visit, or in Respite Care, and it has not been determined that the individual will not be returning to the Foster Home; or
 4. The individual had been receiving DD 58 Services at the Provider's Foster Home, as described in Section I(A)(1) above, immediately prior to the absence and the individual is absent, for not more than 90 consecutive days as a result of being on convalescent leave, or admittance to either a medical hospital, psychiatric hospital, or a State-Operated Community Program, and it has not been determined that the individual will not be returning to the Foster Home.
- B. Definitions: For purposes of this Service Description, the terms listed below shall have the following meanings:

1. **"Adult"** means an individual aged 18 years or older with developmental disabilities.
2. **"Child"** means an individual under the age of 18 with developmental disabilities.
3. **"Foster Home"** means a home providing Department funded DD 58 Services that:
 - a. For adults, is licensed under one of the following Oregon Administrative Rules, as such rules may be revised from time to time: OAR Chapter 411, Division 360, pertaining to Adult Foster Homes for individuals with developmental disabilities; OAR 309, Division 40, pertaining to Adult Foster Homes for individuals with mental illness; or OAR Chapter 411, Division 50, pertaining to Adult Foster Homes for the elderly and physically disabled;
 - b. For children, is certified under one of the following Oregon Administrative Rules, as such rules may be revised from time to time: (a) OAR Chapter 411, Division 346, pertaining to Child Foster Homes; (b) OAR 413-200-0301 through 413-200-0401, pertaining to Child Welfare Programs, Family Foster Care; or (c) OAR 416-530-0000 through 416-530-0110, pertaining to Oregon Youth Authority (OYA), Youth Offender Foster Certification.
4. **"Respite Care"** or **"Respite"** is care provided on a short-term basis because of the absence or need for relief of those persons normally providing the care. Respite:
 - (a) includes both day and overnight care; (b) is an intermittent service to relieve the primary caregiver; (c) is not available to allow caregivers to attend school or work; and (d) is not an 8 hours a day, five days a week service.

II. Performance Requirements

- A. All individuals receiving DD 58 Services funded by Department must be eligible for developmental disability services, with eligibility determined in accordance with OAR Chapter 411, Division 320, as such rule may be revised from time to time.
- B. County must assist Department in licensing homes providing DD 58 Services funded by Department and licensed under OAR Chapter 411, Division 360, as such rules may be revised from time to time, and in certifying homes providing DD 58 Services funded by Department and certified under OAR Chapter 411, Division 346, as such rules may be revised from time to time, by performing the following tasks within timelines required in the above-referenced administrative rules:
 1. For new licenses and certifications, inspection of the homes, and completion and submission to Department of the following forms, as prescribed by Department:
 - (a) Foster Home License or Certification Application; (b) Foster Home Inspection Form; (c) Criminal History Check; and (d) any other information necessary for licensing or certifying the residences.

2. For renewal of existing licenses and certifications, inspection of the homes, and completion and submission to Department of the Foster Home License/Certification Evaluation Forms.
 3. Assistance to homes currently providing or seeking to provide Department funded DD 58 Services and currently licensed or seeking to be licensed under OAR Chapter 411, Division 360, as such rules may be revised from time to time, to meet statutory requirements for training and testing, by:
 - a. Maintaining and distributing copies of Department's "Basic Training Course and Self-Study Manual" and associated video tapes;
 - b. Making test site(s) available, administering tests provided by Department, and mailing completed tests promptly to Department for scoring.
 4. Assistance to providers of foster home services for children, to meet the preservice and annual training requirements as set forth in OAR Chapter 411, Division 346, as such rules may be revised from time to time, and required under FosterHomes contracts with Department for DD 58 Services. Assistance under this section means:
 - a. For homes currently certified or seeking to be certified under OAR Chapter 411, Division 346 to provide DD 58 Services to children, arranging for, referring to, or directly providing training in the requirements for certification under those OARs.
 - b. For all Child Foster Homes providing DD 58 services and certified under OARs cited in section I.B.3.b. of this Service Description, arranging for, referring to, or directly providing training to enhance foster providers' skills and understanding of the needs of children with disabilities placed in their homes.
 5. Department will make the final determination on issuance and renewal of licenses and certifications, based on information submitted to Department in accordance with sections 1 and 2 above.
- C. County must provide DD 48 Services (case management, including protective services for individuals aged 18 years and older as needed) to individuals in the County (or in the region served by the CMHP operated by or contractually affiliated with the County, whichever area is larger) receiving DD 58 Services funded by Department. County must provide the DD 48 Services in accordance with OAR Chapter 411, Division 320, as such rules may be revised from time to time. Funding for these required case management services is included in the funds awarded for DD 48 Services in the Financial Assistance Award.

- D. Foster Homes providing Department funded DD 58 Services for adults and licensed under OAR Chapter 411, Division 360, as such rules may be revised from time to time, must comply with the Exhibit D Special Terms and Conditions, "Additional Requirements for Developmental Disability Residential Services".

III. Special Reporting Requirements

- A. County shall submit forms as required by Department to initiate, maintain, and terminate payments to Foster Homes providing DD 58 Services funded by Department.
- B. For purposes of Medicaid compliance, Department must be notified when payment has been authorized for DD 58 Services described in section I(A)(2), (3) or (4) of this Service Description. Notification required under this section must be provided to Department's Seniors and People with Disabilities Office of Federal Resources and Eligibility Determination, using forms and procedures designated by Department.
- C. All individuals receiving DD 58 services supported with funds provided under this Agreement must be enrolled in CPMS, and the individual's CPMS record for DD 58 services must be maintained, as specified in Department's CPMS manual for Developmental Disability Services, and, if applicable, as further specified in this Service Description, special conditions, Special Terms and Conditions of this Agreement, or as otherwise instructed by Department.

IV. Financial Assistance Calculation and Disbursement Procedures

Department provides financial assistance for DD 58 Services solely through Department funds that are not paid, disbursed, or settled under this Agreement. These funds (the "DD Foster Home Limitation") are set forth in the Financial Assistance Award on DD 58 lines that contain a "B" in column one. The DD Foster Home Limitation is disbursed by Department directly to service providers based on monthly rates authorized by County, subject to the following:

- A. All payment rates authorized by County must meet the following requirements:
 - 1. For individuals receiving DD 58 Services supported with funds provided under this Agreement who have been assessed by the Department through the process approved by the Department for establishing DD 58 Service rates based on client service needs, the assessment tool approved by the Department shall establish the monthly rate. The Department will set the monthly rate for the assessed individual as required in section III Special Reporting Requirements (A) above. For assessed individuals eligible for DD 58 Services in accordance to Section II., above, and receiving DD 58 Services in accordance to Section I, above, the assessed individual's monthly rate will remain in effect until the Department reestablishes the individual's rate through a process approved by the Department.

2. For individuals receiving DD 58 Services supported with funds provided under this Agreement who have not been assessed, the rates must be reasonable under the facts and circumstances in existence at the time each rate is set, including but not limited to the state of the market for DD 58 Services in the geographic area in which the services will be delivered and the support needs of the particular individual receiving services;
 3. For individuals receiving DD 58 Services supported with funds provided under this Agreement who have not been assessed, County may: (i) set different rates for delivery of DD 58 Services to different individuals; and (ii) revise existing rates to reflect cost of living adjustments or other scheduled increases in payments for DD 58 Services to the extent approved or authorized by the Oregon Legislative Assembly or the Legislative Emergency Board.
 4. County must document its methodology for determining a particular rate and furnish such documentation to Department upon request. County shall retain such documentation in accordance with Exhibit E, section 10 of this Agreement.
- B. County shall not authorize, in aggregate, financial assistance for DD 58 Services funded by Department in excess of the DD Foster Home Limitation (as defined above). Total aggregate financial assistance means the total of all financial assistance authorized before reducing payments to account for client resources received by a Provider in support of client care and services provided.
- C. The monthly rate will be prorated for any month in which the individual is not served for a portion of the month.
- D. Financial assistance will be reduced (offset) by the amount of client resources received by the Provider in support of client care and services provided.
- E. The DD Foster Home Limitation is included in this Agreement for budgetary purposes. If Department anticipates that financial assistance for DD 58 Services authorized by County will exceed the amount of the DD Foster Home Limitation, Department may reduce the award of funds, as set forth in the Financial Assistance Award, for any other DD service or services to the extent necessary to offset Department's general fund cost of the financial assistance authorized by County in excess of the DD Foster Home Limitation. County shall execute and deliver to Department an appropriate amendment to the Financial Assistance Award to reflect the reduction in the funds awarded for the other DD service or services and the increase in the DD Foster Home Limitation.
- F. Department is not obligated to provide financial assistance for any DD 58 Services that are not properly reported through Department's payment system for DD 58 Services (or through other method required or permitted by this Service Description or the Special Terms and Conditions for DD Residential Services) by the date 60 days after the earlier of termination of this Agreement, termination of Department's obligation under provide financial assistance for DD 58 Services, or termination of County's obligation to include the Program Area, in which DD 58 Services fall, in its CMHP.

Service Name: CHILDREN'S RESIDENTIAL FACILITIES

Service I.D. Code: DD 142

I. Service Description

Children's Residential Facilities (DD 142) services are care, training, and support services delivered in neighborhood homes to individuals primarily under 18 years of age with developmental disabilities who require 24-hour care, supervision, and training in other than the family home or foster care.

