



Harvey-Marion County CDDO

Supporting increased independence, integration, inclusion, and productivity in individual homes and communities.

SERVICE AREA POLICY & PROCEDURE

Reviewed: 2022



Harvey-Marion County CDDO

Supporting increased independence, integration, inclusion, and productivity in individual homes and communities.

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Harvey-Marion County CDDO Service Area Policy/Procedure

Glossary of Terms

Effective Date: March 2009

Revised: October 2011, June 2014, July 2019

The following document provides policy and procedure for compliance with implementation of the Developmental Disabilities Reform Act (the DDRA), Kansas Statute 19-4001, Kansas Statute 39-1801 et seq., and Kansas Administrative Regulation 30-64 in the Harvey-Marion County Community Developmental Disability Organization (CDDO) service area.

For clarity, the following definitions and abbreviations will be used:

Affiliate means an entity or person that meets standards set out in rules and regulations adopted by the Secretary of the Kansas Department of Aging and Disability Services (KDADS) relating to the provision of community services, that contracts with a community developmental disabilities organization.

Basic Assessment and Services Information System (BASIS) means a state service data system that included the functional assessment tool which determines level of care funding eligibility for the Home and Community Based Services (HCBS) Intellectual/Developmental Disability Program. This database was deactivated in December, 2013.

Care Coordinator means a representative of a KanCare Managed Care Organization assigned to KanCare members with I/DD to conduct health risk assessment and service planning activity together with targeted case manager, member, and support team, as appropriate per member/guardian.

Community developmental disability organization (CDDO) means an organization appointed by county commissioners to fulfill the requirements of the Developmental Disabilities Reform Act of 1995.

Community Services and Programs (CSP) means a department within KDADS charged with administration of home and community based long-term support programs for children and adults with various disabilities.

Community Service Provider (CSP) means a provider of community services that is affiliated with a CDDO.

Community services means individualized supports and services provided to persons with Intellectual/developmental disabilities to increase their independence, integration, inclusion and productivity in their own homes and communities.

Department for Children and Family (DCF) means a department of State of Kansas that provides services including managed healthcare, economic and employment support for income-eligible families, and protective services for children and vulnerable adults.

Developmental Disabilities Profile (DDP) means the functional assessment tool that determines level of care funding eligibility for Home and Community Based Services (HCBS) Intellectual/Developmental Disability (I/DD) program services, updated annually or as required.

Developmental Disability (DD) means severe, chronic disabilities that can be cognitive or physical or both. The disabilities appear before the age of 22 and are likely to result in life-long needs for support with at least three areas of life functioning, such as activities of daily living, independent living, and economic self-sufficiency. Examples of developmental disabilities include cerebral palsy, autism spectrum disorders, Down syndrome, and fetal alcohol syndrome.

Functional Assessment means an assessment of a person's level of functional ability and level of supports needed to live in home and community based settings.

Home and Community Based Services Medicaid Waiver for persons with Intellectual or other Developmental Disability means a menu of medicaid-funded long term support services for qualifying individuals that provides an alternative to institutional long-term care.

Intellectual disability means a disability that involves significant limitations both in intellectual functioning and in adaptive behavior, which covers many everyday social and practical skills. This disability originates before the age of 18 and encompasses a wide range of conditions, types, and levels. Intellectual disability is caused by factors that can be physical, genetic, and/or social.

Integrated Service Plan (ISP) means an integrated plan of services and supports developed by an MCO Care Coordinator for an individual KanCare member that is inclusive of HCBS IDD services as well as medical and behavioral healthcare and other additional services as may be needed to provide integrated care for the individual.

Intermediate Care Facility for Individuals with Intellectual Disability (ICF/IID) means public and private institutional long-term care for qualifying individuals with intellectual disability. To qualify, individuals must have a full-scale IQ of 70 or below and must meet the federal requirement for need for "continuous active treatment." Kansas has two public ICF/IID state hospitals, Kansas Neurological Institute (KNI) in Topeka and Parsons State Hospital and Training Center (PSHTC) in Parsons.

KAMIS means the Kansas Assessment Management Information System, a web-based database system managed by KDADS which includes assessments for HCBS long-term services and supports.

KanCare means the Kansas Medicaid program, as approved by Centers for Medicare and Medicaid (CMS) to provide services managed by three contracted managed care organizations (MCOs).

KDADS means Kansas Department for Aging and Disability Services.

Managed Care Organization (MCO) means a managed care organization contracted with State of Kansas to manage KanCare Medicaid service delivery for plan member beneficiaries.

Psychiatric Residential Treatment Facility (PRTF) means a goal-oriented, time-limited residential treatment program for children who are screened eligible through local community mental health centers.

Service area means the county or counties from which a CDDO receives funding pursuant to K.S.A. 19-4001 et seq. The Harvey-Marion County CDDO service area is comprised of Harvey and Marion Counties.

Harvey-Marion County CDDO Service Area Policy/Procedure

Policy No: 001

Subject: Policy/Procedure Development, Review, and Revision

Ref: K.A.R. 30-64-21

Effective Date: March 2009

Revised: June 2014

Purpose: Establish the process for developing, reviewing, and revising the policies and procedures that govern the Harvey-Marion County CDDO service area.

Intended Outcome: Policies and procedures are current, functional, and user-friendly.

Policy: Harvey-Marion County CDDO develops and maintains written policies and procedures for operating its service area in an open manner and in compliance with K.A.R.30-64-01 et seq, with input from its community stakeholders and interested parties, and with the approval of KDADS. Subsequent changes or revisions to policies and procedures follow the same process.

Procedure:

1. With input from affiliated community service providers, the Executive Director develops policies and procedures that describe desired service area operations.
2. The Executive Director presents the policies and procedures to the governing board of the Harvey-Marion County CDDO for approval.
3. At least thirty (30) days before final adoption, the governing board of the Harvey-Marion County CDDO presents the policies and procedures to:
 - a) The Harvey-Marion Community Council. The Council's comments are noted in meeting minutes.
 - b) Persons served, families, guardians, community stakeholders, and other interested parties through a public hearing process subject to prior approval from KDADS. The Executive Director summarizes comments from the public hearing process.
4. The governing board of the Harvey-Marion County CDDO submits the policies and procedures, together with the Council's comments and the public comments, to KDADS for approval.
5. If the policies are not approved as submitted, the Executive Director and governing board revises and resubmits the policies and procedures to KDADS for approval.
6. Upon approval by KDADS the policies and procedures are published and made available to all affiliated service providers and as requested.
7. Any substantive changes to policies and procedures that have been approved by KDADS must follow the same process for development, review, comment, and final approval as set forth above.
8. Policies and procedures may be updated to reflect non-substantive changes, such as a name change, without following the process set forth above.
8. Policies and procedures are reviewed annually by the Executive Director and affiliated community service providers in regular provider meetings, to ensure that they are revised as needed to keep up with changes in contract, policy, and regulation.

Harvey-Marion County CDDO Service Area Policy/Procedure

Policy No: 002

Subject: Customer Service

Effective Date: March 2009

Purpose: Establish the value of providing outstanding customer services, both internal and external, in the Harvey-Marion County CDDO service system.

Intended Outcome: Customers of developmental disability services and supports in Harvey and Marion Counties receive outstanding customer service.

Policy: Harvey-Marion County CDDO and all its affiliated community service providers hold each other to high standards of treating all customers, internal and external, with dignity and respect, and providing all customers with outstanding customer service.

Procedure:

1. Each service provider teaches and expects its employees to treat all customers, both internal and external, with dignity and respect, and to provide outstanding customer service.
2. Each affiliating service provider develops its own customer service policy/protocol to give to each of its customers and to Harvey-Marion County CDDO.
3. Each service provider's customer service policy/protocol identifies the appropriate party or parties to contact for customer service issues.
4. Each service provider teaches its employees how to implement its customer service policy/protocol.
5. Each service provider teaches its employees how to support customers who choose multiple service providers, to contact the appropriate party for customer service outcomes.

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Policy No: 003 page one of two

Subject: Implementation Responsibilities of Community Developmental Disability Organizations

Ref: K.A.R. 30-64-22

Effective Date: March 2009

Revised: October 2011, June 2014

Purpose: Outline the required responsibilities of a contracted community developmental disability organization specified by K.A.R. 30-64-22.

Intended outcome: Harvey-Marion County CDDO performs all responsibilities required of a community developmental disability organization, either directly or by subcontract, in an efficient, effective, and customer-centered manner.

Policy: Harvey-Marion County CDDO performs all of the implementation responsibilities required of contracting community developmental disability organization as identified in K.A.R. 30-64-22.

