

Developmental Disability Services of Jackson County



Empowering individuals through advocacy and support

Funding Policies and Procedures

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This policies and procedures document in conjunction with the funding application document and any associated contracts and agreements for funding, constitute the necessary information and requirements for applying for funding from Developmental Disability Services of Jackson County – eitas and in complying with the performance expectations required under the funding guidelines. Developmental Disability Services of Jackson County – eitas reserves the right to deny or limit funding based upon funds availability and/or lack of compliance with funding applications or agreements.

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Mission Statement (Adopted March 23, 2010)

Developmental Disability Services of Jackson County – eitas' mission is to support individuals with developmental disabilities and their families with services that respect their choices, increase their opportunities, encourage their independence, and assist their inclusion in all aspects of the community.

Value Statements (Adopted March 23, 2010)

Developmental Disability Services of Jackson County – eitas:

- ...will advocate for a wide range of services and funding to meet the needs of persons with developmental disabilities.
- ...will promote a culture of inclusion and individualized supports.
- ...will support individuals with developmental disabilities through cutting-edge programs and empowered staff and providers.
- ...will provide the highest quality of supports and services by listening to the people it supports and the people who know them best.
- ...will support people to be active, full members in their communities.
- ...will be a Missouri leader in developing, supporting and furthering a community free of attitudinal and physical barriers and where persons with developmental disabilities participate in the full, rich life of their community without fear and prejudice.
- ...will conduct itself with integrity, propriety and honesty in carrying out the Board's mission, values and responsibilities.
- ...will seek to insure the health, safety, and quality of life for the persons we support through proactive oversight of the programs we fund.
- ...will, whenever possible, leverage its resources to enhance funding and forge local, state and federal partnerships to expand available funding and services for individuals with developmental disabilities.

Funding Policies

Statutory Authority

All tax levy funding decisions made by Developmental Disability Services of Jackson County – eitas are made in accordance with enabling legislation and authority under 205.968.972. R.S.Mo, including all amendments and related judicial rulings.

Eitas may adopt reasonable rules and regulations for residential or workshop facilities and community programs in addition to those set forth by statute.

Jackson County tax levy funds shall be used to supplement, not to supplant, all other public and private expenditures. Planning functions shall assist eitas which may, in its discretion, impose funding limitations with respect to providers funded and individuals to be served in light of available resources and community needs.

Funding Background

Developmental Disability Services of Jackson County – eitas provides funding for services to Jackson County citizens with developmental disabilities.

Typically, eitas provides services through contracts with agencies that provide the kinds of services and supports desired and needed by individuals with developmental disabilities.

In keeping with the intent of its enabling legislation, eitas provides funding for the services, supports, and capital resources necessary for individuals with developmental disabilities to reside in and belong to their community. Eitas will utilize its resources and influence to encourage the development of resources that facilitate self determined lives.

Provider Basic Funding Eligibility Requirements

- Provider has to be a not-for profit entity;
- Provider has to be licensed and/or certified by DMH or DESE to provide the services they are requesting funding for; or
- Provider is nationally accredited (CARF, CQL, COA, CAPRA);
- Services must be provided in Jackson County to Jackson County residents;
- Providers must agree to the provisions of the eitas annual funding contract.

Approved Services

Services eligible for funding by Developmental Disability Services of Jackson County – eitas shall be those which have relevance for vocational, community living, and related supports for adults with developmental disabilities. The supports are self-determined, person-centered and facilitate freedom to choose where and with whom one lives, works, and organizes all important aspects of one's life.

Vocational Funding

Developmental Disability Services of Jackson County – eitas provides funding to develop opportunities for the employment of individuals with developmental disabilities. Vocational services and supports shall include:

- Sheltered Workshops
- Vocational Training
- Extended Employment Opportunities
- Job Placement and Follow-up
- Community Employment Supports, and
- Other services which enable individuals to have the necessary supports for employment in the competitive world of work.

Research indicates that children with developmental disabilities that receive vocational training and have work experience are more successful at getting and keeping a job upon graduation from school and entrance into the adult world. Therefore, eitas may provide funding for vocational services to children, including both pre-school and school-aged youth, to the extent that these services have a stated purpose of improving the employability of these children when they reach adulthood.

