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Applicability: DSN Boards, Contract Provider Agencies, DDSN Central Office, DDSN District Offices

I. Purpose

The purpose of this policy is to assure that individuals who are eligible for the Department of Disabilities and Special Needs (DDSN) services are provided services in the most timely and equitable manner possible, and that those who have critical needs that jeopardize their health and safety are given priority to services and supports.

II. Prioritized Waiting Lists - Defined

A. DDSN manages three types of waiting lists: Critical Needs, Residential Services and Home and Community Based Waivers (HCB Waiver). Each of these types of waiting lists is further broken down into differentially prioritized lists with defined criteria as follows:

1. Critical Needs: Those individuals in life-threatening situations requiring immediate services.

A critical need is defined as a life-threatening situation that requires immediate action. Life threatening situations typically are limited to situations where the individual:

- a) has been recently abused/neglected by the primary caregiver;
- b) is homeless (to include situations where the individual is being discharged from an alternative placement and is unable to return to a family member's home or live independently);
- c) has seriously injured self or others and continues to pose a threat to the health and safety of self or others; or
- d) has been judicially admitted to DDSN or is included in the DJJ subclass.

All efforts to address critical situations through the use of in-home support services, where appropriate, including Home and Community Based (HCB) Waiver services, must be exhausted prior to any consideration of residential placement. Refusal of in-home supports does not constitute a critical situation. Additionally, living with relatives or friends must be ruled out prior to an individual being considered homeless.

2. Residential Services: 24-hour supports provided by or contracted for operation by DDSN.

- A. Priority I: Those individuals in urgent situations with features suggesting there is a probability the individual will require residential placement within the next 12 months.

A Priority I need is defined as an urgent situation which is anticipated to require residential services through DDSN within the next year to prevent harm to the individual or his/her family. An urgent situation is considered to exist when the individual has a history of significant behavioral or medical challenges that have not been or cannot be effectively met through routine or enhanced in-home services. These difficulties, while significantly disruptive to the current setting in which the individual resides, do not pose an imminent threat to the health and safety of the individual or others. It is anticipated that the degree of threat to the health and safety of the individual will continue to increase. DDSN must approve Priority I status.

- B. Priority II: The individual and/or family perceive that residential placement may be needed in the future, greater than one year. DDSN does not review placement on this list. Names can be added by Service Coordinators/Early Interventionists (SC/EI). DDSN will give service priority to people with critical needs first, then Priority I.

3. Home and Community Based Waivers (HCB Waiver)

Individuals will be served off of the waiver waiting lists based upon urgency of need (i.e., individuals on the critical/urgent waiting lists will be offered services prior to those on the lower priority waiting lists). Those individuals on the regular waiver waiting lists will be served in the order of entry onto the waiting list (i.e., those who have been on the waiting list longer will be offered services first). Waiver slots will be allocated based on availability of funding.

A. Intellectual Disability/Related Disability (ID/RD) Waiver

Individuals discharged from an ICF/ID, children in South Carolina Department of Social Services (SCDSS) custody for whom SCDSS has agreed to financially sponsor enrollment in the ID/RD waiver, and those who reside in or need DDSN sponsored residential placement may be enrolled in the ID/RD waiver without need to be first placed on a waiting list.

1. Critical (ID/RD)

A critical need is defined as one in which the individual:

- 1) requires a service available through the ID/RD waiver, which if not provided will likely result in serious and imminent harm; and
- 2) has an immediate need for direct care or supervision; or
- 3) has recently lost a primary caregiver or is at imminent risk of losing a primary caregiver; or
- 4) is ready for or has recently been discharged from a hospital and needs services immediately to prevent re-admission.

2. Regular (ID/RD)

Anyone requesting waiver enrollment who does not meet critical criteria described above or people for whom there is a reasonable indication of benefitting from ID/RD waiver services will be placed on the regular ID/RD waiver waiting list.

B. Head And Spinal Cord Injury (HASCI) Waiver

1. Urgent (HASCI)

An urgent need is defined as one in which the individual meets the criteria required to be placed on the Regular HASCI Waiver waiting list and has two (2) or more of the following conditions present:

- a) very severe injury with functional limitations (Spinal Cord Injury at quadriplegia level or severe Traumatic Brain Injury);
- b) emergency need for assistance with personal care;
- c) recent loss of primary caregiver (permanently gone within past 90 days) or imminent risk of losing primary caregiver (permanently gone within next 90 days), and no other natural supports to replace the primary caregiver;
- d) recently discharged (within past 90 days) or pending discharge (within next 90 days) from an acute care or rehabilitation hospital with complex unmet service needs; or
- e) lack of an active support network.

2. Regular (HASCI)

A regular need includes all other requests that do not meet the urgent criteria.

C. Pervasive Developmental Disorder (PDD) Waiver

There is only one waiting list for the Pervasive Developmental Disorders (PDD) Waiver waiting list. Children for whom there is a reasonable indication of benefiting from PDD Waiver services will be added and offered a slot on a first come, first served basis.

D. Community Supports (CS) Waiver

There is only one waiting list for the Community Supports Waiver. People for whom there is a reasonable indication that they could benefit from CS Waiver services will be added and offered a slot on a first come, first served basis.

The separate procedures for inclusion of an individual's name on one of the waiting lists outlined in Section III are as follows:

III. Prioritizing Waiting Lists: Procedures for Placement or Removal

A. Procedure for Placement on/Removal from Critical Needs Waiting List

Application for the inclusion of an individual on the critical needs waiting list requires the following actions by the service coordination/early intervention provider:

1. The Service Coordinator/Early Interventionist must first determine that all the appropriate in-home services and supports have been implemented and found to be insufficient to adequately address the individual and his/her family's needs or that in-home supports are not appropriate; i.e., homelessness, loss of caregiver, etc.

It is the responsibility of the service coordinator/early interventionist provider to maintain sufficiently frequent contact with individuals and their families so potential problem situations may be recognized at an early enough stage to attempt problem resolution prior to it reaching a critical needs status. There are situations where this is not possible, such as those consumers on Level II and the Service Coordinator/Early Interventionist is not notified by the family until the situation becomes critical.

2. The Service Coordinator/Early Interventionist must make a home visit at a time convenient to the family to:
 - a. assess the individual's and family's needs;
 - b. assure that all appropriate in-home supports and services have been utilized including natural supports or that in-home supports are not appropriate; and
 - c. verify that the existing situation meets the definition of a critical case as defined above.
3. Subsequent to the home visit, a Report of Critical/Urgent Circumstances (see Attachment A) along with supporting documentation must be completed and submitted to the Service Coordinator/Early Interventionist's Supervisor and the provider's Executive Director/CEO for review and concurrence. If a HCB Waiver "slot" request has not already been submitted to District Office, such a request should be attached to the Report of Critical/Urgent Circumstances. (see the DDSN ID/RD or HASCI Waiver Manual).

- a. If a critical situation is considered to be present due to the individual's or parent's/caregiver's health, specific information from the person's physician must be provided relative to those health issues.
 - b. If the issues are behavioral in nature, efforts toward resolution (where appropriate) may include:
 - 1) referral to an approved behavior consultant (or reasonable attempts to locate consultant);
 - 2) development of a behavior support plan;
 - 3) documentation of implementation of the behavior support plan (via progress notes and the intervention data summary report);
 - 4) documentation of other available behavioral resources used to support local interventions to address behavioral issues. If the individual has autism or a brain injury, spinal cord injury, or similar disability, a referral to the Autism Division or the HASCI Division for clinical consultation must be obtained before submitting a Report of Critical/Urgent Circumstances.
 - c. The Report of Critical/Urgent Circumstances form along with supporting documentation shall then be forwarded to the appropriate District Office.
4. District Office Procedures for Review of Report of Critical/Urgent Circumstances
- a. Upon receipt, the District Office Crisis Coordinator (DOCC) will review each Report of Critical/Urgent Circumstances to assure that it is properly prepared, complete, and contains required supporting documentation. Incomplete reports will be returned to the Executive Director/CEO with a written explanation requesting clarification and/or submission of additional supporting documentation.
 - b. If the Report of Critical/Urgent Circumstances is complete, then the DOCC will evaluate whether it meets the defined criteria for the individual to be placed on the critical needs waiting list. The DOCC will document the results of this evaluation, to include an assessment of the level of service that the individual appears to need (if meeting the criteria to be placed on the critical needs waiting list) on the appropriate review form (see Attachment B) and submit to the District Director along with the supporting

information submitted by the service coordinator/early interventionist provider.

- c. The District Director will evaluate recommendations of DOCC and will document the decision on the noted review form. The District Director will also note if an on-site visit by the DOCC is required to more thoroughly respond to the situation. The District Director will provide a copy of the review form to the DOCC.
 - d. The DOCC will notify the respective individual's Service Coordinator/Early Interventionist of the disposition via email as soon as possible.
 - e. It typically requires five (5) to ten (10) days from DDSN receipt of a fully completed Report of Critical/Urgent Circumstance for a decision to be finalized regarding placement of the individual on the critical needs waiting list. In those circumstances where the individual's health and safety would be seriously jeopardized by such a decision-making period, the provider Executive Director/CEO should contact the District Director to arrange for immediate intervention.
5. Once an individual's name is placed on the critical needs list, the individual's Service Coordinator/Early Interventionist is responsible to develop a plan to meet the individual's needs.
- a. Until the need is resolved, the Service Coordinator/Early Interventionist should be in regular contact with the individual/family to assess the status of the situation. The DOCC will also monitor the status of those individuals who have remained on the critical needs waiting list for a lengthy period of time.
 - b. As appropriate, the Service Coordinator/Early Interventionist needs to follow the procedure detailed in DDSN Directive 502-01-DD: Admissions/Discharge of Individuals To/From DDSN Funded Community Residential Setting, and the DDSN ID/RD or HASCI Waiver Manuals to provide residential services to the individual.
 - c. If the individual is a waiver participant, the Service Coordinator/Early Interventionist must follow the procedures detailed in the DDSN ID/RD, HASCI, or CSW Waiver Manuals to provide enhanced in-home services to the individual.