For purposes of this Agreement, an individual shall be considered to have received DD 142 services only when one of the following conditions is met:

- A. The individual is residing and overnight care is provided at the Provider's facility; or
- B. The individual had been receiving DD 142 Services at the Provider's facility, as described in Section I(A) above, immediately prior to the absence and the individual is absent, for not more than 5 consecutive days (excluding weekends and holidays), unless an exception is granted by Department, as a result of incarceration or absence without leave, and it has not been determined that the individual will not be returning to the facility; or
- C. The individual had been receiving DD 142 Services at the Provider's facility, as described in Section I(A) above, immediately prior to the absence and the individual is absent, for not more than 14 consecutive days, not to exceed 90 days in any one-year period unless an exception is granted by Department, as a result of being on vacation or family visit and it has not been determined that the individual will not be returning to the facility; or
- D. The individual had been receiving DD 142 Services at the Provider's facility, as described in Section I(A) above, immediately prior to the absence and the individual is absent, for not more than 90 consecutive days as a result of being on convalescent leave, or admittance to either a medical hospital, psychiatric hospital, or a State-Operated Community Program, and it has not been determined that the individual will not be returning to the facility.

II. Performance Requirements

- A. Providers of DD 142 services funded through this Agreement must provide those DD 142 services in facility(ies) licensed under one of the following Oregon Administrative Rules, as such rules may be revised from time to time: (a) OAR Chapter 411, Division 325, pertaining to 24-Hour Residential Services for Children and Adults with Developmental Disabilities; (b) OAR 413-080-0200 through 413-080-0270, pertaining to Child Welfare Programs, Residential Care and Treatment; or (c) OAR 416-530-0100

through 416-530-0170, pertaining to Oregon Youth Authority, Certification Standards for Private Youth Caring Agencies. Providers of DD 142 services funded through this Agreement must comply with the OARs under which they are licensed.

- B. All individuals receiving DD 142 services funded through this Agreement must be referred through a Community Developmental Disability Program (CDDP) and must be eligible for DD services, with eligibility determined in accordance with OAR Chapter 411, Division 320, as such rule may be revised from time to time.
- C. At any facility in which DD 142 services funded through this Agreement are delivered, Provider must maintain, at a minimum, one awake direct care staff at any time individuals receiving DD 142 services at the facility are present at the facility.
- D. At any facility in which DD 142 services funded through this Agreement are delivered, Provider must furnish each individual served with a separate sleeping room that meets the requirements in OAR Chapter 411, Division 325, as such rules may be revised from time to time, regardless of the OARs under which the Provider is licensed.
- E. If a Provider of DD 142 services funded through this Agreement provides such services at a facility licensed under OAR Chapter 411, Division 325, pertaining to 24-Hour Residential Services for Children and Adults with Developmental Disabilities, as such rules may be revised from time to time, the Provider must comply with the following requirements.
 - 1. Vacancy Reserve Fund: The Board of Directors (or other governing authority as applicable) of each Provider of DD 142 services funded through this Agreement must define, establish, and maintain a "vacancy reserve" fund in an amount sufficient to ensure that the Provider can continue to provide services that meet applicable statutory, administrative rule, and contract requirements when payments are reduced due to vacancies. If the reserve fund falls below the level established by the Board/governing authority, the Board/governing authority must develop and implement a plan to replenish the reserve fund in a timely manner. Each Provider must include a line item on its routine financial statements that documents the status of its vacancy reserve fund.
 - 2. Providers of DD 142 services funded through this Agreement that provide those services in more than one physical site must send at least one employee assigned to manage DD 142 services at one or more of Provider's DD 142 facilities to Department-sponsored training regarding business systems, health and medical issues for individuals with developmental disabilities, at least one day per year, if such training is scheduled by Department. Department will make every reasonable effort to provide such training on a regional basis throughout the state.
- F. DD 142 Services funded through this Agreement shall be Gender Specific Services. Gender Specific Services is treatment, interventions, educational programs and approaches that comprehensively address the unique needs, strengths and risk factors of each gender and foster positive gender identity development. The ISP must address Gender Specific Service needs of the Child.

G. If a Provider of DD 142 Services funded through this Agreement provides such services at a facility licensed under OAR 413-080-0200 through 413-080-0270, pertaining to Child Welfare Programs, Residential Care and Treatment; or OAR 416-530-0100 through 416-530-0170, pertaining to Oregon Youth Authority, Certification Standards for Private Youth Caring Agencies, as such rules may be revised from time to time, the Provider must comply with the following requirements.

1. For the purposes of II Performance Requirements, section F, the terms listed below shall have the following meanings:
 - a. "Individual Support Plan (ISP)" – a written detail of the individualized service plan, treatment plan or care plan and, when applicable, a behavioral plan for each individual that is approved by the SPD Residential Specialist and individual's legal guardian.
 - b. "ISP Team" – the planning team comprised, at minimum, of the Provider the individual's legal guardian and the SPD Residential Specialist assigned to the individual by the Department.
 - c. "SPD Residential Specialist" – the SPD staff person assigned by SPD to an individual to plan, procure, coordinate, and monitor individual support plan services.
2. ISP, Implementation and Documentation: All individuals receiving DD 142 Services funded through this Agreement must have an approved ISP. Providers of DD 142 Services funded through this Agreement must:
 - a. Maintain documentation, as prescribed by Department, of each support, activity and service noted in the ISP.
 - b. Train and educate staff on the content and implementation of the ISP.
 - c. Implement ISP as written.
3. Health and Medical: For DD 142 Services provided under this Agreement:
 - a. PRN/Psychotropic medication is prohibited. Provider of DD 142 Services shall not administer, to individuals, PRN (i.e., pro re nata or as needed) orders for PRN psychotropic medication;
 - b. A physician's or qualified health care provider's written and signed order is required prior to the usage of prescription medication and non-prescription medications except over the counter topical;
 - c. Provider of DD 142 Services must administer the medications as ordered;

- d. All medications must be recorded on an individualized medication administration record for each individual, signed and dated for each administration of medication by Provider of DD 142 Services; and
 - e. Medication administration records shall be available for review upon request by the Department or County.
4. Behavior Support: For DD 142 Services provided under this Agreement:
- a. Individualized, positive behavioral support strategies are required for individuals with developmental disabilities;
 - b. Behavioral support strategies must be included in the ISP;
 - c. Provider of DD 142 Services and staff must be trained in the approved strategies;
 - d. Use of punishment, including threats and aversive stimuli, and physical discipline are prohibited;
 - e. Physical interventions and the use of restraints must only be used when the specific techniques are part of a nationally accepted standard of practice and included in the individual's approved ISP or behavior plan;
 - f. Provider of DD 142 Services and staff must be trained in the techniques described in e., above; and
 - g. Use of seclusion rooms is specifically prohibited unless:
 - i. Seclusion is part of a specific mental health treatment intervention;
 - ii. Is not connected to a threat of punishment or punishment;
 - iii. Use of seclusion is included in the individual's ISP;
 - iv. Individual resides in a mental health treatment facility, as defined by Department.
5. Individual's Personal Property: Providers of DD 142 Services funded through this Agreement must:
- a. Prepare and maintain an accurate individual written record of personal property that has significant or monetary value to each individual as determined by a documented ISP team or guardian decision. The record must include:
 - i. The description and identifying number, if any;
 - ii. Date of inclusion in the record;
 - iii. Date and reason for removal from the record;
 - iv. Signature of staff making each entry; and
 - v. A signed and dated annual review of the record for accuracy and completeness.
 - b. Assure that each individual with a developmental disability has a process to safeguard and to track the use of each individual's individual funds, including the SSI equivalent for Room, Board and Personal Funds and other gifted or earned funds.

- c. Maintain a separate financial record for each individual that includes documentation of:
 - i. Receipt of monthly Department payment for the SSI equivalent for Room and Board;
 - ii. Receipt of the monthly Personal Funds portion or the SSI equivalent, as described in Exhibit C, "Room & Board Required Allocations";
 - iii. Receipt of other funds from gifts or earnings;
 - iv. A personal funds disbursement log with corresponding receipts and dates for spending by or on behalf of the individual.
 - v. The Provider of DD 142 Service's staff making the entry to the personal funds disbursement log must sign each entry.
 - vi. The personal funds disbursement log must record the purpose of the disbursement.
 - vii. Receipts must be kept for each individual item or activity expense. The individual's ISP must include information on the individual's approved spending plan and the amount of funds the individual may carry on their person.
 - viii. The individual's spending plan must be approved by the SPD Residential Specialist and the child's guardian.
 - d. Transfer an individual's personal funds with the individual if an individual transfers to another provider or returns to the family home.
 - e. Reimburse the individual any funds that are missing due to theft, mismanagement on the part of any Provider of DD 142 Service's staff or for any funds within the custody of the Provider of DD 142 Services that are missing. Reimbursement must be made within 10 working days of the verification that funds are missing.
6. Make all information related to DD 142 Services, service locations and records for individuals funded through this Agreement, including premises and documents available upon request. All DD 142 Services, service locations and records for individuals funded through this Agreement are subject to review and in person monitoring by the SPD Services Coordinator.

III. Special Reporting Requirements

- A. For purposes of Medicaid compliance, Department must be notified when an eXPRS Disbursement Claim is submitted, with respect to DD 142 services as described in section I(B), (C) or (D) of this Service Description. Notification required under this section must be provided to Department's Seniors and People with Disabilities Office of Federal Resources and Eligibility Determination, using forms and procedures designated by Department.