Community Living Funding

Developmental Disability Services of Jackson County – eitas provides funding to encourage the development of community living opportunities for individuals with developmental disabilities. Implicit in this policy is the belief that individuals with developmental disabilities should have homes that are typical of individuals without disabilities. Some examples of community living include:

- Residential Programs
- Independent Supported Living (ISL)
- Companion Model/Shared living
- Day Services
- Social Centers,
- Community Agencies designed to provide supports for social interaction.
- Occupational and physical development
- Development of an individual's capacity to live and work in the community and foster the development of relationships within the community

Related Services Funding

Developmental Disability Services of Jackson County – eitas may provide funds for services, acts or commodities which help prepare and assist a person with developmental disabilities to have resources and opportunities to live a full and complete life as possible. Related services can include:

- Transportation
- Assistive Devices and Technology
- Recreational Development
- Support Coordination

Location of Service Delivery

Location of Service Delivery can include developmental disability-specific agencies, community-based organizations, generic community sites, employment-related sites, and individual’s homes. The services must be delivered for the benefit of the individual themselves, not parents or other caregivers.

Medicaid Waiver Match Funding

Developmental Disability Services of Jackson County – eitas may provide funds for a wide variety of services through payment of the state Medicaid Waiver match. This includes the match for the three Missouri waivers that fund services for adults with developmental disabilities:

- The Comprehensive Waiver
- The Support Waiver
- The Partnership for Hope Waiver

The purpose of the waiver match funding is to leverage local dollars to the greatest extent possible in the provision of needed supports and services. Such financial match shall not be considered a violation of eitas’s non-supplantation policy. This policy is contingent upon:

- Funds being available
- Approval of the eitas Board of Directors
- Approval of the eitas Executive Director
- Missouri Department of Mental Health, Developmental Disability Division continuing at acceptable expenditure levels for waived services in Jackson County

Please Note: Individuals that eitas pays match on may not be included on monthly invoices for services rendered during the funding year. Those individual’s participation in services is already being funded by eitas and “double-dipping” of funding is not permitted. A current list of those individuals can be obtained by contacting the eitas Executive Director.

Persons Eligible for Services

All persons must be eligible pursuant to 205.968-205.972 R.S.Mo and eitas policy. All services funded by eitas are for persons who are residents of Jackson County. Tax Levy Funding will be limited to most school-aged children because such funding could supplant resources and services from educational authorities. To be deemed eligible, individuals must have the appropriate diagnosis as described below.

A developmental disability is a disability:

1. Which is attributable to:
 - a. Intellectual disability, cerebral palsy, epilepsy or autism, or a learning disability related to a brain dysfunction; or
 - b. Any other mental or physical disability or combination of mental or physical disabilities that involve brain damage or dysfunction. Examples of conditions might include intracranial neoplasm, degenerative brain disease or brain damage associated with accidents.
2. Is manifested before the person attains age twenty-two; and
3. Is likely to continue indefinitely; and
4. Results in substantial functional limitations in two or more of the following areas of major life activities:
 - a. Self-care;
 - b. Receptive and expressive language development and use;
 - c. Learning;
 - d. Self-direction;
 - e. Capacity for independent living or economic self-sufficiency;
5. Reflects the person's need for a combination and sequence of special interdisciplinary, or generic care, habilitation or other services which may be of lifelong or extended duration and are individually planned and coordinated – 630.005 R.S.Mo.

Intellectual disability refers to substantial limitations in present functioning. It is characterized by significantly sub-average intellectual functioning, existing concurrently with related limitations in two or more of the following applicable adaptive skill areas: communication, self-care, home living, social skills, community use, self-direction, health and safety, functional academics, leisure, and work. Intellectual disability manifests before age twenty-two. A person with a developmental disability must be diagnosed by appropriate clinical authorities pursuant to the disability in question.

Clinical authorities are defined by eitas as qualified developmental disabilities professionals, i.e., special education, psychology, medical, etc. employed by the Missouri Department of Mental Health, the Missouri Division of Vocational Rehabilitation, or, if authorized, by staff of eitas who are licensed or certified by the State of Missouri or a nationally recognized verifiable expert in the area of

developmental disabilities. Eitas reserves the right to verify any clinical opinion. ***Please note that anyone with a primary diagnosis of a mental illness is not eligible for tax levy funding per Missouri statute 205.968-205.972.***

It is a policy of eitas that for any public or private agency planning to place an individual with a developmental disability into Jackson County specifically for the purpose of supports and services, eligibility for county funding will only be approved if a written agreement is in place with eitas prior to placement.

