
POLICY TRANSMITTAL NO. 07-31	DATE: JUNE 18, 2007
DEVELOPMENTAL DISABILITIES SERVICES DIVISION	DEPARTMENT OF HUMAN SERVICES OFFICE OF LEGISLATIVE RELATIONS AND POLICY

TO: ALL OFFICES

SUBJECT: MANUAL MATERIAL

OAC 340:100-5, Table of Contents; 100-5-22; and 100-5-25.

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

OAC 340:100-5-22 is amended to: (1) reflect current residential service options; (2) eliminate redundancy with other policies; (3) update terminology; and (4) remove obsolete provisions.

OAC 340:100-5-25 is revoked as the information is obsolete. More current rules cover these topics, including OAC 317:40-1-2, OAC 340:100-3-33.1, and OAC 340:100-5-50.

Original signed on 4-25-07

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WF # 07-05 (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

340:100-5, Table of Contents

340:100-5-22

340:100-5-25

INSERT

340:100-5, Table of Contents, pages 1-2, revised 6-25-07

340:100-5-22, pages 1-2, revised 6-25-07

SUBCHAPTER 5. CLIENT SERVICES**PART 1. ADMISSION AND SAFEGUARDS**

Sections

- 340:100-5-1. Admission **[REVOKED]**
- 340:100-5-2. Service safeguards
- 340:100-5-3. Emergency Services

PART 3. SERVICE PROVISIONS

- 340:100-5-15. Developmental Disabilities Services Division case manager activities
- 340:100-5-16. Individual Habilitation Plan **[REVOKED]**
- 340:100-5-17. Habilitation services - professional and paraprofessional
- 340:100-5-18. Employment services **[REVOKED]**
- 340:100-5-19. Support services **[REVOKED]**
- 340:100-5-20. Respite care
- 340:100-5-21. Family training and counseling
- 340:100-5-22. Residential services
- 340:100-5-22.1. Community residential supports
- 340:100-5-22.2. Assisted Living without Waiver supports
- 340:100-5-22.3. Authorization for community residential supports **[REVOKED]**
- 340:100-5-22.4. Residential options for Homeward Bound class members
- 340:100-5-22.5. Supported living services
- 340:100-5-22.6. Alternative group homes
- 340:100-5-23. Specialized foster care contracted by individuals **[REVOKED]**
- 340:100-5-24. Adult Companion Services contracted by individuals **[REVOKED]**
- 340:100-5-24.1. Companion Services/Adult Foster Care contracted by agency **[REVOKED]**
- 340:100-5-24.2. Guidelines for Department staff for Agency Companion/Adult Foster Care Programs **[REVOKED]**
- 340:100-5-25. Service authorization/client services/service provisions/residential services **[REVOKED]**
- 340:100-5-26. Health services
- 340:100-5-26.1. Psychotropic medication
- 340:100-5-26.2. End-of-life issues
- 340:100-5-26.3. Health-related services
- 340:100-5-27. Skilled nursing services
- 340:100-5-28. Community health services **[REVOKED]**
- 340:100-5-29. Monitoring for dyskinesia
- 340:100-5-30. Adult day care

- 340:100-5-32. Medication administration
- 340:100-5-33. Medication events

PART 5. INDIVIDUAL PLANNING

- 340:100-5-50. Principles of individual planning
- 340:100-5-51. Individual assessment
- 340:100-5-52. The Personal Support Team (Team)
- 340:100-5-53. The Individual Plan (Plan)
- 340:100-5-54. Planning for obstacles
- 340:100-5-55. Person-centered assessment **[REVOKED]**
- 340:100-5-56. Risk assessment
- 340:100-5-57. Protective intervention plan
- 340:100-5-57.1. Reporting and monitoring the use of restrictive or intrusive procedures or emergency interventions
- 340:100-5-58. Prohibited procedures

340:100-5-22. Residential services

Residential services are provided contingent upon the availability of funding and resources. Provision of services may be determined by government regulations or the judiciary. Service recipients who require residential supports are provided services determined by the Personal Support Team (Team), per OAC 340:100-5-52, to represent the least restrictive appropriate setting possible.

(1) All referrals for residential services are processed per OAC 317:30 and 317:40 or OAC 340:100.

(2) All service recipients must meet eligibility requirements per OAC 340:100 for residential services.

(3) The service recipient, family member, and, if applicable, guardian are included as part of the Team to identify residential service needs.

(4) Residential services include:

(A) assisted living services per OAC 340:100-5-22.2;

(B) group home services per OAC 340:100-6;

(C) home- and community-based services options per OAC 340:100-5-22.1 and group home services per OAC 317:40-5-152;

(D) private intermediate care facility for the mentally retarded (ICF/MR);

(E) public ICF/MR programs at Northern Oklahoma Resource Center of Enid (NORCE) and Southern Oklahoma Resource Center (SORC) per OAC 317:30-3-43. Service recipients who meet ICF/MR level of care requirement may be admitted to the public ICFs/MR for residential services when their individual circumstances indicate placement in a public ICF/MR is the least restrictive, most appropriate residential environment available.

(i) Service recipients who are able to receive services that meet their needs in less restrictive environments than a state-operated facility are not eligible for admission.

(ii) This does not preclude the provision of respite services or other emergency interventions that may require service recipients reside at NORCE or SORC for a time-limited period; and

(F) specialized public ICF/MR program at Robert M. Greer Center (Greer) per OAC 340:100-11.

(5) No service recipient may move from NORCE or SORC without adequate supports in place as determined by the service recipient's Team.

(6) Oklahoma Health Care Authority (OHCA) establishes eligibility and certifies level of care need for admission to private and public ICFs/MR per OHCA policy. Admission to public ICFs/MR must be approved by the Oklahoma Department of Human Services Director or designee.

(7) Continued eligibility for appropriateness of services is addressed by the Team during annual development of the Individual Plan (Plan).

(8) Specific residential support needs are determined through the Team process and documented in the service recipient's Plan. The services provided must be identified in the approved Plan.

(9) The Developmental Disabilities Services Division (DDSD) case manager, agency program coordinator, or both ensure residential services are coordinated with all other services provided to the service recipient.

(10) Contract providers are reimbursed for residential services at rates established by Oklahoma Commission for Human Services or OHCA.

(11) Programs and facilities are monitored on a regular basis to ensure continued compliance with all applicable contract conditions, rules, and regulations. Monitoring reports documenting compliance with regulatory standards are maintained and used as a basis for contract renewal or termination.

(12) Provider agencies are informed of, and provided an opportunity to correct deficiencies that may result in contract termination per OAC 340:100-3-27.1.