- d. The plan to serve the individual on the critical needs waiting list may not propose a service that is more restrictive than what has been approved by DDSN for the individual to receive.
- e. The plan may include services to be provided by the individual's choice of qualified providers (including DSN Boards).
- f. All applicable qualified providers will receive an updated copy of the critical needs waiting list on a weekly basis to assist in responding to needs in the most timely manner and assist the providers in filling service vacancies.
- g. If an individual or family declines DDSN's offer of residential placement, DDSN has the right to remove the person's name from the waiting list.

B. Procedure for Placement On/Removal from Priority I Residential Waiting List

Application for inclusion of an individual on the Priority I residential waiting list requires the following actions by the service coordination/early intervention provider:

1. The Service Coordinator/Early Interventionist must determine that all appropriate in-home services and supports have been implemented, that they are appropriate to meet the individual's needs, and that they are consistent with the desires and aspirations of the individual and his/her family.
2. The Service Coordinator/Early Interventionist must assure that the service plan is updated and reflects the issues identified in No. 1 above.
3. The Service Coordinator/Early Interventionist must have a face-to-face visit with the individual and his/her family. A home visit is recommended but not required.
4. Subsequent to the face-to-face visit, a Report of Critical/Urgent Circumstances (see Attachment A) along with supporting documentation to include an updated service plan must be completed and submitted to the Service Coordination/Early Intervention Supervisor for review and concurrence. Although the involvement of the provider Executive Director/CEO is not required, it is recommended that he/she be kept apprised of significant related events such as placement on the Priority I residential waiting list.

5. The Report of Critical/Urgent Circumstances form, along with appropriate supporting documentation, shall then be forwarded to the appropriate DOCC.

District Office procedures for reviewing, analyzing, and processing requests for placement on the Priority I residential waiting list will be similar to those used for inclusion on the Critical Needs Waiting List:

C. Procedure for Placement on Priority II Residential Waiting List

A Priority II circumstance is one where the individual and/or family perceive that residential placement may be needed in the future - greater than one year.

1. If residential placement is perceived as a possible future need, the Service Coordinator/Early Interventionist will add the individual's name in STS to the Priority II waiting list.
2. If a person is on the Priority II waiting list and circumstances become urgent, steps for placement on the critical list must be completed.

D. Procedures for Placement on/Removal From the Home and Community Based Waivers, Critical/Urgent and Regular Waiting Lists

Please refer to the DDSN ID/RD, IASCI, PDD or Community Support Waiver Manuals for specific instructions. You may also contact your District Director or his/her staff for guidance.

IV. Procedures for Reporting Age of Caregivers of Consumers

While DDSN does not maintain a separate waiting list for individuals with aging caregivers, it does periodically run "aging caregiver" reports to plan for individual future needs. The report is run on demand and generally includes the caregiver's age greater than 55, greater than 65 and greater than 80. Data elements are captured via the CDSS by entering each individual's caregiver's year of birth. If an individual has more than one caregiver, all must meet the age criteria. In order to identify individuals with aging caregivers, Service Coordinators/Early Interventionists must enter all caregivers for the individual and their respective year of birth in the CDSS "Contacts" section.

V. Appeals

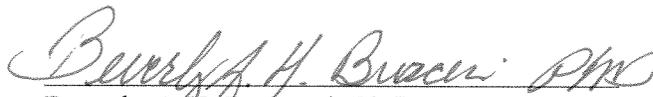
Adverse decisions regarding the placement of individuals on a DDSN waiting list may be appealed in accordance with the procedures outlined in the DDSN Directive 535-11-DD: Appeal and Reconsideration Policy and Procedures.

VI. Quality Assurance

Service Division (ID/RD, HASCI, or Autism) Directors, or their designees, will periodically conduct post-audit reviews of the placement of individuals on the DDSN waiting lists to assure compliance with DDSN policy.



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(Approved)

To access the following attachments, please see the agency website page "Attachments to Directives" under this directive number.

Attachments:

Attachment A: REPORT OF CRITICAL/URGENT CIRCUMSTANCES

Attachment B: REVIEW OF REPORT OF CRITICAL/URGENT CIRCUMSTANCES