It is also eitas policy to enter into written agreements with other Missouri counties to provide specialized services. Such agreements may include Inter-county payment providing all contractual agreements have been finalized prior to the placement of the individual in a residential or day services and providing the placement is deemed appropriate by recognized clinical authorities. Related services such as transportation may be provided conditioned upon contractual reimbursement from the county of origin, appropriate state agency, or personal funds.

Supports & Service Philosophy

Eitas recognizes that persons with developmental disabilities are entitled to a quality, self-determined life.

Eitas promotes the development of natural supports for people with developmental disabilities. Within available resources eitas shall make available funding for supports and services that lead to quality lives and reflect best practices.

Support & Service Principles

These principles are intended to serve as guides in the process of funding determinations and designing support systems for people with developmental disabilities.

Constitutional Rights

Self-determination is viewed fundamentally as freedom and an extension of the civil rights of every American citizen. Eitas supports the principles of self-determination for all people.

- **Freedom** to decide how one lives their life.
- **Authority** over individual funding for supports.
- **Support** to organize resources in ways that are life enhancing and meaningful to the person.
- **Responsibility** for the wise use of public dollars and the recognition of the contribution individuals can make in their communities.
- **Confirmation** of the important role that the person must play in the system
- **Inclusion** - Funding focuses are supports and services that lead to full inclusion for people with developmental disabilities.
- **Person Centeredness** - Funding will focus on supports and services that are identified through individual person centered planning and reflect the dreams and wishes of person supported.

Outcomes of Eitas Funding

Desired outcomes of supports and services provided through eitas funding shall be based on the Missouri Quality Outcomes. Organizations selected to receive eitas funding are encouraged to develop gentle cultures, policies and practices.

Utilization of Supports & Services

People with developmental disabilities must be supported in the development of natural supports such as family life, friendship and community connectedness. Also, inclusive community supports and services currently available should be utilized to the fullest extent.

Compliance with Eitas Policies and Contracts

Eitas contracts and leases require that providers comply with all eitas policies and contractual requirements. Eitas will make available to all providers a copy of eitas' Funding Policy and Procedures with the funding application package each year. Eitas provides Agency Relations staff that work with each individual provider on an ongoing basis to ensure contract compliance and to provide resources for assisting in a variety of situations and issues with people supported.

Budget Cycle

Eitas' budget cycle is the calendar year, January through December. Applications for funding will be solicited each year during a specific time period and awarded based upon available funds. Unused funds cannot be carried over into the next calendar year unless they are requested and re-appropriated by eitas prior to the calendar year end. All invoices for services must be received no later than January 15 of the year following the funding period.

Each year eitas will review its financial resources, strategic plan and current needs assessment of the county and establish funding priorities and limitations for the next fiscal year and funding cycle.

Resident/Non-Resident Status and Eitas-Owned Properties

In order to receive funding for services, persons must meet the eligibility requirements outlined previously and permanently reside within Jackson County.

Eitas shall not pay for services outside of Jackson County for Jackson County citizens with a developmental disability unless it can be documented that there is no comparable program available in Jackson County or the supports and services are on a temporary basis.

Providers utilizing eitas-owned properties for services must give priority to Jackson County residents; “residence” is defined as the place where the person generally lodged prior to admission, or in the case of a minor, where his/her family or guardian has so lodged. If persons admitted from outside the County, such people must be charged the same costs covering comparable Jackson County residents. Such fees shall include any and all supplements provided by eitas. This cost shall include rent assessments as follows:

1. All non-Jackson County residents in eitas owned homes prior to November 29, 1987, eighteen years of age or older, shall be “grandfathered “in without application of the following regulations.
2. Eitas owned residences shall give first priority to Jackson County residents. If no waiting lists exists for County residents, with accompanying community placement and purchase of service funds, and if a declaration of same in writing is provided by the Department of Mental Health, other persons supported may be accepted in the following priority: a) Region IV clients, b) Missourians from other Department of Mental Health regions, c) Eligible people from other states.
3. A fair market rent shall be established for each home and charged to the Department of Mental Health, parents, or the individual’s resources if the “residence” is outside Jackson County. “Residence” is defined as the place where the person has last generally lodged prior to admission, or in the case of a minor, where his/her family has so lodged.