- B. If a Provider of DD 142 Services funded through this Agreement provides such services at a facility licensed under OAR Chapter 411, Division 325, pertaining to 24-Hour Residential Services for Children and Adults with Developmental Disabilities, as such rules may be revised from time to time, the Provider must comply with the following requirements:
1. Vacancy Reserve Fund: Provider must submit its vacancy reserve fund plans, and/or the current status of these reserve funds, to County or Department upon request.
 2. Direct Care Staff Wages and Turnover: Provider must report to Department staff wages and turnover data using forms and procedures designated by Department.
- C. If a Provider of DD 142 Services funded through this Agreement provides such services at a facility licensed under OAR 413-080-0200 through 413-080-0270, pertaining to Child Welfare Programs, Residential Care and Treatment; or OAR 416-530-0100 through 416-530-0170, pertaining to Oregon Youth Authority, Certification Standards for Private Youth Caring Agencies, as such rules may be revised from time to time, the Provider shall comply with the following requirements:
1. Provider of DD 142 Services must submit documentation of support, activities and services provided under the ISP, as described in II. Performance Requirements F. 2., above, to the Department's designee upon request.
 2. Incident Reports and Emergency Notifications: Provider of DD 142 Services must submit a written report of any injury, accident, acts of physical aggression or unusual incident, as defined in OAR 411-325-0020 (78), involving the individual to the child's SPD Residential Specialist, CDDP Service Coordinators, and to the individual's legal guardian within five working days of the incident. Copies of incident reports provided to guardians must have any confidential information about other individuals removed or redacted as required by federal and state privacy laws.
 3. Unusual incidents require immediate notification to the SPD and CDDP Service Coordinators. Copies of unusual incident reports will not be provided to the child's legal guardian, unless the guardian is a State agency, when the report is part of an abuse investigation.
 4. Allegations of abuse or neglect and abuse investigations require immediate notification to the SPD Residential Specialist. When an abuse investigation has been initiated, the SPD Residential Specialist will assure that either the CDDP Services Coordinator or the program and will also immediately notify the individual's legal guardian of the allegation unless the notification is prohibited by law.

IV. Financial Assistance Calculation and Disbursement Procedures

- A. Calculation of Financial Assistance: Department will provide financial assistance for DD 142 Services, from DD 142 funds included in the Service Element Prior Authorization, in an amount equal to the monthly rate set forth in a CPA authorizing the use of financial assistance for delivery of DD 142 services to an individual specified in that CPA, multiplied by the number of months of DD 142 Services delivered (as defined in section I(A) through (D) above) to that individual during the period specified in the CPA, subject to the following:
1. Total Department financial assistance for delivery of DD 142 Services to an individual specified in a CPA shall not exceed the amount of financial assistance authorized in that CPA. If no CPAs are submitted for DD 142 Services, no financial assistance will be provided for DD 142 Services.
 2. The financial assistance for a partial month of DD 142 Service will be prorated.
 3. Department will reduce the financial assistance for DD 142 Services delivered to an individual during the period specified in the CPA by the amount received, as payment of a portion of the cost of the Services, by a Provider of DD 142 Services from an individual receiving such Services.
 4. If during any month during the period specified in a particular line of the Service Element Prior Authorization that awards funds for DD 142 Services and that specifies one or more units in the Service Element Prior Authorization Detail, fewer than 95% of the units of DD 142 Service so specified are delivered under that line, Department may reduce the amount of financial assistance specified in that line of the Service Element Prior Authorization, and the number of units of Service, to make it consistent with the actual delivery of DD 142 Services under that line and County shall accept an appropriate SEPA Adjustment to reflect that reduction.
 5. Department is not obligated to provide financial assistance for a unit of DD 142 Service, from funds awarded in the Service Element Prior Authorization, if a Disbursement Claim for financial assistance for that unit of DD 142 Service is not received by Department by the date 60 days after the earlier of termination of this Agreement, termination of Department's obligation to provide financial assistance for DD 142 Services, or termination of County's obligation to include the Program Area, in which DD 142 Services fall, in its CMHP.
- B. Disbursement of Financial Assistance: Department will disburse to Provider the financial assistance awarded for DD 142 Services under a particular line of the Service Element Prior Authorization and as approved by County in a CPA authorizing use of financial assistance for delivery of DD 142 Services to an individual specified in that CPA in response to and as soon as reasonably possible after submission and Department verification of a Disbursement Claim with respect to DD 142 Services.

- C. Exceptions to Pay for Vacancies: In exceptional circumstances, the Department may agree to provide financial assistance for delivery of DD 142 Service capacity that is not utilized, as opposed to the normal DD 142 Services financial assistance calculation methodology that provides financial assistance only for DD 142 Services actually delivered. Exceptional circumstances include: (i) when Department agrees to provide financial assistance for unutilized DD 142 Service capacity in order to ensure the availability of DD 142 Services for a particular individual in the near future, or (ii) when unexpected financial difficulties are encountered by a particular Provider as a result of an unusually high rate of unutilized service capacity in that Provider's system, through no fault of that Provider. Department will award, disburse and settle funds for unutilized DD 142 Service capacity in service element DD 57 (DD Special Projects, Start-Up).

Service Name: **CHILDREN'S PROCTOR FOSTER HOMES**

Service I.D. Code: **DD 143**

I. Service Description

- A. Proctor Foster Homes (DD 143) are 24-hour care, supervision, training, and other support services for individuals with developmental disabilities. The Proctor Foster service model consists of a Provider that manages, directs and supports services for individuals who reside in homes that meet requirements for licensing or certification as Child foster homes. The Provider of DD 143 Services oversees the individuals' services, determines what additional supports are needed, provides those supports (such as additional staff in the home and consultant services), and participates in the licensing and certification of the foster homes where individuals receiving DD 143 Services reside.
- B. For purposes of this Service Description, the terms listed below shall have the following meanings:
1. "Child(ren)" or "Individual(s)" means an individual under the age of 18 with developmental disabilities.
 2. A Child shall be considered to have received DD 143 Services only when the Child is enrolled with a Provider of DD 143 Services and one of the following conditions is met:
 - a. The Child is residing and overnight care is provided by the home providing "Foster Care" as defined in OAR Chapter 411, Division 335, as such rule may be revised from time to time; or
 - b. The Child is receiving respite care services that: (a) are paid with DD 143 financial assistance provided under this Agreement; and (b) meet the requirements of OAR Chapter 411, Division 335, as such rule may be revised from time to time; or
 - c. The Child had been receiving DD 143 Services as describe in Section I, (B), (2.) (a.) or (b.) above, immediately prior to the absence and the Child is absent, for not more than 5 consecutive days (excluding weekends and holidays), unless an exception is granted by Department, as a result of incarceration or absence without leave, and it has not been determined that the Child will not be returning to the facility; or
 - d. The Child had been receiving DD 143 Services as describe in Section I, (B), (2.) (a.) or (b.) above, immediately prior to the absence and the Child is absent, for not more than 14 consecutive days, not to exceed 90 days in any

one-year period unless an exception is granted by Department, as a result of being on vacation or family visit and it has not been determined that the Child will not be returning to the facility; or

- e. The Child had been receiving DD 143 Services as describe in Section I, (B), (2.) (a.) or (b.) above, immediately prior to the absence and the Child is absent, for not more than 90 consecutive days as a result of being on convalescent leave, or admittance to either a medical hospital, psychiatric hospital, or a State-Operated Community Program, and it has not been determined that the will not be returning to the facility.

- 3. Gender Specific Services is treatment, interventions, educational programs and approaches that comprehensively address the unique needs, strengths and risk factors of each gender and foster positive gender identity development.

II. Performance Requirements

- A. Providers of DD 143 Services funded through this Agreement must comply with OAR Chapter 411, Division 335, as such rules may be revised from time to time.
- B. All individuals receiving DD 143 services funded through this Agreement must be referred through a Community Developmental Disability Program (CDDP) and must be eligible for DD services, with eligibility determined in accordance with OAR Chapter 411, Division 320, as such rule may be revised from time to time.
- C. DD 143 Services funded through this Agreement shall be Gender Specific Services. The ISP must address Gender Specific Service needs of the Child.
- D. Providers of DD 143 services funded through this Agreement that provide those services in more than one Foster Care site must send at least one employee assigned to manage DD 143 services at one or more of Provider's DD 143 facilities to Department-sponsored training regarding business systems, health and medical issues for individuals with developmental disabilities, at least one day per year, if such training is scheduled by Department. Department will make every reasonable effort to provide such training on a regional basis throughout the state.
- E. If a Provider of DD 143 services funded through this Agreement provides such services at a facility licensed under OAR 413 Division 215, DHS, Child Welfare, Private Child-Caring Agency Licensing Standards or OAR 416-550-0000 through 416-550-0080, Youth Offender Treatment Foster Care, as such rules may be revised from time to time, the Provider of DD 143 Services must comply with the following requirements.
 - 1. For the purposes of II. Performance Requirements, section E, the terms listed below shall have the following meanings:
 - a. "Individual Support Plan (ISP)" – a written detail of the individualized service plan, treatment plan or care plan and, when applicable, a behavioral plan for each Child that is approved by the SPD Residential Specialist and Child's legal guardian.

- b. "ISP Team" – the planning team comprised, at minimum, of the Provider, the Child's legal guardian and the SPD Residential Specialist assigned to the Individual by the Department.
 - c. "SPD Residential Specialist" – the SPD staff person assigned by SPD to an Individual to plan, procure, coordinate, and monitor Individual support plan services.
 - 2. Children receiving DD 143 Services funded through this Agreement must reside in a currently certified Foster Home under contract with the DD 143 Provider.
 - 3. Provider of DD 143 Services must ensure that all individuals who are employees, volunteers, sub-contractors or respite providers providing care and services to Individuals:
 - a. Are age 18 and older;
 - b. Possess a Department approved criminal history background check;
 - c. Are trained in the Individual's ISP; and
 - d. If transporting an Individual, have a valid Oregon Driver's License and proof of insurance.
 - 4. ISP, Implementation and Documentation: All Children receiving DD 143 Services funded through this Agreement must have an approved ISP. Providers of DD 143 Services funded through this Agreement must:
 - a. Maintain documentation, as prescribed by Department, of each support, activity and service noted in the ISP.
 - b. Train and educate staff on the content and implementation of the ISP.
 - c. Implement ISP as written.
 - 5. Each Child receiving DD 143 Services funded through this Agreement and each Foster Home providing DD 143 Services funded through this Agreement must have a written emergency back up plan. Emergency back up plan must be submitted to and approved by the SPD Residential Specialist. The emergency back up plan must, at minimum, address:
 - a. Respite for the Foster Home provider;
 - b. Additional supports for the Foster Home provider to meet the needs of the Child and prevent disruption of placement; and
 - c. Emergency back up for the Foster Home provider in the event the provider is unavailable.

6. Health and Medical: For DD 143 Services provided under this Agreement:

- a. PRN/Psychotropic medication is prohibited. Provider of DD 143 and Foster Home provider shall not administer, to Children, PRN (i.e., pro re nata or as needed) orders for PRN psychotropic medication;
- b. A physician's or qualified health care provider's written and signed order is required prior to the usage of prescription medication and non-prescription medications except over the counter topical;
- c. Provider of DD 143 or Foster Home provider must administer the medications as ordered;
- d. All medications must be recorded on an individualized medication administration record for each Individual, signed and dated for each administration of medication by Provider of DD 143 or Foster Home provider; and
- e. Medication administration records shall be available for review upon request by the SPD Residential Specialist.

7. Behavior Support: For DD 143 services provided under this Agreement:

- a. Individualized, positive behavioral support strategies are required for Children with developmental disabilities;
- b. Behavioral support strategies must be included in the ISP;
- c. Provider of DD 143 Services and staff must be trained in the approved strategies;
- d. Use of punishment, including threats and aversive stimuli, and physical discipline are prohibited;
- e. Physical interventions and the use of restraints must only be used when the specific techniques are part of a nationally accepted standard of practice and included in the Individual's approved ISP or behavior plan;
- f. Provider of DD 143 Services and staff must be trained in the techniques described in e., above; and
- g. Use of seclusion rooms is specifically prohibited unless:
 - i. Seclusion is part of a specific mental health treatment intervention;
 - ii. Is not connected to a threat of punishment or punishment;
 - iii. Use of seclusion is included in the Individual's ISP;

- iv. Individual resides in a mental health treatment facility, as defined by Department.
8. Use of Time Out: If time-out separation from others is used to manage behavior for an Child, time-out must:
- a. Be included in the Individual's ISP;
 - b. The Foster Home provider must provide it in an unlocked, lighted, well-ventilated room at least 50 square feet;
 - c. The ISP must include whether the Individual needs to be within hearing distance or within sight of an adult during the time-out;
 - d. The time limit must take into consideration the Individual's chronological age, emotional condition and developmental level;
 - e. Time-out is to be used for short duration and frequency; and
 - f. Only as approved in writing by the SPD Residential Specialist.
9. Individual's Personal Property: Providers of DD 143 Services funded through this Agreement must:
- a. Prepare and maintain an accurate individual written record of personal property that has significant or monetary value to each Individual as determined by a documented ISP team or guardian decision. The record must include:
 - i. The description and identifying number, if any;
 - ii. Date of inclusion in the record;
 - iii. Date and reason for removal from the record;
 - iv. Signature of staff making each entry; and
 - v. A signed and dated annual review of the record for accuracy and completeness.
 - b. Ensure that each Child has a process to safeguard and to track the use of each Individual's individual funds, including the SSI equivalent for Room, Board and Personal Funds and other gifted or earned funds.
 - c. Maintain a separate financial record for each Child that includes documentation of:
 - i. Receipt of monthly Department payment for the SSI equivalent for Room and Board;
 - ii. Receipt of the monthly Personal Funds portion or the SSI equivalent;
 - iii. Receipt of other funds from gifts or earnings;

- iv. A personal funds disbursement log with corresponding receipts and dates for spending by or on behalf of the Child.
 - v. The Provider's staff making the entry to the personal funds disbursement log must sign each entry.
 - vi. The personal funds disbursement log must record the purpose of the disbursement.
 - vii. Receipts must be kept for each individual item or activity expense. The Child's ISP must include information on the Child's approved spending plan and the amount of funds the Individual may carry on their person.
 - viii. The Child's spending plan must be approved by the SPD Residential Specialist and the Individual's guardian.
- d. Transfer a Child's personal funds with the Individual if the Individual transfers to another provider or returns to the family home.
- e. Reimburse the Child any funds that are missing due to theft, mismanagement on the part of any Provider of DD 143 Service's staff or for any funds within the custody of the Provider of DD 143 Services that are missing. Reimbursement must be made within 10 working days of the verification that funds are missing.
10. Make all information related to services, service locations and records for Children funded through this Agreement, including premises and documents available upon request. All DD 143 Services, service locations and records for Children funded through this Agreement are subject to review and in person monitoring by the SPD Residential Specialist.
11. Provider of DD 143 Services shall ensure that each Foster Home providing Foster Care to a Child funded through this Agreement will comply with the following:
- a. Develop a fire/emergency evacuation plan, document plan, and practice drills with each Child as follows:
 - i. Upon Child's placement into a Foster Home;
 - ii. Once every ninety (90) days with, at minimum, one drill practiced per year, occurring during night time sleep hours;
 - b. Maintain fire drill records for one year. Records must contain the date, time for a full evacuation and the names of Children requiring evacuation assistance;
 - c. For Children receiving DD 143 Services funded through this Agreement, requiring evacuation assistance must have a written plan specific to the assistance each Child requires that is practiced by the Foster Home providers and any applicable alternative care givers in the home. The written

evacuation plan must be submitted to and approved by the SPD Residential Specialist.

- b. Ensure that each Foster Home serving a Child has the ability to evacuate all Children from the home within three minutes, including Children who require evacuation assistance.
- E. Vacancy Reserve Fund: The Board of Directors (or other governing authority as applicable) of each Provider of DD 143 Services funded through this Agreement must define, establish, and maintain a "Vacancy Reserve" fund in an amount sufficient to ensure that the Provider can continue to provide services that meet applicable statutory, administrative rule, and contract requirements when payments are reduced due to vacancies. If the reserve fund falls below the level established by the Board/governing authority, the Board/governing authority must develop and implement a plan to replenish the reserve fund in a timely manner. Each Provider subject to the vacancy reserve fund requirement must include a line item on its routine financial statements that documents the status of its vacancy reserve fund.

III. Special Reporting Requirements

- A. For purposes of Medicaid compliance, Department must be notified when an eXPRS Disbursement Claim is submitted, with respect to DD 143 Services described in section I (B) (2.) (b.) (c.) (d.) or (e) of this Service Description. Notification required under this section must be provided to Department's Seniors and People with Disabilities Office of Federal Resources and Eligibility Determination, using forms and procedures designated by Department.
- B. Vacancy Reserve Fund: Providers of DD 143 Services funded through this Agreement must submit their vacancy reserve fund plans, and/or the current status of these reserve funds, to County and/or Department upon request.
- C. Direct Care Staff Wages and Turnover: Providers of DD 143 Services funded through this Agreement must report staff wages and turnover data using forms and procedures designated by Department.
- D. If a Provider of DD 143 Services funded through this Agreement provides such services at a facility licensed under OAR 413-220-0000 through 413-220-0160, DHS, Child Welfare, Private Child-Caring Agency Licensing Standards or OAR 416-550-0000 through 416-550-0080, Youth Offender Treatment Foster Care, as such rules may be revised from time to time, the Provider must comply with the following requirements:
 1. Provider of DD 143 Services must submit documentation of support, activities and services provided under the ISP, as described in II. Performance Requirements E above, to the Department's designee upon request.

2. Incident Reports and Emergency Notifications: Provider of DD 143 Services must submit a written report of any injury, accident, acts of physical aggression or unusual incident, as defined in OAR 411-325-0020 (78), involving the Child to the Child's SPD Residential Specialist, CDDP Service Coordinators, and to the Individual's legal guardian within five working days of the incident. Copies of incident reports provided to guardians must have any confidential information about other Children removed or redacted as required by federal and state privacy laws.
 3. Unusual incidents require immediate notification to the Department and CDDP Service Coordinators. Copies of unusual incident reports will not be provided to the Child's legal guardian, unless the guardian is a State agency, when the report is part of an abuse investigation.
 4. Allegations of abuse or neglect and abuse investigations require immediate notification to the SPD Residential Specialist. When an abuse investigation has been initiated, the SPD Residential Specialist will ensure that either the CDDP Services Coordinator or the program and will also immediately notify the Individual's legal guardian of the allegation unless the notification is prohibited by law.
- A. Provider of DD 143 Services must submit to the SPD Residential Specialist a copy of the Foster Home certification information prior to placement of the Child in the Foster Home: At minimum, Provider of DD 143 Services must submit:
1. A copy of the current Foster Home certificate including dates of certification;
 2. A copy of the home study or equivalent agency study of the Foster Home;
 3. A copy of criminal history check clearance notice for all adults residing in the home; and
 4. A copy of the Foster Home provider's training record or list of training topics completed by the adults listed on the foster home certificate.
- B. The Provider of DD 143 services must submit verification of compliance with II. Performance Requirements, section E.3. to the SPD Residential Specialist upon request.

IV. Payment Procedures

- A. Calculation of Financial Assistance: Department will provide financial assistance for DD 143 Services, from DD 143 funds included in the Service Element Prior Authorization, in an amount equal to the monthly rate set forth in a CPA authorizing the use of financial assistance for delivery of DD 143 services to an individual specified in that CPA, multiplied by the number of months of DD 143 Services delivered (as defined

in section I (B)(2.) (a.) through (e.) above) to that individual during the period specified in the CPA, subject to the following:

1. Total Department financial assistance for delivery of DD 143 Services to an individual specified in a CPA shall not exceed the amount of financial assistance authorized in that CPA. If no CPAs are submitted for DD 143 Services, no financial assistance will be provided for DD 143 Services.
 2. The financial assistance for a partial month of DD 143 Service will be prorated.
 3. Department will reduce the financial assistance for DD 143 Services delivered to an individual during the period specified in the CPA by the amount received, as payment of a portion of the cost of those Services, by the Provider of the DD 143 Services from the individual receiving the Services.
 4. If during any month during the period specified in a particular line of the Service Element Prior Authorization that awards funds for DD 143 Services and that specifies one or more units in the Service Element Prior Authorization Detail, fewer than 95% of the units of DD 143 Service so specified are delivered under that line, Department may reduce the amount of financial assistance specified in that line of the Service Element Prior Authorization, and the number of units of Service, to make it consistent with the actual delivery of DD 143 Services under that line and County shall accept an appropriate SEPA Adjustment to reflect that reduction.
 5. Department is not obligated to provide financial assistance for a unit of DD 143 Service, from funds awarded in the Service Element Prior Authorization, if a Disbursement Claim for financial assistance for that unit of DD 143 Service is not received by Department by the date 60 days after the earlier of termination of this Agreement, termination of Department's obligation to provide financial assistance for DD 143 Services, or termination of County's obligation to include the Program Area, in which DD 143 Services fall, in its CMHP.
- B. Disbursement of Financial Assistance: Department will disburse to Provider the financial assistance awarded for DD 143 Services under a particular line of the Service Element Prior Authorization and as approved by County in a CPA authorizing use of financial assistance for delivery of DD 143 services to an individual specified in that CPA in response to and as soon as reasonably possible after submission and Department verification of a Disbursement Claim with respect to DD 143 Services.
- C. Exceptions to Pay for Vacancies: In exceptional circumstances, the Department may agree to provide financial assistance for delivery of DD 143 Service capacity that is not utilized, as opposed to the normal DD 143 Services financial assistance calculation methodology that provides financial assistance only for DD 143 Services actually delivered. Exceptional circumstances include: (i) when Department agrees to provide financial assistance for unutilized DD 143 Service capacity in order to ensure

the availability of DD 143 Services for a particular individual in the near future, or (ii) when unexpected financial difficulties are encountered by a particular Provider as a result of an unusually high rate of unutilized service capacity in that Provider's system, through no fault of that Provider. Department will award, disburse and settle funds for unutilized DD 143 Service capacity in service element DD 57 (DD Special Projects, Start-Up).

Service Name: **QUALITY ASSURANCE SERVICES**

Service ID Code: **DD 147**

I. Service Description and Definitions

- A. **Service Description:** Quality Assurance (DD 147) Services are activities to monitor and improve the quality of Department-funded developmental disability services, and to ensure that those services comply with state and Federal Medicaid requirements.
- B. **Definitions:** For purposes of this Service Description, the terms listed below shall have the following meanings:
1. **"Geographic Service Area"** shall mean the geographic area of County or the geographic area of all counties in which County shall provide DD 147 Services as listed in a special condition for a particular line of the Financial Assistance Award that awards funds for DD 147 Services.
 2. **"Local Quality Assurance Plan"** or **"Local QA Plan"** shall mean the written plan described in and required in OAR Chapter 411, Division 320, as such rules may be revised from time to time.
 3. **"QA"** shall be synonymous with **"Quality Assurance"**.

II. Performance Requirements

- A. Providers of DD 147 Services funded through this Agreement must comply with the requirements of OAR Chapter 411, Division 320, as such rules may be revised from time to time.
- B. **Local Quality Assurance Plan:** County shall submit to Department, no later than September 30, 2009 unless a later date has been approved by Department, a written document, using forms and procedures prescribed by Department, that will: (a) describe County's use of DD 147 funds disbursed under this Agreement, (b) document County's compliance with requirements of OAR Chapter 411, Division 320, as such rules may be revised from time to time, (c) describe planned QA activities, staff roles, and staff responsibilities. The Local QA Plan must assure that: If Provider of DD147 Services funded through this agreement provides Quality Assurance Services, the Provider of DD147 Services must employ sufficient staff to perform the CDDP's quality assurance requirements. If the Provider of DD147 Services agrees to accept the provision of Quality Assurance Services for another CDDP, the Provider of DD147 Services must employ sufficient staff to perform the quality assurance requirements for the Geographic Service Area the Provider of DD147 Services has agreed to serve in addition to their own CDDP's quality assurance requirements.

- C. County must receive Department's written approval of the Local QA plan and any subsequent revisions to it.
- D. Target Population Restriction: 100% of the activities supported in whole or in part with DD 147 Services funds provided under this Agreement must be directly related to the effective delivery and oversight of the services provided to individuals with developmental disabilities as defined in OAR Chapter 411 Division 320, as such rule may be revised from time to time.

III. Special Reporting Requirements

- A. Annual Staffing Reports: County shall provide annual reports to Department on utilization of DD 147 funds disbursed under this Agreement for staff who provide DD 147 Services. Annual Staffing Reports shall be completed using forms and procedures prescribed by Department and on a schedule designated by Department. The Annual Staffing Report must also provide;
 - 1. Documentation of employment of an identified individual as a Quality Assurance Coordinator as well as other identified QA staff or of an agreement with another CDDP to perform required quality assurance activities which include the Provider of DD147 services in their Geographic Service Area, assuring this information is current should changes occur.
 - 2: Documentation that the QA Coordinator and other designated QA staff meets the qualifications set forth in OAR Chapter 411, Division 320, as such rules may be revised from time to time.
- B. Progress Reports: County shall provide reports and information to Department as Department may reasonably request, to allow Department to review County's progress of DD 147 Services funded through this Agreement. This report must indicate: (1) changes in QA staffing levels, (2) changes in QA staff duties or responsibilities, and (3) any changes in plan activities that vary from the approved Local QA Plan,

IV. Financial Assistance Calculation and Disbursement Procedures

- A. Calculation of Financial Assistance: Department will provide financial assistance for DD 147 Services, from DD 147 funds included in a particular line in the Service Element Prior Authorization, in an amount equal to the monthly amount as set forth in the accepted Service Element Prior Authorization and approved in the Provider Prior Authorization, as such amounts may be updated from time to time, during the period specified in the Service Element Prior Authorization, subject to the following:
 - 1. Total Department financial assistance for all DD 147 Services delivered under Service Element Prior Authorization shall not exceed the total funds awarded

for DD 147 Services as specified in the Service Element Prior Authorization for DD 147 Services funded through this Agreement.

2. Department's obligation to provide financial assistance for DD 147 Services delivered in calendar months after December 2009 is conditioned on Department's receipt of County's Quality Assurance Resource Utilization Description, as described in section III.A of this Service Description, in form and substance satisfactory to Department. If requested by Department, County shall also accept an appropriate SEPA Adjustment to reflect that reduction in the financial assistance for DD 147 as a result of County's failure to comply with section II Performance Requirements, above.
3. If County fails to deliver DD 147 Services for part of the month, the financial assistance for that month of service will be prorated and the Department may reduce future disbursements of DD 147 funds accordingly. If requested by Department, County shall also accept an appropriate SEPA Adjustment to reflect that reduction in the financial assistance for DD 147 as a result of County's failure to deliver the DD 147 Services during the entire month.

B. Disbursement of Financial Assistance: Department will disburse to Provider of DD 147 Services the financial assistance awarded for DD 147 Services under a particular line of the Service Element Prior Authorization and as approved by the Department in a Provider Prior Authorization in substantially equal monthly allotments during the period specified in that line of Service Element Prior Authorization, subject to the following:

1. Department may, after 30 days (unless parties agreed otherwise) written notice to County, reduce the monthly allotments based on under used allotments identified through eXPRS or applicable Special Terms and Conditions.
2. Department may upon written request of County, adjust monthly allotments.
3. Upon amendment to the Financial Assistance Award or acceptance of a Service Element Prior Authorization, Department shall adjust monthly allotments as necessary to reflect changes in the funds awarded for DD 147 Services on that line of the Financial Assistance Award.

C. Agreement Settlement: Agreement Settlement will reconcile any discrepancies that may have occurred during the term of this Agreement between actual Department disbursements of financial assistance awarded for DD 147 Services under a particular line of the Service Element Prior Authorization and amounts due for such services based on the delivery of Services and the financial assistance awarded for DD 147 Services under a particular line of the Service Element Prior Authorization.

Service Name: **FAMILY SUPPORT SERVICES**

Service ID Code: **DD 150**

I. Service Description and Definitions

- A. **Service Description:** Family Support Services (DD 150 Services) are services that enable eligible children, 17 years of age and younger with developmental disabilities, to continue to live in their family homes. DD 150 Services supplement those things typically provided to a child by his or her family and other public or private sources. DD 150 Services include: assistance in determining support needs; finding and arranging resources and support services to meet children's needs; assistance in making informed decisions about support needs and support providers; payment for personal supports including, but not limited to, respite care, non-medical transportation, in-home staffing, community inclusion activities, and environmental accessibility adaptations; and monitoring and improving the quality of personal supports. DD 150 Services also includes: (a) fiscal intermediary services, such as assisting families who employ caregivers to comply with payroll and other related requirements for employers and (b) capacity building, information and referral activities that are designed to increase or otherwise support access to needed family support services.
- B. **Definitions:** For purposes of this Service Description:
1. "Child", "Child and Family Support Plan or CFSP", "Direct Assistance Funds", and "Family" shall have the meanings set forth in OAR Chapter 411, Division 305, as such rules may be revised from time to time.
 2. "Fiscal Intermediary" means a person or agency that receives and distributes Family Support funds on behalf of the family of an eligible child according to the child's CFSP or the funds the Provider of DD 150 funds awards through Section II. Performance Requirements, A. Direct Assistance 1. Ongoing Plans and 2. Immediate Access.
 3. Fiscal Year: A 12 month period beginning on July 1st of one year and ending on June 30th of the subsequent year.

II. Performance Requirements

A. Direct Assistance:

1. **Ongoing Plans:** Providers of DD 150 Services funded through this Agreement must comply with the requirements of OAR Chapter 411, Division 305, as such rules may be revised from time to time. Provider of DD 150 Services funded through this Agreement under Section II. Performance Requirements, A. Direct Assistance, 1. Ongoing Plans is limited to a maximum of 70% of the total allocation by Fiscal Year for DD 150 Services funded through this Agreement.

2. Immediate Access: Providers of DD 150 Services funded through this Agreement shall provide funding to allow immediate access to supports, activities, and resources required for a child to be supported by the family in the family home. Immediate Access funds are a minimum of 5% of the Provider of DD 150 Services award funded through this Agreement.
 3. Provider of DD 150 Services Funded through this Agreement may transfer funding awarded for Ongoing Plans to Immediate Access without prior approval from Department as long as the total amount by category complies with the minimum and maximum percentages as described in Section II. Performance Requirements, A. Direct Assistance, subsections 1. and 2.
- B. Fiscal Intermediary: Provider of DD 150 Services funded through this Agreement under Section II. Performance Requirements, B. Fiscal Intermediary is limited to a maximum of 15% of the total allocation by Fiscal Year for Fiscal Intermediary services. The Fiscal Intermediary duties, at minimum, include:
1. Demonstrate a practical understanding of laws, rules and conditions that accompany the use of public resources;
 2. Develop and implement accounting systems that operate effectively on a large scale to track all payments made by Fiscal Intermediary to vendors and individuals, as well as track individual budgets;
 3. Establish and meet the time lines for payments;
 4. Develop and implement an effective payroll system, including meeting payroll-related tax obligations;
 5. Generate service, management, and statistical information and reports required by the CDDP or Department to effectively manage Family Support services and track by family to effectively manage supports;
 6. Maintain flexibility to adapt to changing circumstances of children and families; and
 7. Provide training and technical assistance to families as required in the home or community.
- In this capacity, the Fiscal Intermediary does not recruit, hire, supervise, evaluate, dismiss or otherwise discipline employees.
- C. Capacity, Information and Referral: Provider of DD 150 Services funded through this Agreement under Section II. Performance Requirements, C. Capacity, Information and Referral is limited to a maximum of 10% of the total allocation by Fiscal Year for Capacity and Information and Referral. Capacity and Information and Referral funds may be used to purchase, contract, and support local projects that improve service to children with developmental disabilities and must follow policies and procedures prescribed by Department.

- D. Project Evaluation: If requested by Department, Providers of DD 150 Services funded through this Agreement must participate in a Department-authorized external evaluation of the impact and effectiveness of the DD 150 Services. Participation includes, but is not limited to: furnishing all readily available program data within statutory and regulatory limits governing confidentiality, granting permission for staff and families to be interviewed and/or respond to questionnaires, and participating in other evaluation activities as may reasonably be required by Department.

III. Special Reporting Requirements

- A. Providers of DD 150 Services shall submit a written annual budget by the categories described in Section II. Performance Requirements, A. Direct Assistance, B. Fiscal Intermediary and C. Capacity and Information and Referral, above, for each Fiscal Year using forms and procedures prescribed by Department no later than August 30th of each Fiscal Year.
- B. Providers of DD 150 Services shall submit quarterly reports detailing at minimum, actual expenditures and remaining balance for each Fiscal Year by category to be included in the annual budget described in Section III. Special Reporting Requirements, A. Direct Assistance above, using forms and procedures prescribed by Department no later than 20 days after the end of each quarter.
- C. If the Provider of DD 150 Services has an under-utilized balance greater than 10% in the first Fiscal Year, the Provider of DD 150 Services shall submit for approval a written plan to the Department describing how DD 150 Services will be provided to ensure DD 150 Services are provided during the subsequent Fiscal Year equal to the amount of the first Fiscal Year's under-utilized award and the second Fiscal Year award.
- D. Provider of DD 150 Services shall submit an annual written report on activities and expenditures related to Section II. Performance Requirements, B. Fiscal Intermediary and C. Capacity and Information and Referral using forms and procedures prescribed by Department no later than August 30, 2010 and August 30, 2011 for each Fiscal Year.
- E. All individuals receiving DD 150 Services as described in Section II Performance Requirements, A. Direct Assistance, supported with funds provided under this Agreement must be enrolled in CPMS, and the individual's CPMS record for DD 150 Services must be maintained, at minimum, within 30 days of incurring DD 150 Service expenditures to the extent permitted under OAR Chapter 411, Division 305, as such rule may be revised from time to time, and as specified in Department's CPMS manual for Developmental Disability Services, and, if applicable, as further specified in this Service Description, special conditions, Special Terms and Conditions of this Agreement, or as otherwise instructed by Department.

IV. Financial Assistance Calculation and Disbursement Procedures

- A. Calculation of Financial Assistance: Department will provide financial assistance for DD 150 Services from DD 150 funds included in a Service Element Prior Authorization (SEPA), in an amount equal to the monthly amount as set forth in a SEPA and approved in the Provider Prior Authorization (PPA), in an amount equal to the actual allowable costs incurred by a Provider in delivering DD 150 Services under the SEPA during the term of this Agreement, and subject to the following limitations:
1. Allowable costs are:
 - a. Costs that may be covered by Direct Assistance Funds to implement Child and Family Support Plans, to the extent permitted under OAR Chapter 411, Division 305, as such rule may be revised from time to time.
 - b. Costs incurred for Fiscal Intermediary and Capacity, Information and Referral services as described in Section II. B. and C. of this Service Description.
 2. Total Department financial assistance for all DD 150 Services delivered under a SEPA shall not exceed the total funds awarded for DD 150 Services as specified in the SEPA for DD 150 Services funded through this Agreement.
 3. Department is not obligated to provide financial assistance for any DD 150 Services that are not properly reported through CPMS (or through other method required or permitted by this Service Description or applicable Special Terms and Conditions) by the date 60 days after the earlier of the end of the Fiscal Year, termination of this Agreement, termination of Department's obligation to provide financial assistance for DD 150 Services, or termination of County's obligation to include the Program Area, in which DD 150 Services fall, in its CMHP.
 4. Financial assistance for DD 150 Services is based on a Fiscal Year award. Financial assistance awards that have not been fully utilized during the first Fiscal Year of the Agreement do not automatically carry over into the subsequent Fiscal Year of the Agreement. Provider of DD 150 Services may transfer up to 10% of the first Fiscal Year to the second Fiscal Year with prior approval. Provider of DD 150 Services must obtain the Departments approval in writing to transfer any amount in excess of this amount to the second Fiscal Year.
 5. If Provider of DD 150 Services has under-utilized any Fiscal Year award and fails to deliver a Department approved plan to deliver DD 150 Services for the under-utilized amount, the Department may reduce future disbursements, County shall also accept an appropriate SEPA Adjustment to reflect that reduction in the financial assistance for DD 150 as a result of County's under-utilization for the Fiscal Year.

6. If County fails to deliver DD 150 Services for part of the month, the financial assistance for that month of service will be prorated and the Department may reduce future disbursements. County shall also accept an appropriate SEPA Adjustment to reflect that reduction in the financial assistance for DD 150 as a result of County's failure to deliver the DD 150 Services during the month.
- B. Disbursement of Financial Assistance: Department will disburse to Provider of DD 150 Services the financial assistance awarded for DD 150 Services under SEPA and as approved by the Department in the PPA in substantially equal monthly allotments during the period specified in the SEPA and approved by the Department in the PPA, subject to the following:
1. Department may, after 30 days (unless parties agree otherwise) written notice to County, reduce the monthly allotments based on under delivery of services identified through CPMS or through other reports required or permitted by this Service Description or applicable Special Terms and Conditions.
 2. Department may, upon written request of County, adjust monthly allotments.
 3. Upon amendment to the Financial Assistance Award or acceptance of a Service Element Prior Authorization, Department shall adjust monthly allotments to reflect changes in the funds awarded for DD 150 on that line of the Financial Assistance Award or SEPA.
- C. Agreement Settlement: Agreement Settlement will reconcile any discrepancies that may have occurred during the term of this Agreement between actual Department disbursements of financial assistance awarded for DD 150 Services under the SEPA and financial assistance due for such Services based on actual allowable expenditures incurred by a Provider in delivering DD 150 Services under a SEPA during the term of this Agreement, as such expenses are properly reported in CPMS or by other reporting method required or permitted by this Service Description or applicable Special Terms and Conditions.

Service Name: **LONG TERM SUPPORT FOR CHILDREN**

Service ID Code: **DD 151**

I. Service Description and Definitions

- A. Service Description: Long Term Diversion support services for children (DD 151) are services for children 17 years of age and younger with developmental disabilities, who are at imminent risk of out-of-home placement. The purpose of DD 151 services is to maintain the child in, or return the child to, the family home from community placement resulting from a crisis.
- B. Definitions: For purposes of this Service Description, the terms listed below shall have the following meanings:
 - 1. "Child", "Crisis" and "Crisis Plan" shall have the meanings set forth in OAR 411, Division 320 as such rules may be revised from time to time.
 - 2. "Family" shall have the meanings set forth in OAR Chapter 411, Division 308, as such rules may be revised from time to time.

II. Performance Requirements

- A. Providers of DD 151 services funding through this agreement must comply with the requirements of OAR 411 Division 320, OAR 411 Division 305 and OAR 411, Division 308 as such rules may be revised from time to time.
- B. Eligible children are in crisis as defined in OAR Chapter 411, Division 320.0160.(3).
- C. Purchased good or services must only be those necessary to divert a child from out-of-home placement or to support a child's return home from placement resulting from the crisis defined in OAR 411, Division 320.0160 and are in accordance with OAR Chapter 411, Division 320.0160(5)(6)(4).
- D. Allowable expenditures as identified OAR Chapter 411, Division 320.
- E. Client Prior Authorizations (CPAs) for individuals eligible for DD 151 Services funded under this Agreement must not extend beyond the end date of the individuals current DD 151 plan.

III. Special Reporting Requirements

All Individuals receiving DD 151 Services funded under this Agreement must be enrolled in CPMS under the CPMS provider number 26-999 for Multnomah County, and the individual's CPMS record for DD 151 services must be maintained as specified in Department's CPMS manual for Developmental Disability Services, and, if applicable, as further specified in this Service Description, special conditions, Special Terms and Conditions of this Agreement, or as otherwise instructed by the Department.

IV. Financial Assistance Calculation and Disbursement Procedures

- A. Calculation of Financial Assistance: : Department will provide financial assistance for DD 151 Services, from DD 151 funds included in a particular line in the Service Element Prior Authorization, in an amount equal to the monthly amount as set forth in the accepted Service Element Prior Authorization and approved in the Provider Prior Authorization, as such amounts may be updated from time to time, during the period specified in the Service Element Prior Authorization, subject to the following:
1. Total Department financial assistance for all DD 151 Services delivered under Service Element Prior Authorization shall not exceed the total funds awarded for DD 151 Services as specified in the Service Element Prior Authorization for DD 151 Services funded through this Agreement.
 2. If County fails to deliver DD 151 Services for part of the month, the financial assistance for that month of service will be prorated and the Department may reduce future disbursements of DD 151 funds accordingly. If requested by Department, County shall also accept an appropriate SEPA Adjustment to reflect that reduction in the financial assistance for DD 151 as a result of County's failure to deliver the DD 151 Services during the entire month.
- B. Disbursement of Financial Assistance: Department will disburse to Provider of DD 151 Services the financial assistance awarded for DD 151 Services under a particular line of the Service Element Prior Authorization and as approved by the Department in a Provider Prior Authorization in substantially equal monthly allotments during the period specified in that line of Service Element Prior Authorization, subject to the following:
1. Department may, after 30 days (unless parties agree otherwise) written notice to County, reduce the monthly allotments based on under delivery of services identified through eXPRS or applicable Special Terms and Conditions.
 2. Department may, upon written request of County, adjust monthly allotments.
 3. Upon amendment to the Financial Assistance Award or acceptance of a Service Element Prior Authorization, Department shall adjust monthly allotments as necessary to reflect changes in the funds awarded for DD 151 Services on that line of the Financial Assistance Award.
- C. Agreement Settlement: Agreement Settlement will reconcile any discrepancies that may have occurred during the term of this Agreement between actual Department disbursements of financial assistance awarded for DD 151 Services under a particular Service Element Prior Authorization and financial assistance due for such Services based on actual allowable expenditures incurred by a Provider in delivering DD 151 Services under that line of the Service Element Prior Authorization during the term of this Agreement, as such expenses are properly reported in CPMS or by other reporting method required or permitted by this Service Description or applicable Special Terms and Conditions.

Service Name: **ROOM & BOARD**

Service I.D. Code: **DD 156**

I. Service Description

DD 156 Services are room and board and related services for individuals with developmental disabilities.

II. Performance Requirements

- A. All individuals receiving DD 156 Services under this Agreement must be eligible for DD services, with eligibility determined in accordance with OAR Chapter 411, Division 320, as such rule may be revised from time to time.
- B. The financial assistance awarded for DD 156 Services under this Agreement is derived either from (1) anticipated Federal Supplemental Security Income (SSI) for individuals under 18 years of age for whom Department is the Representative Payee, as defined in Code of Federal Regulations 20 CFR 416.601 through 416.665, as such CFRs may be revised from time to time, or (2) equivalent funds made available directly by Department. Except to the extent set forth in Section 3 of the Room & Board (DD 156) Required Allocation Table included as part of the Financial Assistance Award (the "Required Allocations Table"), DD 156 financial assistance may only be used for "current maintenance" costs incurred by an individual receiving DD 156 Services, as defined Code of Federal Regulations 20 CFR 416.640 pertaining to "Use of benefit payments.", including the room and board fees charged by the Provider to the individual and costs incurred for clothing, medical care, and personal comfort care for the individual, whether provided directly by, or facilitated by, the Provider of DD 156 Services. Furthermore, each month a Provider receives financial assistance provided through this Agreement, the Provider must allocate the financial assistance as described in the Required Allocations Table.
- C. Provider of DD 156 Services under this Agreement shall make available to the individuals receiving DD 156 Services the entire amount of the individuals Personal Allowance as described in the Required Allocations Table.

III. Special Reporting Requirements

- A. Department must be notified immediately if an individual for whom DD 156 funds are specifically awarded, as specified on the line of the Financial Assistance Award that awards these funds, who was not previously eligible for SSI, becomes eligible for SSI or other state or federal funds to cover current maintenance costs for the individual. Such notification must be provided in writing to Department's SPD Regional Coordinator assigned to work with County.

- B. Room & Board Reports: If requested by Department, County must submit written reports, using forms and procedures prescribed by Department, on the utilization of DD 156 financial assistance provided under this Agreement. The information must include the number of units and the applicable rate(s) from the Developmental Disability Rate Schedule that were actually utilized.

IV. Financial Assistance Calculation and Disbursement Procedures

- A. Calculation of Financial Assistance: Department will provide financial assistance for DD 156 Services identified in a particular line of the Financial Assistance Award in an amount equal to the amount specified on that line, subject to the following:
1. Total Department financial assistance for all DD 156 Services identified under a particular line of the Financial Assistance Award shall not exceed the total funds awarded for DD 156 Services as specified in the that line of the Financial Assistance Award.
 2. If the particular line of the Financial Assistance Award specifically awards financial assistance for delivery of DD 156 Services to a specified individual, then Department may unilaterally reduce the amount of DD 156 financial assistance awarded for that individual in an amount proportionate to the period of time (during the period specified on that line) that DD 156 Services were not delivered to the individual. County shall execute and deliver to Department an appropriate amendment to the Financial Assistance Award to reflect that reduction, or, at Department's option, Department may effect the reduction through adjustments to DD 156 disbursements of financial assistance.
 3. If the particular line of the Financial Assistance Award specifically awards financial assistance for delivery of DD 156 Services to a specified individual, and if that individual becomes eligible for SSI or other state or federal funds (for which the Department is not the Representative Payee) to cover current maintenance costs for the individual, then Department may unilaterally reduce the DD 156 financial assistance awarded for the specified individual in an amount proportionate to the period of time (during the period specified on that line) that the individual was eligible for SSI or other state or federal funds to cover the individual's current maintenance costs. County shall execute and deliver to Department an appropriate amendment to the Financial Assistance Award to reflect that reduction, or, at Department's option, Department may effect the reduction through adjustments to DD 156 disbursements of financial assistance.

4. If at the end of any month during the period specified on a particular line of the Financial Assistance Award the cumulative-to-date monthly average number of units DD 156 Services delivered under that line of the Financial Assistance Award is below 95% of the number of units specified in that line of the Financial Assistance Award, Department may unilaterally reduce the amount of financial assistance and the number of units specified in that line of the Financial Assistance Award consistent with the under delivery and County shall execute and deliver to Department an appropriate amendment to the Financial Assistance Award to reflect that reduction. For purposes of the reduction in financial assistance under this Section IV.A.5., the amount of the reduction shall be consistent with the under utilization of the rates for DD 156 Services set forth in the Developmental Disability rate Schedule, as reflected in the Room and Board Reports described in Section III.C. above.
 5. The financial assistance provided under this Agreement for DD 156 Services may only be used to deliver DD 156 Services at the rate or rates set forth on the Developmental Disability Rate Schedule and the reporting of DD 156 Services delivery in the Room & Board Reports, if such reports are requested by Department, must specify a rate from the Developmental Disability Rate Schedule, consistent with the restrictions set forth in this Section IV.A.6. The rate or rates specified in the Developmental Disability Rate Schedule will be identified by Provider, may vary from Provider to Provider and may be changed by amendment to the Financial Assistance Award. The rate or rates specified in the Developmental Disability Rate Schedule are not tied to any particular line in the Financial Assistance Award and County is not required to contract for Service delivery with any particular Provider identified in the Developmental Disability Rate Schedule; provided, however, that, in aggregate across all lines of the Financial Assistance Award that award funds for DD 156 Services, the number of times a rate is specified in the Room & Board Reports for a particular month may not exceed the number of units specified at that rate for that month; provided, further, that if County wishes to shift units among Providers listed in the Developmental Disability Rate Schedule or shift units from a Provider listed in the Developmental Disability Rate Schedule to a Provider not listed in the Developmental Disability Rate Schedule, County must notify Department in writing of the change and execute an amendment to the Agreement implementing the change.
- B. Disbursement of Financial Assistance: Unless a different disbursement method is specified in that line of the Financial Assistance Award, Department will disburse the financial assistance awarded for DD 156 Services in a particular line of the Financial Assistance Award to County in substantially equal monthly allotments during the period specified in that line of the Financial Assistance Award, subject to the following:

1. Department may, after 30 days (unless parties agreed otherwise) written notice to County, reduce the monthly allotments based on under delivery of services identified through the Room and Board reports or other reports required or permitted by this Service Description or applicable Special Terms and Conditions.
 2. Department may upon written request of County, adjust monthly allotments.
 3. Upon amendment to the Financial Assistance Award or acceptance of a Service Element Prior Authorization, Department shall adjust monthly allotments as necessary, to reflect changes in the funds awarded for DD 156 Services on that line of the Financial Assistance Award.
- C. Agreement Settlement: Agreement Settlement will reconcile any discrepancies that may have occurred during the term of this Agreement between actual Department disbursements of financial assistance awarded for DD 156 Services under a particular line of the Financial Assistance Award and amounts due for such Services under the terms of this Agreement.