Procedure: As a contracting community developmental disability organization, Harvey-Marion County CDDO performs the following:

- A. Implements the approved service area policies/procedures developed according to K.A.R. 30-64-21;
- B. Collects and reports to the Secretary of KDADS, in the manner specified by the Commission, all information requested by the commission, including the following:
 1. Information required by the Basic Assessment and Services Information System (BASIS);
 2. Copies of the plans of care for individuals receiving home and community based services;
 3. Copies of independent financial audits obtained by the CDDO, as well as any management letters generated as a result of the audits; and
 4. Any other information or records the CDDO has that the Commission needs in order to monitor how services are provided in the CDDO's service area;
- C. Organizes a council of community members as specified in K.A.R. 30-64-31;
- D. Organizes a local quality assurance committee as specified in K.A.R. 30-64-27;
- E. Ensures that all services are provided in a manner that meets these requirements:
 1. Provides equal access to services to all persons, including persons currently residing in any ICF/IID or institution but referred to the CDDO for possible services;
 2. Provides for annual notification to each person receiving or applying for services, and guardians if appointed, communicated in a format appropriate for the person to understand, information regarding:

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- a. The types of community services available in the person's service area and information concerning the providers of those services; and
 - b. The rights of persons served pursuant to the developmental disabilities reform act and implementing regulations, the content of which shall be approved by the commission;
3. Enables a person or the person's guardian if appointed, to choose the person's community service provider(s); and
4. Promotes the efficient delivery of services within the service area; and
- F. Provides written description of affiliation requirements and procedures; and
- G. Ensures that each community service provider that affiliates with Harvey-Marion County CDDO in order to provide services in the Harvey-Marion County CDDO service area, abides by the Harvey-Marion County service area procedures established according to K.A.R. 30-64-21; and
- H. Provides the option that Harvey-Marion County CDDO may refuse to enter into, or continue, an affiliation agreement with any community service provider under any of the following circumstances:
 1. If the provider refuses to accept a reimbursement rate for services to be provided that is at least equal to that established by the secretary to apply to the Harvey-Marion County CDDO, or as agreed to in the affiliation agreement with the Harvey-Marion County CDDO;
 2. If the provider has established a pattern of failing or refusing to abide by the service area procedures established by the Harvey-Marion County CDDO according to K.A.R. 30-64-21, or failing to comply with its affiliation agreement with the Harvey-Marion County CDDO; or
 3. If Harvey-Marion County CDDO demonstrates to the satisfaction of the Secretary of KDADS that being required to affiliate with the service provider would seriously jeopardize the Harvey-Marion County CDDO's ability to fulfill its responsibilities either under these regulations or pursuant to its contract with the Secretary of KDADS.

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Policy No: 004 page one of three

Subject: Single Point of Entry

Ref: K.A.R. 30-64-23

Effective Date: March 2009

Revised: October 2011, June 2014

Purpose: Establish Harvey-Marion County CDDO as the sole contact for community developmental disability services for residents of Harvey and Marion Counties.

Intended outcome: Residents of Harvey and Marion Counties contact Harvey-Marion County CDDO to inquire about community developmental disability services, apply for services, receive service funding as available, and access services of their choice in Harvey and Marion Counties.

Policy: Harvey-Marion County CDDO is the single point of entry for community developmental disability services for residents of Harvey and Marion Counties.

Procedure:

1. Inquiries are answered by the Executive Director/designee, who provides information about community developmental disability services, as well as alternative community services and generic community resources as requested.
2. For persons who make application for community developmental disability services, the Executive Director/designee determines whether the person meets the definitional criteria to be considered a person with intellectual disability or other developmental disability as defined in KSA 39-1803, and amendments thereto. The Executive Director/designee who completes eligibility determination is required to maintain training in eligibility determination as required and made available by KDADS.
3. The Executive Director/designee will impartially inform eligible applicants of all of the developmental disability community service providers available to provide services within the Harvey-Marion County CDDO area, the types of services provided, and information on how to contact those providers directly to learn more about what they have to offer. In addition, the Executive Director/designee provides each eligible applicant information on individual rights under the Developmental Disabilities Reform Act, the availability of dispute resolution, resources for self-advocacy, the local Quality Assurance Committee, and the local Council of Community Members. This information is provided annually thereafter to each person and his/her legally responsible party.
4. The Executive Director/designee notifies ineligible applicants in writing of the reason(s) for the determination. The notification includes information on alternative community options, and informs ineligible applicants of their right to request reconsideration by an independent third party. If, upon

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reconsideration, the determination is unchanged, the applicant is notified in writing of his or her right to an administrative appeal, which must be submitted in writing within 30 days of the final notification.

5. The Executive Director/designee informs the eligible applicant of available providers of case management services in the Harvey-Marion County CDDO area, and encourages accessing case management services to assist the person in accessing additional services and supports.
6. The eligible applicant is then assessed by a screener who has completed training in how to administer the uniform statewide assessment that determines eligibility for ICF/IID or HCBS I/DD level of care. The screener is required to complete training in how to complete the assessment as required and made available by KDADS. The individual's case manager, family, guardian, and members of the individual's support network are encouraged to participate in the level of care screening.
7. Through the uniform statewide service application, the eligible person's application for specific services is entered into the statewide data base for inclusion in the statewide service access list, also known as waiting list.
8. When an eligible individual is first placed on the waiting list, as well as annually thereafter, the individual is given the choice of keeping his/her name confidential, or releasing his/her name to providers so they may share information about their services with the individual. Lists of names of individuals who agree for their names to be released, are shared upon request with affiliated service providers.
9. When funding is available for a person requesting service(s), the Executive Director/designee sends the individual written notice, along with a current service provider directory and service provider choice form. The chosen service provider is expected to initiate services within 60 days.
10. When any person receiving services desires to change service providers, that person is referred to the Executive Director/designee, an individual who is not involved in the delivery of any service, who is not involved in any dispute about the person's current services, and who is charged with honoring the confidentiality of the person considering a change in service providers. The Executive Director/designee offers the opportunity to assist the person in resolving any conflicts or customer service concerns with the present provider. The Executive Director/designee provides the person and the person's guardian information about the types and availability of community services within the Harvey-Marion County CDDO area, and assists the person in accessing alternative service providers as desired.

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11. Harvey -Marion County CDDO maintains records showing compliance with the above requirements.

12. In order to fulfill the above functions in a competent, effective, and efficient manner, Harvey-Marion County CDDO maintains records that staff who carry out functions of eligibility determination, screening, and information/referral have a minimum of 5 years experience in the field of services to persons with developmental disabilities. In addition, staff who carry out functions of eligibility determination, screening, and information/referral will trained and knowledgeable of resources on the following topics, as approved by the Harvey-Marion Community Council:

- A. Developmental Disabilities Reform Act and Implementing Regulations (Article 64) Individual Rights
- B. Abuse/neglect/exploitation
- C. Eligibility Determination (determining whether the applicant meets the requirement of having intellectual disability or other developmental disability).
 - o Training as provided by KDADS
 - o Frequency as required by KDADS
 - o Eligibility Roundtable activities, required at frequency of occurrence
- D. Level of care screening (functional assessment formerly called the Developmental Disabilities Profile (DDP))
 - o Training as provided by KDADS
 - o Frequency as required by KDADS
 - o Statewide assessment meetings as convened, required per occurrence
- E. Information on the types of generic community services available in the Harvey-Marion County CDDO service area including, but not limited to, housing, transportation, food, clothing, representative payee, medical/dental care, mental health, and addiction treatment services.
- F. Information on local community service networking /coordinating groups including, but not limited to, Harvey County Resource Team and Marion County Families and Communities Together;
- G. Referral contacts for KanCare Care Coordinators and other Home and Community Based Waivers including Physical Disability (PD), Traumatic Brain Injury (TBI), Technology Assisted (TA), Frail Elderly (FE), and Serious Emotional Disturbance (SED);
- H. Centers for Independent Living;
- I. Kansas Employment First Initiative, Work Opportunities Reward Kansans (WORK) and Working Healthy, Kansas Rehabilitation Services
- J. Social Security application and Benefits Counseling Services
- K. Guardianship
- L. Positive Behavioral Supports Resources
- M. Home Modification and Assistive Technology Resources

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Subject: Implementation Responsibilities – Functional Assessment

Ref: K.A.R. 30-64-22

Effective Date: March 2009

Revised: October 2011, June 2014, May 2018, July 2019

Purpose: Establish the system for collecting and reporting information required by the Functional Assessment and the Kansas Assessment Management Information System (KAMIS).

Intended Outcome: Harvey-Marion County CDDO Functional Assessment and KAMIS data is current and accurate.

Policy: Harvey-Marion County CDDO collects and reports to the Secretary, in a manner specified by the commission, information required by the Functional Assessment and the KAMIS information system.