Rent is charged since the temporary home is for appropriate treatment/ program purposes. Resources other than the Jackson County mill levy must pay the rent for individuals coming from outside the County unless such costs are derived from Medicaid Waiver resources.

No payment shall be made by eitas to another county for services unless a prior agreement was entered into preceding placement.

Persons new to Jackson County residency must reside in Jackson County a minimum of 60 days prior to accessing tax levy funds.

Transportation

Any residential organization having contracts with eitas must provide adequate transportation for the people supported per its funding agreement with the Department of Mental Health and eitas. Eitas, in its discretion, may provide

transportation services for individuals with developmental disabilities throughout Jackson County. The elderly and persons with other disabilities may avail themselves of eitas sponsored transportation contingent upon scheduling availability and have access to transportation fee resources.

Provider Agency Board Composition

Any organization receiving funds from eitas ideally should have a governing body as follows: At least 1/3 of the members should be family members of or an individual with developmental disabilities; 1/3 should be professionals in related areas of service to the developmental disabled; 1/3 should be volunteers indicating an interest in services to and advocacy on behalf of persons who have a developmental disability.

Co-Mingling/Supplanting Funds

Eitas funds will not be used to supplant or take the place of funds received by providers from other funding sources.

In approving proposals, it is the intent of eitas to improve and upgrade the quality and number of supports and services provided. All approved funding shall be consistent with the funding goals and priorities of eitas during each funding period (calendar year).

Conflict of Interest

Any contractor or subcontractor, including service provider organizations, employed by Developmental Disability Services of Jackson County - eitas who has associations with members of eitas or their staff in the following ways may be determined ineligible for contract award:

1. Owner(s) related in the third degree by blood or marriage.
2. Involved in joint business associations where eitas members, staff, or family members related in the third degree can financially profit directly by the relationship.
3. A principal officer or staff person is related by blood or marriage in the third degree to members of eitas Board or staff.
4. An employee of an organization desiring to contract with eitas is a voting member of the applicant organization's Board or is a family member related in the third degree to a member of eitas Board.
5. Whenever it is deemed that a potential conflict of interest exists, or to

avoid the appearance of impropriety, eitas Board members are expected to acknowledge same and refrain from discussion or voting on the issue.

All eitas Board members and all employees of eitas shall avoid any conflict of interest and shall comply with the applicable provisions of Section 105.450 to 105.454 R.S.Mo.

Real Estate

Buildings owned by eitas may be leased to providers for specific purposes, by written agreement, formally agreed to by eitas, with program intentions and maintenance provisions identified therein. The amount of the lease shall be determined each year by written contract.

Eitas shall maintain property and general liability insurance coverage on buildings, grounds, and eitas-owned equipment. The lessee organization shall be responsible for its own organizational liability and property coverage.

It is the policy of eitas that buildings owned and leased by eitas may be utilized to provide services to persons who do not have a developmental disability providing such services do not incorporate more than one-third of the participants.

Lease agreements shall represent a contract for service and shall specify eitas action in the event of lessee default or failure to operate the building or program adequately.

Maintenance of eitas owned property, or property maintained by eitas according to funding provision, shall be specified and outlined by contract.

Representatives of eitas may monitor any project receiving funds from eitas, including programs conducted therein, and shall be given reasonable access to the home or facility for this purpose.

Community Living Policies

It is the policy of eitas that all homes should be organized under person-centered concepts.

The homes should present the opportunity for each individual to live a quality meaningful life. More specifically, the home should provide:

1. A self-styled home-like environment;
2. Space for individual privacy;

3. Space that lends itself to companionship and connectedness;
4. Accessible construction must be provided so that movement is not limited.
5. Individuals must have decision making authority over choice and number of roommates; and supported in those decisions through person centered processes. Individuals must be encouraged to make decisions that will support the development of relationships and friendships.
6. The home shall meet all State licensing or certification requirements, municipality regulations, and/or be accredited by an eitas sanctioned national accreditation commission.

Community Living Sites

It is the general policy of eitas funded providers to comply with applicable zoning requirements, laws, and Department of Mental Health regulations in the operation of residential facilities.

