
POLICY TRANSMITTAL NO. 09-47	DATE: SEPTEMBER 17, 2009
OKLAHOMA HEALTH CARE AUTHORITY/DEVELOPMENTAL DISABILITIES SERVICES DIVISION	DEPARTMENT OF HUMAN SERVICES OFFICE OF LEGISLATIVE RELATIONS AND POLICY

TO: ALL OFFICES

SUBJECT: MANUAL MATERIAL

OAC 317:40-5-5.

EXPLANATION: **Policy revisions were approved by the Board and the Governor as required by the Administrative Procedures Act.**

Oklahoma Health Care Authority rules are revised for the Developmental Disabilities Services Division (DDSD) Home and Community-Based Services (HCBS) waivers to change incorrect references in policy regarding incident reporting and quality assurance for Agency Companion Services. The current references direct the reader to sections that do not exist. The correct reference is necessary to provide accurate information relating to incident reporting and quality assurance for Agency Companion Services.

Original signed on 9-17-09

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WF # 09-S (NAP)

INSTRUCTIONS FOR FILING MANUAL MATERIAL

OAC is the acronym for Oklahoma Administrative Code. If OAC appears before a number on an Appendix or before a Section in text, it means the Appendix or text contains rules or administrative law. Lengthy internal policies and procedures have the same Chapter number as the OAC Chapter to which they pertain following an "OKDHS" number, such as personnel policy at OKDHS:2-1 and personnel rules at OAC 340:2-1. The "340" is the Title number that designates OKDHS as the rulemaking agency; the "2" specifies the Chapter number; and the "1" specifies the Subchapter number.

The chronological order for filing manual material is: (1) OAC 340 by designated Chapter and Subchapter number; (2) if applicable, OKDHS numbered text for the designated Chapter and Subchapter; and (3) all OAC Appendices with the designated Chapter number. For example, the order for filing personnel policy is OAC 340:2-1, OKDHS:2-1, and OAC 340:2 Appendices behind all Chapter 2 manual material. Any questions or assistance with filing manual material will be addressed by contacting Policy Management Unit staff at 405-521-4326.

REMOVE

317:40-5-5

INSERT

317:40-5-5, pages 1-3, revised 7-21-09

317:40-5-5. Agency Companion Services provider responsibilities

(a) Providers of Agency Companion Services (ACS) are required to meet all applicable standards outlined in this subchapter and competency-based training described in OAC 340:100-3-38. The provider agency ensures that all companions meet the criteria in this Section.

(b) Failure to follow any rules or standards, failure to promote the independence of the member, or failure to follow recommendation(s) of the personal support team (Team) results in problem resolution, as described in subsection (b) of OAC 340:100-3-27, for the companion, and if warranted, revocation of approval of the companion.

(c) In addition to the criteria given in OAC 317:40-5-4, the companion:

(1) ensures no other adult or child is cared for in the home on a regular or part-time basis including other Oklahoma Department of Human Services (OKDHS) placements, family members, and friends without prior written authorization from the OKDHS Developmental Disabilities Services Division (DDSD) area manager or designee;

(2) meets the requirements of OAC 317:40-5-103, Transportation. Neither the companion nor the provider agency may claim transportation reimbursement for vacation travel;

(3) transports or arranges transportation for the member to and from school, employment programs, recreational activities, medical appointments, and therapy appointments;

(4) delivers services in a manner that contributes to the member's enhanced independence, self sufficiency, community inclusion, and well-being;

(5) participates as a member of the member's Team and assists in the development of the member's Individual Plan for service provision;

(6) with assistance from the DDSD case manager and the provider agency program coordination staff, develops, implements, evaluates, and revises the training strategies corresponding to the relevant outcomes for which the companion is responsible, as identified in the Individual Plan;

(A) The companion documents and provides monthly data and health care summaries to the provider agency program coordination staff.

(B) The agency staff provides monthly reports to the DDSD case manager or nurse.

(7) delivers services at appropriate times as directed in the Individual Plan;

(8) does not deliver services that duplicate the services mandated to be provided by the public school district pursuant to the Individuals with Disabilities Education Act (IDEA);

(9) is sensitive to and assists the member in participating in the member's chosen religious faith. No member is expected to attend any religious service against his or her wishes;

(10) participates in and supports visitation and contact with the member's natural family, guardian, and friends, provided this visitation is desired by the member;

(11) obtains permission from the member's legal guardian, if a guardian is assigned, and notifies the family, the provider agency program coordination staff, and the case manager prior to:

(A) traveling out of state;

(B) overnight visits; or

(C) involvement of the member in any publicity;

(12) serves as the member's health care coordinator in accordance with OAC 340:100-5-26;

(13) ensures the monthly room and board contribution received from the member as reflected on OKDHS Form 06AC074E, Service Authorization Budget (SAB), is used toward the cost of operating the household;

(14) assists the member in accessing entitlement programs for which the member may be eligible and maintains records required for the member's ongoing eligibility;

(15) works closely with the provider agency program coordination staff and the DDS case manager to ensure all aspects of the member's program are implemented to the satisfaction of the member, the member's family or legal guardian, when appropriate, and the member's Team;

(16) assists the member in achieving the member's maximum level of independence;

(17) submits, in a timely manner, to the provider agency program coordination staff all necessary information regarding the member;

(18) ensures that the member's confidentiality is maintained in accordance with OAC 340:100-3-2;

(19) supports the member in forming and maintaining friendships with neighbors, co-workers, and peers, including people who do not have disabilities;

(20) implements training and provides supports that enable the member to actively join in community life;

(21) does not serve as representative payee for the member without a written exception approval from the DDS area manager or designee;

(A) The written approval is retained in the member's home record.

(B) When serving as payee, the companion complies with the requirements of OAC 340:100-3-4.

(22) ensures the member's funds are properly safeguarded.

- (23) must obtain prior approval from the provider agency when making a purchase of over \$50.00 with the member's funds;
- (24) allows the provider agency staff and DDSD staff to make announced and unannounced visits to the home;
- (25) develops an Evacuation Plan, OKDHS Form 06AC020E, for the home and conducts training with the member;
- (26) conducts fire and weather drills at least quarterly and maintains the Fire and Weather Drill Record, OKDHS Form 06AC021E, available for review;
- (27) develops and maintains a Personal Possession Inventory, OKDHS Form 06AC022E, documenting the member's possessions and adaptive equipment;
- (28) supports the member's employment program by:
 - (A) assisting the member to wear appropriate work attire; and
 - (B) contacting the member's employer only as outlined by the Team and in the Individual Plan; and
- (29) follows all applicable rules promulgated by the Oklahoma Health Care Authority or DDSD, including:
 - (A) OAC 340:100-3-40;
 - (B) OAC 340:100-5-50 through 100-5-58;
 - (C) OAC 340:100-5-26;
 - (D) OAC 340:100-3-34;
 - (E) OAC 340:100-5-32;
 - (F) OAC 340:100-5-22.1;
 - (G) OAC 340:100-3-27; and
 - (H) OAC 340:100-3-38.