Procedure:

1. Assessment Information.
 - b. The Harvey-Marion County CDDO utilizes the services of a functional assessor who has completed training required by KDADS to complete functional assessments. The services of the assessor may be through employment by the Harvey-Marion County CDDO, or by subcontract.
 - c. The functional assessor and the Harvey-Marion County CDDO Executive Director/designee participate in the statewide Functional Assessment Committee, as convened, to assure consistent interpretation and implementation statewide of assessment questions.
 - d. The functional assessor schedules initial assessments upon referral, and annual assessments as directed by KDADS, the KDADS-CDDO contract, and KDADS HCBS policy, as applicable.
 - e. The assessor contacts the individual, guardian/parent of a minor, case manager, and service provider staff to participate in the functional assessment interview.
 - f. Harvey-Marion County CDDO requires the staff responsible for entry of the functional assessment and KAMIS information into KAMIS system to complete training required by KDADS.
 - g. The functional assessor provides completed functional assessment information to the individual responsible for data entry into KAMIS.
 - h. Following completion of data entry, the individual responsible for data entry submits the data for program processing which generates the tier score and relevant Notice Forms for distribution to case managers and service providers, as applicable.

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- i. If an individual's tier level changes, the case manager/service provider may request a review of the information transmitted to review for accuracy following local functional assessment protocol.
 - j. If a re-assessment results in loss of eligibility for HCBS I/DD service funding, Harvey-Marion County CDDO will notify the individual and legally responsible party of appeal rights and process, including the expedited appeal process.
- 2. Individual Information.
 - a. The individual's case manager is responsible for ensuring that the identifying and demographic information is accurate and up to date. Whenever there are changes in the individual's address, phone number, case manager, living situation, day situation, legal representation, custody status, diagnosis, or other non-assessment fields, the case manager should update the information by submitting a status change form to the individual responsible for KAMIS data entry.
- 3. Residential and Day Programs Information.
 - a. The individual's case manager is responsible for reporting any changes in residential status, including numbers of persons with/without I/DD with whom person resides; and
 - b. day program activities, including school in a classroom with people who are not I/DD more/less than 50% of the day; generic community activities more/less than 20 hours per week, work environment for persons with I/DD more/less than 20 hours per week; competitive employment more/less than 20 hours per week; agency based non-work activities more/less than 20 hours per week, or other describe other day activity if different from activity previously described.

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Policy No: 006

Subject: Implementation Responsibilities – Funding Plans of Care

Ref: K.A.R. 30-64-22

Effective Date: March 2009

Revised: October 2011 , June 2014

Purpose: Establish written protocol for Discretionary Funding Plans in the Harvey-Marion County CDDO area.

Intended Outcome: Timely coordination of prior authorization submission and approval for service delivery and provider reimbursement.

Policy: Case Managers are responsible for following service area procedures for development, submission, and revision of Discretionary Funding Plans.

Procedure for Discretionary Funding Plans:

1. Individuals funded through Discretionary Funding will have a Discretionary Funding Plan developed by the Harvey-Marion County CDDO through the Case Manager in collaboration with the person served, guardian when applicable, and support team, including MCO Care Coordinator as applicable.
2. The case manager is responsible for obtaining signatures of the person served, and the guardian when applicable, on the paper Funding Plan, maintaining the signed document in the person's case record, and providing copies to the person, guardian, and service provider as applicable.
3. Each person's discretionary funding commitment is for the current fiscal year only. Renewal is subject to review of individual need, and availability of funding.
4. If discretionary funding to Harvey-Marion County CDDO is reduced or eliminated during the fiscal year, the discretionary funding commitment to the individual may also be reduced or eliminated during the fiscal year.

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Policy No: 007

Subject: Uniform Access to Services

Ref: K.A.R. 30-64-25

Effective Date: March 2009

Revised: October 2011, June 2014

Purpose: Establish a service area plan that offers and provides uniform access to services without discrimination based on severity of any person's disability.

Intended outcome: All residents Harvey and Marion Counties have uniform access to services without discrimination because of the severity of any person's disability.

Policy: All community service providers affiliated with Harvey-Marion County CDDO serve individuals who choose their services, without discrimination because of the severity of the individual's disability.

Procedure:

1. Discrimination due to severity of disability is prohibited. Affiliated community service providers may not discriminate against any person due to the severity of the person's disability.
2. Service specialization is allowed. Individual community service providers may specialize in service provision, as long as all persons served are offered appropriate services without regard to the severity of each person's disability. Examples of service specialization: supported employment only, low vision services, respite care only, children's services only. Providers seeking affiliation for providing specialized services are required to provide a written description of their specialty in the affiliation process.
3. Providers are not required to accept more persons than they can effectively serve. Affiliated providers must inform the Harvey-Marion County CDDO when they have reached their maximum capacity. If all affiliated community service providers are at their maximum capacity, the Harvey-Marion County CDDO shall assist in establishing new community service providers, according to K.S.A. 39-1805(b).
4. If Harvey-Marion County CDDO contracts with its affiliates and by mutual agreement provides them with financial consideration in excess of that required to be provided by the commission, Harvey-Marion County may require its affiliates to develop and make available appropriate services for any eligible person, for example, persons in crisis.
5. Only if the Secretary of KDADS determines a person to be inappropriate for community services because the person presents a clear and present danger to self or to the community, may Harvey-Marion County CDDO refuse to serve this person in the community service system.

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Policy No: 008

Subject: Case Management

Ref: K.A.R. 30-64-25

Effective Date: March 2009

Purpose: Establish a plan for case management service capacity in the CDDO service area.

Intended outcome: All residents Harvey and Marion Counties who desire case management services have access to case management service providers of their choice.

Policy: Harvey-Marion County CDDO monitors case management service capacity in the two county service area and builds capacity as needed.

Procedure:

1. Affiliated providers of case management services report on caseload size and capacity at regular case management service provider meetings.
2. If more capacity is needed, the Executive Director/designee requests input from area affiliated providers of case management services regarding how best to build capacity to provide increased case management services, for example, existing providers may hire additional case managers, or case management service providers in neighboring CDDO areas may be asked to consider affiliation to expand their services into the Harvey-Marion County CDDO area.

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Policy No: 009

Subject: Quality Enhancement

Ref: K.A.R. 30-64-26

Effective Date: March 2009

Revised: October 2011, June 2014, April 2018, August 2019

Purpose: Establish a protocol for enhancing the quality of services provided by affiliated community service providers in Harvey and Marion Counties.

Intended outcome: Persons receiving services in Harvey and Marion Counties experience services that are provided as specified by, and in a manner responsive to, the person's person-centered support plan, in a manner that offers opportunities of choice to the person, and ensures that the person's rights are observed and protected.

Policy: Harvey-Marion County CDDO enhances service quality by reviewing whether services are responsive to person-centered support plans, offer opportunities of choice, and observe and protect individual rights.

Procedure:

Onsite reviews for quarterly random draw Quality Assurance onsite visits (refer to Quality Assurance Policy) will include review of whether services are responsive to person-centered support plans (30-63-21(c)&(d)), offer opportunities of choice (30-63-21 (a)(4)), and observe and protect individual rights (30-63-22 Individual Rights and 30-63-23 Medications; restrictive interventions; behavioral management committee).

1. Findings letters with remediation requests will be sent for any findings in which services are not responsive to person-centered support plans, services do not offer opportunities of choice, or services do not observe/protect individual rights.
2. Data trends are shared with the KDADS Quality Management Specialist, the Harvey-Marion Community Council, and the Harvey-Marion County CDDO Board of Directors.
3. Recurring patterns of non-compliance by an affiliated service provider may result in requests for systemic corrective action, and a delay on new referrals until systemic issues have been corrected.
4. Failure to demonstrate measurable systemic improvement may result in negative action, up to and including termination of the Affiliation Agreement.

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Subject: Quality Assurance

Ref: K.A.R. 30-64-27

Effective Date: March 2009

Revised: October 2011, June 2014

Purpose: Ensure the quality of services provided in the CDDO area by a local process that includes on-site monitoring.

Intended Outcome: Recipients of services in Harvey and Marion Counties receive paid person-centered services and supports that assure basic health and safety, respect individual rights, and safeguard restrictive interventions. Suspected abuse, neglect, or exploitation is reported. Services delivered are paid for; services paid for are delivered.

Policy: Harvey-Marion County CDDO convenes a local Quality Assurance Committee made up of representatives of persons served/families/guardians, interested citizens, and providers of services. The committee determines the scope and intensity of onsite monitoring activity.

The monitoring activity will assure that:

1. Services that are paid for are delivered.
2. Services which are delivered are paid for in accordance with the terms of any agreement or contract in force, including any payment requirement that the person being served or a third party acting on behalf of the person being served has the responsibility to meet.
3. Services are provided in a manner which meets the applicable requirements provided for in Article 63 of the Rules and Regulations related to Licensing Providers of Services for Persons with Developmental Disabilities.
4. The service provider affords the person all of the person's legally protected rights. The service provider reports any suspicions of abuse, neglect, or exploitation to the appropriate state agency, and corrects the cause of any confirmed violation.

Procedure:

1. The Executive Director/designee recruits representatives from persons served/ families/ guardians, affiliated community service providers, and interested community citizens, to serve on the Quality Assurance Committee.
2. By committee member agreement, on-site reviews are conducted by committee members who are not service providers.
3. On-site reviewers are trained by the Executive Director/designee.
4. On-site reviews are completed using checklists approved by the committee. Using an on-line randomizer, the Executive Director/designee uses an on-line randomizer to identify a 2.5% random sample for on-site review each quarter, for a 10% sample per year.

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5. The Executive Director/designee compiles findings from checklists completed by on-site review teams. The data is tracked to identify trends.
6. The Executive Director/designee provides written findings of the on-site review process to the service provider(s), as well as the legally responsible party, for persons selected for on-site reviews. Kudos are given for areas of exemplary performance. Written responsive follow up is requested for any areas of concern. Written corrective action is requested for any areas of non-compliance.
7. On-site reviewers may review written corrective/responsive follow up. In addition, on-site reviewers may conduct follow up visits to assure quality outcomes for the individual being reviewed.
8. Data trends are shared with the KDADS Quality Management Specialist, the Harvey-Marion Community Council, and the Harvey-Marion County CDDO Board of Directors.
9. Recurring patterns of non-compliance by an affiliated service provider may result in requests for systemic corrective action, and a delay on new referrals until systemic issues have been corrected.
10. Failure to demonstrate measureable systemic improvement may result in negative action, up to and including termination of the Affiliation Agreement.

Harvey-Marion County CDDO Service Area Policy/Procedure

Policy No: 011

Subject: Continuity and portability of services

Ref: K.A.R. 30-64-28, KDADS-CDDO policy on portability

Effective Date: March 2009

Revision Date: June 2014

Purpose: Assure that any Kansas resident who has funding for community-based developmental disability services, can move within the state and retain their funding for community-based developmental disability services in their new location.

Intended outcome: Continuity of funding for HCBS IDD for recipients who move within the state of Kansas.

Policy: Harvey-Marion County CDDO follows KDADS policy and contract requirements for continuity and portability of HCBS I/DD supports for any funded person from the Harvey-Marion County CDDO area who desires to move to another CDDO area; Harvey-Marion County CDDO arranges services for any person who desires to port their HCBS I/DD waiver service funding from another CDDO area to Harvey or Marion counties.

Procedure:

1. For persons funded with HCBS I/DD waiver funds, who desire to move from the Harvey-Marion County CDDO area to another CDDO area:
 - a) The Executive Director/designee of Harvey-Marion County CDDO will execute a transfer agreement meeting requirements of current KDADS-CDDO policy and contract requirements on portability, and send it to the CDDO serving the county where the person plans to move, along with eligibility determination documentation, functional assessment, and Integrated Service Plan information.
 - b) The Functional Assessment Coordinator coordinates transfer of information in KAMIS to the receiving CDDO.
2. For persons funded with HCBS I/DD waiver funds, who desire to move to the Harvey-Marion County CDDO area from another CDDO area:
 - a) Upon receipt of transfer information from the person's home CDDO that meets requirements of current KDADS-CDDO policy and contract requirements, documentation of eligibility determination, functional assessment, and Integrated Service Plan, the Executive Director/designee will impartially provide information on available services and providers, and arrange for provision of services with the selected provider(s) in cooperation with the MCO.
 - b) The Functional Assessment Coordinator will coordinate transfer of the person's information in KAMIS from the sending CDDO

Harvey-Marion County CDDO Service Area Policy/Procedure

Policy No: 012 page one of two

Subject: Gatekeeping

Ref: K.A.R. 30-64-29, KDADS SIDH Admission Policy

Effective Date: March 2009,

Revised: June 2014

Purpose: Establish a protocol to ensure that all individuals requesting or receiving services in ICFs/IID or SIDHs (also known as public ICFs/IID) are provided informed choice of less restrictive home and community-based services available in their home communities.

Intended outcome: All individuals with developmental disabilities have the option to choose home and community-based services to support their preferred lifestyle, as a less restrictive alternative to institutional services in an ICF/IID or SIDH.

Policy: Harvey-Marion County CDDO is the gatekeeper for all residents of Harvey or Marion Counties who request or receive services in an ICF/IID or SIDH.

Procedure:

1. For new applicants requesting services in public or private ICFs/IID, the Executive Director/designee reviews all requests made by residents of Harvey or Marion Counties, in order to:
 - a. Determine eligibility for services for persons with intellectual/developmental disability;
 - b. Assess eligibility for ICF/IID or HCBS I/DD level of care;
 - c. Develop a description of the person's preferred lifestyle, if this has not already been done;
 - d. Determine whether ICF/IID services are consistent with the person's preferred lifestyle, using the person-centered support planning process described in K.A.R. 30-63-21;
 - e. Inform the person and guardian, family, and support network, of all services or supports in the Harvey-Marion County CDDO area that could be available within 60 days of funding availability; and of the person's rights pursuant to the developmental disabilities reform act and implementing regulations;
 - f. Arrange to provide these services and supports pending availability of service funding, in collaboration with the KanCare MCO care coordinator; and
 - g. Provide KanCare MCO Care coordinator and KDADS with the results of a – f above for each person requesting admission to an ICF/IID or SIDH, within 15 days of receiving information needed to determine eligibility and preferred lifestyle, and any additional information requested by KDADS-CDDO policy or KDADS QMS field staff.
2. For persons receiving community services in the Harvey-Marion County CDDO area, for whom admission to an ICF/ID or SIDH is requested, the Executive Director/designee

Harvey-Marion County CDDO Service Area Policy/Procedure

Policy No: 012 page two of two

follows current KDADS/CDDO policy to assure that least restrictive community alternatives have been tried and exhausted, including positive behavior supports, environmental modifications, outreach behavioral consultation services, and community mental health services.

3. For former residents of Harvey-Marion County CDDO who presently receive services in an ICF/IID or SIDH in another CDDO area:
 - a. The CDDO whose service area includes the county in which the ICF/IID or SIDH is located, is responsible to
 - Collect information about the ICF/IID or SIDH residents as required by KDADS;
 - Determine each resident's home county;
 - Provide Harvey-Marion County CDDO the name and address of each resident, and guardian if appointed, whose home county is either Harvey or Marion County.
 - b. The Executive Director/designee of Harvey-Marion County CDDO sends the person, and the person's guardian if appointed, information about all services and supports available in Harvey and Marion Counties, and the person's rights pursuant to the developmental disabilities reform act and implementing regulation.
 - c. If the person or person's guardian chooses community services or supports, the Harvey-Marion County CDDO Executive Director/designee arranges to provide the requested services or supports, pending availability of funding, in collaboration with the KanCare MCO care coordinator.

Harvey-Marion County CDDO Service Area Policy/Procedure

Policy No: 013

Subject: Statewide Service Access List

Ref: K.A.R. 30-64-30

Effective Date: March 2009

Revised: October 2011, June 2014

Purpose: Establish a local protocol for responsiveness to persons who are waiting to access services.

Intended outcome: Persons who live in the Harvey-Marion County CDDO area, and are waiting to access services in this CDDO area, are maintained in Harvey or Marion County with their basic needs met.

Policy: Harvey-Marion County CDDO maintains regular contact with persons waiting to access services in order to manage access to community services according to terms of and funding available in the KDADS–CDDO Contract, and applicable KDADS-CDDO policy.

Procedure: The Harvey-Marion County CDDO Director/designee provides the following services to persons who have applied for services, been determined eligible, and agreed to accept services within the next year following the date the service is requested to start, but are unable to be served because service funding is not available:

1. Promote integrated, competitive employment as the first option for working age adults by providing information and referral to Rehabilitation Services for employment supports, and WORK/Working Healthy, as applicable, for KanCare healthcare and WORK program attendant care.
2. Within existing resources, assist the person in his/her current setting in order to prevent a crisis from developing. Refer the person to the KanCare MCO Care Coordinator as appropriate, as well as other community agencies or resources that may be able to provide interim support or assistance until services can be provided, including but not limited to local respite care, food pantries, clothing distributors, positive behavioral supports, community mental health services, safety-net clinics providing medical and dental care, and Centers for Independent Living;
3. Report the person as waiting to access services in accordance with KDADS CDDO policy; and contact the person at least annually from the initial application date to reassess the person's continued need for, and agreement to accept, services as requested.