Property Maintenance

Maintenance of eitas owned property, or property maintained by eitas according to grant provision, shall be specified and outlined by contract.

Access

Representatives of eitas (Agency Relations staff) may monitor any program or service receiving funds (including Waiver Match funds) from eitas, and shall be given reasonable access to facilities, individuals supported, records and staff for this purpose.

Employment Service Policies

Eitas currently has contractual arrangements with several workshops established pursuant to Sections 178.900 through 178.960 R.S.Mo. Agreements with these organizations enable eitas to carry out responsibilities set forth in Sections 205.968-205.970 R.S.Mo.

Extended employment workshops are identified as Work Activity Centers by the Federal Wage and Hour Public Contract Division. Such activity centers are issued certificates by the forenamed agency if the workshop has a physically separate department, has an identifiable program, and is designed exclusively to provide work activity.

Per their enabling statute, workshops have a dual purpose of operating as a business and providing the required training and work environment to allow persons with disabilities to progress. Good management practices should be utilized throughout the operation. Modifications in profit-making procedures must be made in-order that workers with low production skills are not excluded. Production levels for each employee should be maintained or advanced appropriately to their need. High production level requirements should be subordinate to the total service needs of the employee and consistent with licensure and accreditation standards. Employees with developmental disabilities who have developed work skills enabling them to be paid at or above the prevailing rate should be referred for placement in customized or the competitive market. If they stay in the workshop, they must be classified and paid as a typical employee.

Eitas extends the concepts of person centeredness to employment services and extended employment opportunities. Workers with a developmental disability should be provided a typical work schedule, break periods, sick leave, paid vacation, holidays, etc.

Eitas sponsored workshops shall meet affirmative action criteria as set forth in the human rights assurances section of this policy manual. Eitas funding is designated for individuals with developmental disabilities. Certification as having a developmental disability is mandatory. Such certification should be sought first through eitas determination and collateral documentation. All workshop applicants must comply with the grant guidelines set forth in the Funding Application. Eitas Board members, staff, or designated representatives shall have reasonable access to the premises of eitas funded workshops.

Customized employment, enclaves, and other employment services designated to lead toward employment in the competitive world of work may be assisted through eitas funding or technical assistance.

Eitas will entertain requests for funding from employment programs but will not supplant the efforts of State, Federal or other County entities.

Child and Adolescent Services

Based on mandated Federal legislation for children age three and up whereby the public school system becomes responsible for education and related supports and services, eitas will only fund needed and appropriate programs and services for children where it can be demonstrated that other funding sources are not responsible for the costs. Eitas will not supplant funding from any other source.

Funding for Persons with a Co-occurring Diagnosis (MI-DD)

In order to be eligible for funding, all referrals for individuals with co-occurring diagnosis (MI-DD) must contain adequate clinical data which detail that the functional limitations of an individual are primarily attributable to a developmental disability and not due to a mental illness or related medications.

Human Rights Assurances

Federal and State laws, executive orders and regulations require that recipients (persons or agencies) of public financial assistance do not discriminate either in employment or in provision of services.

Developmental Disability Services of Jackson County – eitas is committed to the ideal that equal treatment and respect be given each employee and applicant for employment as well as each person supported. One step toward the implementation of such an ideal involves recipients of eitas funds observing all civil liberties and guideline in such an endeavor, Developmental Disability Services of Jackson County-eitas must insist on compliance with all applicable Federal and State laws, rules, regulations and executive orders. This includes compliance with, but not limited to, the following:

- Sections 503 and 504 of Vocational Rehabilitation Act of 1973 (P.L. 93-112) as Amended (P.L. 93-516; 95-251; 95-602)
- Executive Order 11758; 41 CFR 60-741; 45 D-CFR R.S. Mo 8.6, 296, 314; Governor's Executive Order
- Title VI of Civil Rights Act of 1964 (P.L. 88-352); R.S. Mo 314; Governor's Executive Order.
- Age Discrimination in Employment Act of 1967 (P.L. 90-202) as amended; (P.L. 93-259; 95-256); 29 CFR 1625, 1627; Governor's Executive Order
- Age Discrimination Act of 1975 (P.L. 93.135); 45 CFR 90, 91
- