

Rules Implementing the DD Act – Summary of Comments

GENERAL

- HCBS Rules – should they be referenced / is it premature to reference
- SOCP – what should be included / what should not be included

Part 1 – Definitions

- **19** Comment Sections
 - Opinions on the definition of
 - Adult
 - Agency
 - Authorized Funding Limit
 - Clinical Services
 - Crisis Services
 - Home & Community Based Services
 - Home Supports
 - Network
 - Qualified DD Professional
 - Respite
 - How this correlates with SOC and GC Waiver
 - Supportive Services
 - Transportation

Part 2 - Criteria for Determining Developmental Disability

- **2** Comments
 - Definition is more restrictive than Diagnostic Services Manual; more reliance on test scores than adaptive and functional skills deficits
 - Requirement for diagnostician to state the rationale if different findings than previously determined

Part 3 – Recipient Criteria

- **1** Comment Section

Part 4 - Application, Assessment, Funding Authorization, Programs and Funding Sources, Notification, Support Planning and Periodic Review

- **49** Comment Sections
 - Grammar
 - Advocacy for broadening definition, amounts and access
 - Advocacy for wording that prevents cuts to services without legislative action
 - Streamline the approval process

- Guarantees of one-time funding to agencies
- Advocacy to retain DS dollars for DS use through transparency
- Advocacy to release more funds to agencies for fiscal stability

Part 5 – Self/Family Managed Services

- **9** Comment Sections
 - Advocacy to preserve the independence of self-managed and family managed
 - Reconsideration of roles
 - Advocacy to enhance funding availability

Part 7 – Special Care Procedures

- **3** Comment Sections
 - Consistency with the Office of Professional Regulation and Board of Nursing
 - Preserve the role of RN over LPN

Part 8 – Grievance, Internal Appeal and Fair Hearing

- **1** Comment Section
 - Extending timeline for appeal is a good idea

Part 9 – Training

- **4** Comment Sections
 - Appreciation of new specificity and topics
 - Demonstration of knowledge needs specificity
 - Too many exceptions to protections in cases of emergencies

Part 10 – Certification of Providers

- **8** Comment Sections
 - Quality standards should not be weakened
 - Recommendation for case management certification
 - Need for independent case managers