Harvey-Marion County CDDO Service Area Policy/Procedure

Policy No: 014

Subject: Council of Community Members

Ref: K.A.R. 30-64-31

Effective Date: March 2009

Revised: October 2011, June 2014

Purpose: Define the formation and responsibilities of a local council of community members according to K.A.R. 30-64-31.

Intended outcome: Harvey-Marion County CDDO area has an active council of community members that represents local system stakeholders and addresses local system issues.

Policy: The Harvey-Marion County CDDO establishes a local council of community members, a majority of whom are persons with developmental disabilities and their families/guardians, that represents local system stakeholders and addresses system issues.

1. The responsibilities of the council of community members include, but are not limited to:
 - a. Expressing opinions and making suggestions and recommendations to the governing board of the Harvey-Marion County CDDO concerning any service issue, including types of services offered in the service area and manner in which services are provided;
 - b. Developing and implementing dispute resolution procedures as required by K.A.R. 30-64-32;
 - c. Overseeing the development, implementation, and progress reporting of local capacity building plans, in accordance with guidelines provided by KDADS.
2. The membership of the council of community members is comprised of:
 - a. Persons with developmental disabilities;
 - b. Family members or guardians of a person with a developmental disability;
3. Representatives of the Harvey-Marion County CDDO;
4. Representatives of community service providers affiliated with Harvey-Marion County CDDO that provide services in Harvey or Marion Counties.
5. Members do not serve more than two consecutive three-year terms.

Procedure:

1. For the purposes of initial organization of the council of community members, the Executive Director of the Harvey-Marion County CDDO appoints each member.
2. The appointed council of community members adopts by-laws to govern the process of selecting successor members. These by-laws describe a process for electing successor representatives of persons served, family members, and guardians of persons served, residing in Harvey and Marion counties.
3. For a quorum to exist at any meeting of the council, a majority of council members present must be persons being served, family members of persons being served, or legal

guardians of persons being served, and must not also be either an employee or paid consultant to any provider or CDDO, or a member of the board of directors of any provider or CDDO.

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Policy No: 015 page one of three

Subject: Dispute Resolution

Ref: K.A.R. 30-64-32

Effective Date: March 2009

Revision Date: June 2014

Purpose: Establish clear procedures and timelines for resolving disputes within the Harvey-Marion County CDDO service area.

Intended Outcome: Disputes within the service area are resolved at the lowest possible level, in an orderly, timely, and respectful manner.

Policy: The Harvey-Marion County CDDO, together with the Harvey-Marion Community Council, provides for a local means of resolving any disputes that may arise between any of the following parties in the local service system:

A person receiving services; the person's guardian if one has been appointed; other individuals from the person's support network; a case manager of a person receiving services; affiliated community service providers; any entity that wishes to become an affiliated community service provider; the Harvey-Marion County CDDO; and any other component of the community service system.

Harvey-Marion County CDDO upholds the right of persons receiving services to be treated with dignity and respect; towards that end, Harvey-Marion County CDDO requests that all parties in the local service system embody this value by treating all other parties in the local service system with dignity and respect.

Harvey-Marion County CDDO requires that all affiliating community service providers develop internal complaint/grievance procedures, and provide these procedures to each person who receives their services, and the person's guardian(s) if appointed.

Procedure Part One, for disputes that do not involve Harvey-Marion County CDDO as a party (see below for Procedure Part Two for disputes involving Harvey-Marion County CDDO as a party):

1. Any party who contacts the office of the Harvey-Marion County CDDO regarding a dispute with a second party is referred to the second party's internal complaint/grievance procedure, if this has not already been followed.
2. If the second party's internal complaint/grievance procedure has been followed and the dispute is still unresolved, the party may proceed by filing a written notice to the Executive Director of the Harvey-Marion County CDDO regarding the dispute.
3. Upon receipt of written notice of the dispute, the Executive Director of the Harvey-Marion CDDO offers the following options:

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- a. Hearing by Harvey-Marion Community Council. Within 20 calendar days following receipt of written notice of the dispute, the Harvey-Marion County CDDO Executive Director convenes the Harvey-Marion Community Council to hear the dispute and make written recommendations for its resolution;
 - b. Mediation. Within 40 calendar days following receipt of written notice of the dispute, the Harvey-Marion County CDDO Executive Director arranges for mediation to be completed by an independent party with no decision-making authority who is impartial to the issues being discussed.
 - (1) Fees. Mediation fees will be shared equally between the parties to the mediation if the parties are able to pay; no one will be denied mediation services solely because of an inability to pay.
 - (2) Declining mediation. Any party to the dispute may decline to enter mediation if the party prefers to proceed directly to the next option.
 - (3) Withdrawing from mediation. Any party to the dispute may withdraw from mediation if the party believes further efforts at mediation will not resolve the dispute.
4. If the dispute is still unresolved, either party may appeal to either of the following:
 - a. Harvey-Marion County CDDO Board of Directors. Within 20 days following receipt of written notice, the Board of Directors conducts appropriate proceedings and issues a written decision. Failure to issue a written decision by the end of the 20-day period constitutes a decision in favor of the appellant. Each decision of the board is binding upon the parties, unless either party decides to appeal further to the commission. Or;
 - b. The Director of KDADS. Written notice of appeal needs to be delivered to the Director of KDADS within 60 calendar days following the CDDO's initial receipt of written notice of the dispute. The Director of KDADS has the authority to review the dispute and determine appropriate steps to achieve resolution as well as to prevent recurrence. Appropriate steps may include requiring changes of policies, procedures, or practices of community service participants; or requiring corrective action or peer review process by community service participants, or other resolution guidelines.
 5. A decision by the Director of KDADS may be appealed to the Office of Administrative Appeals within the Kansas Department of Administration pursuant to Chapter 30, Article 7, Kansas Administrative Regulations.
 6. Nothing limits the right of any person to bring any action as may be permitted by law against a CDDO, any affiliated community service provider, or any other individual or entity.

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Procedure Part Two, for disputes involving the Harvey-Marion County CDDO as a party:

1. Upon receipt of written notice of the dispute, the Executive Director of the Harvey-Marion CDDO offers options of a hearing by the Harvey-Marion Community Council within 20 calendar days, or Mediation within 40 calendar days (same as 3A and 3B above).
2. If the dispute is still not resolved, either party may appeal to the Harvey-Marion County CDDO Board of Directors, or any other body that the governing board may designate. Within 20 days following receipt of written notice, the Board of Directors/designee then conducts appropriate proceedings and issues a written decision. Failure to issue a written decision by the end of the 20-day period constitutes a decision in favor of the appellant. Each decision of the Board of Directors/designee is binding upon the parties, unless either party decides to appeal further to the Director of KDADS.
3. If the dispute remains unresolved, either party may appeal to the Director of KDADS. Written notice of appeal needs to be delivered to the Director of KDADS within 10 calendar days following the appealing party's receipt of the governing board's decision. The Director of KDADS has the authority to review the dispute and determine appropriate steps to achieve resolution as well as to prevent recurrence. Appropriate steps may include requiring changes of policies, procedures, or practices of community service participants; or requiring corrective action or peer review process by community service participants, or other resolution guidelines.
4. A decision by the Director of KDADS may be appealed to the Office of Administrative Appeals within the Kansas Department of Administration pursuant to Chapter 30, Article 7, of Kansas Administrative Regulations.
5. Nothing limits the right of any person to bring any action as may be permitted by law against a CDDO, any affiliated community service provider, or any other individual or entity.

Harvey-Marion County CDDO Service Area Policy/Procedure

Policy No: 016

Subject: Service Area Fiscal Management

Ref: K.A.R. 30-64-33

Effective Date: March 2009

Revision Date: June 2014

Purpose: Establish parameters for expending funds received pursuant to the KDADS-CDDO contract.

Intended Outcome: Public funds expended through the KDADS-CDDO contract result in persons with developmental disabilities making choices to increase their independence, integration, inclusion, and productivity in the community.

Policy: Harvey-Marion County CDDO expends funds received pursuant to the KDADS-CDDO contract only in accordance with terms of said contract and the requirements of K.A.R. 30-64-33.

Procedure:

1. Harvey-Marion County CDDO receives annual funding awards through the annual KDADS-CDDO contract process.
2. Harvey-Marion County CDDO expends annual funding awards received through the annual KDADS-CDDO contract process only in accordance with the uses described in the KDADS-CDDO contract.
3. Harvey-Marion County CDDO does not use contract awarded funding to replace funds previously received from local tax levies made pursuant to K.S.A. 19-4004, and amendments thereto.
4. Harvey-Marion County CDDO does not transfer any funds received through the annual KDADS-CDDO contract to any other entity, except as authorized by that contract, or as authorized in advance and in writing by KDADS.
5. All funds received by Harvey-Marion County CDDO are subject to audit and review by KDADS

Harvey-Marion County CDDO Service Area Policy/Procedure

Policy No: 017

Subject: Resource Allocation Committee

Ref: K.A.R. 30-64-33, DD Reform Act

Effective Date: March 2009

Revised: October 2011, June 2014, July 2015, April 2018, July 2019

Purpose: Define the membership and functions of the local Harvey-Marion County CDDO funding committee.

Intended Outcome: Efficient, consistent and fair allocation of public funds for services.

Policy: Harvey-Marion County CDDO has a funding committee, called Resource Allocation Committee (RAC) that allocates service funding in accordance with the KDADS-CDDO contract, regulation, and policy.

Procedure:

1. Membership includes the Harvey-Marion County CDDO Executive Director, the Harvey-Marion County CDDO Funding Coordinator, and a parent/guardian who is not also an affiliated service provider. The parent/guardian must recuse himself/herself from decisions impacting their child/ward, and, if a paid provider of supports to an adult child/ward, must comply with KDADS policy on conflict of interest.
2. Resource Allocation Committee meets twice a month. If emergency requests are received between meetings, the request may be reviewed by e-mail or an emergency meeting may be called, at the discretion of the Executive Director.
3. Resource Allocation Committee's responsibilities include, but are not limited to:
 - a. Review of crisis/exception and other priority access requests for HCBS I/DD program services to determine whether the request meets criteria defined in the KDADS-CDDO contract and current KDADS HCBS policy and make recommendations to KDADS for funding for requests determined to meet applicable criteria.
 - b. Review and approve requests for services funded by Discretionary Funds.
 - c. Review/approve requests for Personal Needs Funds.
 - d. Review/approve needs assessments for Discretionary-Funded hourly rate one-on-one direct supports, as applicable.



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Revised: 11/15/2022

2022 Service Area Policy/Procedure Review/Revision Timeline

- 01/25/22: Affiliate Meeting: HMCDDO Service Area Policies: 013, 014, 015, 016, 017
<https://harveymarioncddo.com/policies>
- 02/18/22: Community Council: HMCDDO Service Area Policies: 001, 002, 003 & 004
<https://harveymarioncddo.com/policies>
- 02/22/22: Affiliate Meeting: HMCDDO Service Area Policies: 001, 002, 003 & 004
<https://harveymarioncddo.com/policies>
- 04/22/22: Community Council: HMCDDO Service Area Policies: 001, 002, 003 & 004
<https://harveymarioncddo.com/policies>
- 05/11/22: HMCDDO Executive Director drafts minor but needed changes to the HMCDDO Service Access Protocol & HMCDDO Provider Change Protocol. The Director will present these changes to the HMCDDO Community Council & Board of Directors next month for review.
- 05/24/22: Affiliate Meeting: HMCDDO Service Area Policies: 005, 006, 007 & 008
<https://harveymarioncddo.com/policies>
- 06/10/2022: Presented changes to the HMCDDO Service Access Protocol & HMCDDO Provider Change Protocol to the Community Council. HMCDDO Service Area Policies Reviewed: 005, 006, 007 & 008 <https://harveymarioncddo.com/policies>
- 07/26/22: Affiliate Meeting: HMCDDO Service Area Policies: 009, 010, 011 & 012
<https://harveymarioncddo.com/policies>
- 08/15/2022: Presented changes to the HMCDDO Service Access Protocol & HMCDDO Provider Change Protocol to the HMCDDO Board of Directors. The changes were reviewed and passed unanimously for implementation.
- 08/19/22: HMCDDO Community Council: HMCDDO Service Area Policies: 009, 010, 011 & 012
<https://harveymarioncddo.com/policies>
- 09/27/22: Affiliate Meeting: HMCDDO Service Area Policies: 009, 010, 011 & 012
<https://harveymarioncddo.com/policies>
- 10/14/22: HMCDDO Community Council: HMCDDO Service Area Policies: 009, 010, 011 & 012
<https://harveymarioncddo.com/policies>
- 11/15/22: Affiliate Meeting: HMCDDO Service Area Policies: 013, 014, 015, 016, 017
<https://harveymarioncddo.com/policies>

Harvey-Marion County Community Developmental Disability Organization

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Revised: 11/15/2022

2021 Service Area Policy/Procedure Review/Revision Timeline

- 01/25/21 HMCDDO Board Meeting: Amendment to HMCDDO Pandemic Protocol. Kevin explained that the protocol was developed & Board approved when the pandemic started. The current protocol establishes guidelines for conducting meetings that were previously held in person. The revision outlines the use of a self-auditing tool for providers to complete for on-site Quality Assurance evaluations. This will minimize the onsite presence of the QA surveyor but does not minimize the duties that are performed as a whole.
- 01/26/21: HMCDDO Affiliate Meeting: HMCDDO announces 90-day policy review beginning in 2021, Service Area Policy quarterly review: 001, 002, 003, 004 www.harveymarioncddo.com/policies and email any comments about these policies to HMCDDO.
- 02/19/21: Community Council Review of Pandemic Protocol revisions already approved by the HMCDDO Board. The HMCDDO tried to present this first to the HMCDDO Community Council, however the December 2020 meeting was not a quorum.
- 02/23/21: HMCDDO TCM Meeting: 90-day policy review begins in 2021, beginning with HMCDDO Service Area Policies: 001, 002, 003 & 004 <https://harveymarioncddo.com/policies>
- 03/23/21: Affiliate Meeting: HMCDDO Service Area Policies: 001, 002, 003 & 004 <https://harveymarioncddo.com/policies>
- 05/25/21: Affiliate Meeting: HMCDDO Service Area Policies: 005, 006, 007 & 008 <https://harveymarioncddo.com/policies>
- 06/18/21: HMCDDO Community Council: HMCDDO Service Area Policies: 005, 006, 007 & 008 <https://harveymarioncddo.com/policies>
- 07/27/21: Affiliate Meeting: HMCDDO Service Area Policies: 009, 010, 011 & 012 <https://harveymarioncddo.com/policies>
- 08/20/21: HMCDDO Community Council: HMCDDO Service Area Policies: 009, 010, 011 & 012 <https://harveymarioncddo.com/policies>
- 09/28/21: Affiliate Meeting: HMCDDO Service Area Policies: 009, 010, 011 & 012 <https://harveymarioncddo.com/policies>
- 10/15/21: HMCDDO Community Council: HMCDDO Service Area Policies: 009, 010, 011 & 012 <https://harveymarioncddo.com/policies>
- 11/16/21: Affiliate Meeting: HMCDDO Service Area Policies: 013, 014, 015, 016, 017 <https://harveymarioncddo.com/policies>

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Revised: 11/15/2022

2020 Service Area Policy/Procedure Review/Revision Timeline

- 01/28/20 Affiliate Meeting: A request from the 12/17/20 meeting to review the Council of Community Members, Dispute Resolution & Service Area Fiscal management policies rendered no comments or changes to those policies
- 03/09/20 Email notification to affiliate Service Provider network to inform of the drafted changes made to the current "Service Access Protocol" which changes the language to allow for all modes of Options Counseling, not just "in-person." The email also noted the 30-day public posting on the HMCDDO website with the ability to send comments regarding the drafted changes. The official public review and comment period is 03/09/20-04/09/20.
- 03/24/20 Affiliate Meeting: Review of the drafted changes to the "Service Access Protocol."
- 04/09/20: Executive Director documented that no feedback was received from public during public hearing period. Revisions will be presented to Board for final approval on 8-19-19.
- 04/20/20: HMCDDO Board Meeting: Revisions of the "Service Access Protocol" reviewed by Harvey-Marion County CDDO Board of Directors.
- 04/24/20: HMCDDO Executive Director shared revisions of the "Service Access Protocol," reviewed by Harvey-Marion County CDDO Board of Directors, to the HMCDDO Council of Community Members on this date. All revisions presented were approved by the Community Council on this date.
- 05/18/20: HMCDDO Board Meeting: Revisions of the "Service Access Protocol" approved by Harvey-Marion County CDDO Board of Directors in a unanimous vote.
- 05/22/20: Creation of DRAFT HMCDDO Pandemic Protocols.
- 07/20/20: The HMCDDO Board approved the HMCDDO Pandemic Protocols.
- 08/14/20: Presented the HMCDDO "System Access Protocol" via email asking for comments. Noting to Provider Group to post on policy page of website for 30-day review/comment period.
- 08/20/20: Reviewed the "System Access Protocol" with the HMCDDO Community Council and it was approved by HMCDDO CC on this date.
- 09/22/20: Affiliate Meeting: Request to Affiliate Group to review HMCDDO Service Area Policies 003,004,005 for comment.
- 10/19/20: HMCDDO Board Meeting: Presented the HMCDDO "System Access Protocol" and was approved by Harvey-Marion County CDDO Board of Directors in a unanimous vote on this date.
- 10/21/20: No comments received for HMCDDO Service Area Policies 003,004,005.
- 10/27/20: TCM Meeting: Request to TCM group to review HMCDDO Service Area Policies 006,007,008 for 30-day review period for comments (posted 10/28/20).