Service Name: **REGIONAL CRISIS AND BACK-UP SERVICES**

Service I.D. Code: **DD 157**

I. Service Description and Definitions

A. **Service Description:** Regional Crisis and Back-Up Services (DD 157) consist of management of the following developmental disability services for a group of counties: crisis intervention services, evaluation of requests for new or enhanced services for certain groups of individuals eligible for DD Services, provision of training and technical assistance, development of needed services, and other developmental disability services which the counties comprising the Region agree will be delivered more effectively or economically on a regional basis. Funds awarded for DD 157 Services are generally used for: (1) staff who coordinate and manage DD 157 Services (2) staff who develop needed community services or otherwise assist in the expansion of service capacity, and (3) regional consultation, respite and other specialized resources needed to enhance or support developmental disability services within the region.

B. **Definitions:** For purposes of this Service Description, the terms listed below shall have the following meanings:

1. **“Comprehensive Services”** shall have the meaning set forth in OAR Chapter 411, Division 320, as such rule may be revised from time to time.
2. **“Region”** shall mean the group of Oregon counties that have designated County to be the recipient and administrator of DD 157 funds for those counties. The counties that comprise the Region are specified in the special condition identified in the line of the Financial Assistance Award that awards funds for DD 157 Services.
3. **“Mandated Caseloads”** shall mean the groups of individuals, described below:
 - a. **“Long Term Diversion”** or **“LTD”** individuals are individuals with developmental disabilities who need new or enhanced DD Services on an ongoing basis (as opposed to short-term), because they are:
 - (i) Adults eligible for crisis services under OAR Chapter 411, Division 320, as such rules may be revised from time to time or are receiving temporary services in response to having been committed under ORS Chapter 427; or
 - (ii) Children with developmental disabilities who are at imminent risk of out-of-home placement.

- b. **"Turning 18"** individuals are children with developmental disabilities who have been receiving Department-funded Comprehensive Services prior to the age of 17 and will continue to need developmental disability Services as an adult.
- c. **"Turning 21"** individuals are individuals with developmental disabilities who are receiving Department-funded Comprehensive Services, who are no longer eligible for school, and who, upon leaving school services, need Employment and Community Inclusion Services (DD 54) and/or other DD Services in addition to those DD Services they were receiving prior to leaving school.

II. Performance Requirements

- A. Regional Crisis and Back-Up Services Plan: County shall submit a plan to Department (the "Regional Crisis and Back-Up Services Plan" or "Plan") for the delivery of DD 157 Services funded through this Agreement. The Plan must, at a minimum:
 - 1. Be prepared using forms and procedures designated by Department;
 - 2. Include a line item budget. If subcontracts are used to Provide DD 157 services and any single subcontractor constitutes more than 25% of the DD 157 Services financial assistance awarded under this Agreement Provider of DD 157 shall require a line item budget, prepared using forms and procedures designated by Department, from their subcontractor and submit subcontractor's line item budget as part of their Regional Crisis and Back-Up Services Plan;
 - 3. Include approvals of the Plan by all counties in the Region;
 - 4. Be submitted to Department by September 15, 2009, or within 45 days of the initial award of DD 157 funds to County, whichever date is later, unless Department establishes a later date for submission of the Plan;
 - 5. Describe how DD 157 Services will be delivered in the Region, including utilization of subcontractors.
- B. Minimum services to be provided: County must include the following minimum components in its DD 157 Services:
 - 1. Coordination of Crisis Services (DD 44) in the Region. Coordination of Crisis Services includes assisting counties in the Region to develop Crisis Service plans and resources, and may also include managing payments for those services.

2. Management of funding requests for DD Services for the Mandated Caseloads in the Region:
 - a. Management of Mandated Caseload funding requests must include, at a minimum:
 - (i) Development and implementation of policies and procedures for review and evaluation of requests for funding for DD Services for individuals falling within the Mandated Caseloads in the Region;
 - (ii) Recommending to Department the approval or denial of requests for funding for DD Services to individuals falling within Mandated Caseloads in the Region; and
 - (iii) Managing the funding requests recommended for Department approval so that, in total for each Mandated Caseload, the requests recommended for funding do not exceed the respective Mandated Caseload budget for the Region as published by Department.
 - b. In carrying out the responsibilities described in Sections II.B.2.a.(i)-(iii), above, County must convene a representative group of DD service system stakeholders in the Region to review and make recommendations for approval of Mandated Caseload funding requests. To be deemed "representative", the group of stakeholders must include representatives of DD Service providers, representatives of all counties comprising the Region, unless all counties comprising the Region agree to an alternative method of representation, and when feasible, representative DD service consumers and/or families with members with developmental disabilities.
3. Coordination of access to residential and foster care services for individuals with developmental disabilities, by identifying vacancies, developing new providers, and referring appropriate individuals to those services.
4. Participation in the development of needed community services or otherwise assisting in the expansion of service capacity.
5. Development and coordination of resources and access to professional consultation, training and technical assistance and/or respite services needed to support or enhance Department-funded community developmental disability services.

III. Special Reporting Requirements

- A. Mandated Caseload Service Plans: County must make available upon request to Department, using forms and procedures designated by Department, a "Mandated Caseload Service Plan" for each individual for whom the Region recommends to Department funding for DD Services for the individual. Each Mandated Caseload Service Plan must include, at a minimum:

1. The name of the Mandated Caseload in which the individual falls to which the new cost is to be charged;
 2. The name of county or contractor to which funds are to be awarded;
 3. The name and date of birth of the individual to be served;
 4. The DD Service(s) for which funding is recommended, and amount of funds to be awarded for the DD Service(s) from the specified Mandated Caseload budget for the Region;
 5. Documentation that the funding recommended by the Region is based on Justified Rate(s). Documentation must include, at a minimum, an assessment of the support needs of the individual for whom funding is recommended, and a line-item budget that itemizes the costs included in the recommended funding;
 6. The name of proposed provider or providers of the Service(s), and, if applicable, the CPMS number or numbers of the proposed provider or providers;
 7. The dates of service in the plan recommended for approval;
 8. For Long Term Diversion plans, documentation of diversion eligibility as required by OAR Chapter 411, Division 320, as such rule may be revised from time to time; and
 9. Other information needed by Department to amend the appropriate County's Intergovernmental Agreement or other Department contract to add the recommended funds.
- B. Regional Crisis and Back-Up Services Semi-Annual Reports: County must submit written reports in February and August of each year, in a format and with a level of detail acceptable to Department, describing County's DD 157 activities, accomplishments, and expenses, as they relate to the line item budget submitted with the Regional Crisis and Back-Up Services Plan, during the preceding half calendar year (July - December in the February report; January - June in the August report).
- C. Staff Time Sheets, for reporting Title XIX-related activities: County must maintain and submit time sheets, using forms and procedures designated by Department, for staff paid with DD 157 funds under this Agreement, to document the percentage of time eligible for billing to Department-administered Medicaid funds. The schedule for submission of time sheets will be designated by Department.

- D. Final Biennial Expenditure Report: County must submit a final report of actual revenues and expenditures of DD 157 funds paid under this Agreement, due within 60 days after the termination of this Agreement. Reports must be prepared in a format and with a level of detail acceptable to Department.
- E. If Provider of DD 157 Services requires an extension for submission of deliverables included in section II or III above, Provider of DD 157 Services must request extension in writing. Provider of DD 157 Services must receive written approval for an extension from Department prior to implementing the revised due date for deliverables in section II or III above.

IV. Financial Assistance Calculation and Disbursement Procedures

- A. Calculation of Financial Assistance: The financial assistance awarded for DD 157 Services is intended to be general financial assistance to the County to support the delivery of DD 157 Services. Accordingly, Department will not track delivery of DD 157 Services or service capacity on a per unit basis so long as County offers and delivers DD 157 Services as part of its CMHP, except that Department financial assistance for DD 157 Services will be subject to the following:
 - 1. Total Department financial assistance for all DD 157 Services delivered under a particular line of the Financial Assistance Award shall not exceed the total funds awarded for DD 157 as specified in that line of the Financial Assistance Award.
 - 2. Department's obligation to provide financial assistance for DD 157 Services for the period July 2008 through June 2009 is conditioned on Department's receipt of the Regional Crisis and Back-Up Services Plan, as described in section II.A. of this Service Description, in form and substance satisfactory to Department.
 - 3. If the expenditures of DD 157 financial assistance, as reflected in a semi-annual report required by Section III.B. of this Service Description, are less than 80% of the DD 157 financial assistance disbursed under this Agreement during the period covered by report, Department may unilaterally reduce the total Financial Assistance Award for DD 157 to make it consistent with the actual expenditure of DD 157 financial assistance, and County shall execute and deliver to Department an appropriate amendment to the Financial Assistance Award to reflect that reduction.
- B. Disbursement of Financial Assistance: Unless a different disbursement method is specified in that line of the Financial Assistance Award, Department will disburse the financial assistance awarded for DD 157 Services in a particular line of the Financial Assistance Award to County in substantially equal monthly allotments during the period specified in that line of the Financial Assistance Award, subject to the following:

1. Department may, upon written request of County, adjust monthly allotments.
 2. Upon amendment to the Financial Assistance Award, Department shall adjust monthly allotments as necessary, to reflect changes in the funds awarded for DD 157 Services on that line of the Financial Assistance Award.
 3. Department's obligation to disburse financial assistance for DD 157 Services after June 2010 is conditioned on Department's receipt of the Regional Crisis and Back-Up Services Plan, as described in section II.A of this Service Description, in form and substance satisfactory to Department.
- C. Agreement Settlement: Agreement Settlement will be used to confirm the delivery of DD 157 Services by County as part of its CMHP, based on reports required or permitted by this Service Description or an applicable special condition. Financial assistance awarded for DD157 that is retained by County under Exhibit E, General Terms and Conditions, Section 4.b. may be used solely to deliver future DD157 Services.