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Revised: 11/15/2022

2019 Service Area Policy/Procedure Review/Revision Timeline

- 12-21-18 Harvey-Marion Community Council reviewed Single Point of Entry Policy/Procedure and approved training curriculum; also reviewed Community Council and Dispute Resolution Policy/Procedure.
- 2-26-19 Provider meeting – Review Glossary through Single Point of Entry by 4-23-19.
- 4-23-19 No recommendations for changes for glossary through Single Point of Entry. Newly approved KDADS HCBS IDD program Eligibly Determination Policy removes eligibility below age 5, so Single Point of Entry Policy may need revision.
- 5-14-19 KDADS Commissioner Penrod revoked KDADS HCBS IDD Program Eligibility Determination Policy, reverting to prior SRS/HCP/CSS IDD Eligibility Determination Policy.
- 7-15-19 Executive Director contacted Program Integrity and Compliance Specialist Linda Young regarding option to use website posting for public hearing for updating service area policy and procedure revisions. Linda approved website publication instead of newspaper as long as significant parties, like affiliates, are aware that the revisions are posted there, and feedback is being accepted.
- 7-16-19 Executive Director posted revisions on home screen of website, then sent out email to affiliated providers notifying them of the posting as well as procedure for emailing feedback by 8-16-19.
- 8-16-19 Executive Director documented that no feedback was received from public during public hearing period. Revisions will be presented to Board for final approval on 8-19-19.
- 8-19-19 Revisions approved by Harvey-Marion County CDDO Board of Directors by unanimous vote.
- 8-23-19 Reviewed Quality Enhancement and Quality Assurance policy/procedure at Quality Assurance Committee Meeting.
- 8-27-19 Final approved revised policy/procedure shared at 8-27-19 Provider Meeting, with request to review Continuity and Portability, Gatekeeping, and Statewide Service Access List for 10-22-19 Provider Meeting.
- 10-22-19 Provider Meeting: No recommendations for changes to policies/procedures (Continuity and Portability, Gatekeeping, and Statewide Service Access List) shared at the 08-27-19 Provider Meeting.
- 12-19-19 Provider Meeting: A request to review the Council of Community Members, Dispute Resolution & Service Area Fiscal management policies on our website and email any comments about these policies keving@harveymarioncddo.com for our 01-28-20 Affiliate meeting.

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Revised: 11/15/2022

2018 Service Area Policy/Procedure Review/Revision Timeline

- 1-23-18 TCM Provider Meeting - Reviewed TCM policy - no changes recommended. Reviewed TCM capacity – sufficient, no action needed.
- 1-24-18 Resource Allocation Committee – initiated review of Service Funding Request protocol in light of new and revised KDADS HCBS policy/procedure.
- 2-6-18 Provider Meeting - Requested review of Service Area Policy/Procedure on website, 000 Glossary of terms followed by policy/procedure 001 – 004. Also reviewed revisions to Adverse Incident Reporting Protocol, Functional Assessment Protocol, and Provider Change Protocol. Sent follow up email requesting comments by email for presentation at next meeting.
- 2-28-18 Resource Allocation Committee – reviewed & approved revisions to Service Funding Request Protocol.
- 4-3-18 Provider Meeting – Email Elizabeth by 5-25-18 of any feedback of changes needed in service area policy on website, Glossary of Terms through 004.
- 4-20-18 Community Council – approved draft revisions of service area policy 009, Quality Enhancement, and 017, Resource Allocation Committee. Posted drafts on HMCDDO website.
- Reviewed/revised draft of policy 005, Functional Assessment.

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Revised: 11/15/2022

2017 Service Area Policy/Procedure Review/Revision Timeline

- 1-24-17 TCM meeting - Reviewed TCM Capacity– sufficient, no action needed.
- 2-10-17 Community Council Meeting – reviewed Policy 014 Community Council policy/procedure – no changes recommended.
- 4-21-17 Community Council Meeting – reviewed/approved Policy 004, Single Point of Entry, and approved as written including training for eligibility determination and information about community resources.
- 7-25-17 Reviewed TCM Policy at TCM meeting – no changes recommended.
- 8-18-17 Community Council – reviewed Community Council policy and By-laws. No changes recommended.
- 10-3-17 Provider Meeting – Reviewed 009 Quality Enhancement through 012, Gatekeeping – no changes recommended. Request to review 014, Statewide service Access through 017, Fiscal Management Policy.
- 12-5-17 Provider Meeting – Reviewed 014, Statewide Service Access, through 016, Fiscal Management Policy. No changes recommended.

Harvey-Marion County Community Developmental Disability Organization

500 N. Main; Suite 204 • Newton, KS 67114 • Phone: 316-283-7997 • Fax: 316-283-7969



Harvey-Marion County CDDO

Supporting increased independence, integration, inclusion, and productivity in individual homes and communities.

Revised: 11/15/2022

2016 Service Area Policy/Procedure Review/Revision Timeline

- 1-5-16 Provider Meeting – Reviewed/revise Provider Change Process.
- 2-2-16 Provider Meeting – Reviewed glossary of terms, policy 001 through 004. No substantive changes needed.
- 3-15-16 TCM meeting –Reviewed TCM policy - no changes recommended; discussed TCM capacity at TCM meeting – sufficient capacity, no action needed.
- 4-5-16 Provider Meeting – reviewed Policy 010, Quality Assurance. Discussion, no changes recommended.
- 6-5-16 Provider Meeting – reviewed Policy 011, Continuity and Portability of Services. No changes recommended.
- 7-22-16 Resource Allocation Committee Meeting – Began reviewing Service Funding Request Processes in light of revised KDADS policy/procedure.
- 8-12 & 23-18 Resource Allocation Committee Meeting – continued review of Service Funding Request Processes.
- 9-22-16 Resource Allocation Committee Meeting – continued review of Processes for Funding Decisions. Awaiting KDADS finalization of DRAFT crisis and exception policy.
- 12-9-16 Resource Allocation Committee – reviewed/revise Service Funding Request Protocol to comply with KDADS final IDD Crisis and Exception Policy; developed proposed language for Community Council review/approval.
- 12-16-16 Community Council Meeting – Reviewed/approved protocol for dispute Service Funding Request Protocol.

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2015 Service Area Policy/Procedure Review/Revision Timeline

- 1-6-15 Provider Meeting – Reviewed Community Council policy – no changes needed
- 2-2-15 Provider Meeting – reviewed Glossary of Terms for Service Area Policy/Procedure – no changes needed.
Reviewed Functional Assessment Checklist for Functional Assessment Protocol.
- 3-3-15 Provider Meeting – reviewed policy 009 through 012 – No needs for changes noted.
- 4-7-15 Provider Meeting - 4eviewed policy 013 through 016 – No needs for changes noted.
- 5-5-15 Provider Meeting – reviewed/revised Functional Assessment Protocol and Cover sheet. Reviewed 017, Resource Allocation Committee.
- 7-7-15 Provider Meeting – reviewed/revised “Services Paid/Delivered” form for implementation of Quality Assurance Policy random draw reviews.
- 9-1-15 Provider Meeting – reviewed/revised Critical Event Protocol
- 12-1-15 Provider Meeting – reviewed Functional Assessment Protocol – no changes made.

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2014 Service Area Policy/Procedure Review/Revision Timeline

- January 7, 2014 – Input requested at regular monthly meeting of affiliated Service Providers
- January 14, 2014 – Follow up email request for input/feedback to affiliated service providers
- January 24, 2014 – Review/Revision introduced at Harvey-Marion Community Council Meeting
- March 28, 2014 – Revisions approved unanimously at Harvey-Marion Community Council Meeting
- April 19, 2014 - Newton Kansan newspaper publishes notice of public hearing at Harvey County Courthouse in Newton for input and feedback on proposed revisions to service area policy/procedure
- April 21, 2014 – Harvey County Public Hearing at Harvey County Courthouse, no recommendations for changes
- April 23, 2014 - Marion County Record newspaper publishes notice of public hearing at Marion County Courthouse in Marion for input and feedback on proposed revisions to service area policy/procedure
- April 28, 2014 – Marion County Public Hearing at Marion County Courthouse, no recommendations for changes
- May 19, 2014 – Revisions approved unanimously by Harvey-Marion County CDDO Board of Directors
- September 18, 2014 – Approved revised policy/procedure submitted to KDADS

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Revised: 11/15/2022

2010 – 2011 Policy/Procedure Revision Timeline

- 2010 – 2011 – Input obtained from local stakeholders through Provider meetings, Quality Assurance Committee meetings, Council of Community Members meetings, informal conversations, and e-mail requests for review and feedback
- July 15, 2011 – Harvey-Marion Community Council approves proposed revisions to the following Policy/Procedure:
 - “Single Point of Entry”
 - “Council of Community Members”
- September 16, 2011 – Harvey-Marion Community Council approves proposed revisions to the following Policy/Procedure:
 - “Implementation Responsibilities”
 - “BASIS”
 - “Funding Plans of Care”
 - “Uniform Access to Services”
 - “Quality Enhancement”
 - “Quality Assurance”
 - “Statewide Service Access List”
 - “Resource Allocation Committee”
- September 19, 2011 – Harvey-Marion County Board of Directors approves proposed revisions for presentation for public hearing
- October 4, 2011 – Newton Kansan newspaper publishes notice of public meeting at Harvey County Courthouse in Newton for input and feedback on proposed revisions to service area policy/procedure
- October 11, 2011 – Public meeting held at Harvey County Courthouse, no recommendations for changes
- October 12, 2011 – Marion County Record newspaper publishes notice of public meeting at Marion County Courthouse in Marion for input and feedback on proposed changes to service area policy/procedure
- October 17, 2011 – Public meeting held at Marion County Courthouse, no recommendations for changes
- October 24, 2011 – Approved revisions submitted to SRS/DBHS/CSS

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Initial Service Area Policy/Procedure Input Process

- July – November, 2008 – Input obtained from local stakeholders through provider meetings, Quality Assurance Committee meetings, informal conversations, and formal requests for feedback on drafts
- December 4, 2008 – Brian Bolen, Quality Assurance Program Manager, SRS, Community Supports & Services, e-mails approval of process
- December 19, 2008 – Harvey-Marion Community Council reviews policies/procedures; approves with no recommendations for changes
- January 27, 2009 - Executive Director mails newsletter to persons served, families & guardians with invitation to public meetings
- January 30, 2009 - Newton Kansan newspaper publishes public meeting information
- February 4, 2009 - Marion County Record newspaper publishes public meeting information
- February 4, 2009 - Hillsboro Free Press newspaper publishes public meeting information
- February 4, 2009 – Community Connections January –February Newsletter publishes public meeting information
- February 10, 2009 – Public meeting held at Harvey County Courthouse, two persons attend, no recommendations for changes
- February 12, 2009 – Public meeting held at Marion County Courthouse, Board Vice-Chair Randy Dalke is sole person attending, no recommendations for changes
- February 16, 2009 – Harvey-Marion County Board of Directors meeting – absence of quorum, no action taken
- March 17, 2009 – Harvey-Marion County Board of Directors meeting – final approval
- March 18, 2009 – Approved policy/procedure submitted to SRS/DBHS/CSS

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By-Laws of the Harvey-Marion Community Council

Article 1: Name and Location

Section 1.1: Name. The name by which the council shall be known is the Harvey-Marion Community Council.

Section 1.2: Location. The principal office of the Harvey-Marion Community Council shall be located in Newton, Kansas.

Article 2: Organizational Purpose

The Harvey-Marion Community Council is organized to carry out the objectives and purposes of K.A.R. 30-64- 31 and any amendments thereto as follows:

Section 2.1: Advise on the local service system. The Harvey-Marion Community Council is designed to express opinions, offer suggestions, and make recommendations to the Board of Directors of the Harvey-Marion County CDDO on all aspects of the local service system, including the types of services offered by the various providers within the service area, and the manner in which those services are provided.

Section 2.2: Dispute resolution. The Harvey-Marion Community Council is designed to provide a local means of resolving disputes between any parties of the local service system.

Section 2.3: Capacity building. The Harvey-Marion Community Council is designed to oversee the development of local capacity building plans.

Article 3: Membership, Terms, and Offices

Section 3.1: Number of members. The number of members of the council shall be fluid. The number of persons served, families, and guardians shall determine



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total membership, and shall be a majority of the membership. A majority is defined as one-half of the total membership, plus at least one person.

Section 3.2: Categories of members. Members shall be representatives from:

- Persons with a developmental disability;
- Family members of persons with a developmental disability;
- Guardians of a person with a developmental disability;
- Harvey-Marion County CDDO (one representative);
- Affiliated service providers (each provider may appoint one representative);

Section 3.3: Term limits. Members shall not serve more than two consecutive three-year terms as members of the council.

Section 3.4: Initial organization. For the purposes of initial organization, members shall be appointed by the Executive Director of the Harvey-Marion County CDDO.

Section 3.5: Election of successor members of persons served, family members, or guardians. When resignation, term expiration or other circumstance results in a vacancy of a position filled by a person with a developmental disability, family member, or guardian, the following procedures will be used to elect a successor:

- a. The Harvey-Marion County CDDO representative on the Harvey-Marion Community Council will contact service area case managers to request names of persons served, families, and guardians in the service area who might serve as Council members.
- b. After receiving the names submitted, the Harvey-Marion County CDDO representative will contact the individuals whose names were submitted to confirm their interest and willingness to serve if elected, and answer any questions they may have.



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- c. The slate of candidates will be presented to persons served, families, and guardians in the Harvey-Marion County CDDO area for election by a simple majority vote.
- d. The Harvey-Marion County CDDO representative will notify the elected members and inform them of the Council's meeting times, dates, and location, and provide them a Community Council member notebook.

Section 3.6: Selection of Successor Members of the Harvey-Marion county CDDO, and Service providers affiliated with the Harvey-Marion County CDDO.

When resignation, term expiration or other circumstance results in a vacancy of a position filled by a representative of Harvey-Marion County CDDO, or an affiliated service provider,

- a. The Executive Director/designee of the Harvey-Marion County CDDO shall appoint a successor representative of the Harvey-Marion County CDDO.
- b. Each affiliated service provider in the Harvey-Marion County CDDO area shall appoint its own successor representative.

Section 3.7: Offices. There shall be one elected office, that of a meeting Facilitator, who works with the Executive Director of the Harvey-Marion County CDDO to create meeting agendas. If elected, the Executive Director of the Harvey-Marion County CDDO may serve in this capacity. The Facilitator shall be elected on an annual basis.

Article 4: Quorum and Voting

Section 4.1: Definition of a quorum. For a quorum to exist at any meeting of the Community Council, at least a simple majority of members present shall be persons served, family members, and guardians. They may not also be either an employee or paid consultant of any provider or CDDO, or a board member of any provider or CDDO. No action may be taken without a quorum present, except for voting to reschedule a meeting when a quorum of members was not present.



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Section 4.2. Establishing a quorum. At the beginning of each meeting, members will be asked to sign in on a sign-in sheet indicating whether the member is a person with developmental disabilities, family member or guardian, representative of CDDO or affiliated service provider, transition counselor, or other guest. The number of persons served, family members and guardians will be counted and totaled. If this total is not a simple majority, then this total minus one is the number of representatives of the CDDO, affiliated service providers, and transition counselors who will be selected by lottery to vote.

Article 5: Meetings, Notice of Meetings, Meeting Minutes

Section 5.1: Meeting frequency. Meetings shall take place at least quarterly, and as often as necessary, in order to accomplish the organizational purposes.

Section 5.2: Notice of Meetings. Notice of regular and special meetings shall be communicated by a staff of the Harvey-Marion County CDDO using the last contact information provided by the member. Notice of meetings shall be provided at least five (5) days before a meeting.

Section 5.3: Meeting Accommodations. All meetings shall be held at locations with accessible parking spaces, entrances, and restrooms.

Section 5.4: Minutes and Record Keeping. The Harvey-Marion County CDDO shall provide a staff to take minutes of all meetings with the records of the meetings kept at the principal office of the Harvey-Marion County CDDO. This staff shall not be a voting member of the Harvey-Marion Community Council.

Article 6: Membership Responsibilities

Section 6.1: Regular attendance. Members are responsible to attend regularly and to notify the Harvey-Marion County CDDO staff in advance when they are unable to attend. The Targeted Case Manager is responsible for coordinating the transportation to the meetings for the persons who need this support.

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Section 6.2: Election of facilitator. Members are responsible for annual election of a meeting facilitator, who shall work with the Executive Director of the Harvey-Marion CDDO to create meeting agendas.

Section 6.3: Serving without remuneration. Members shall serve without remuneration.

Section 6.4: Resignation. Members may resign by submitting written notice of resignation to Harvey-Marion County CDDO staff.

Article 7: Amendments

These By-Laws may be altered, amended, repealed, or replaced and new By-Laws may be adopted by the membership of the Community Council, as necessary. Such alteration, amendment, repeal, or replacement shall require a two-thirds vote of the entire membership.

**Approved 12-10-08
Harvey-Marion Community Council**

**Approved 10-24-14 by unanimous vote
Harvey-Marion Community Council, but less than 2/3 of entire membership were present.**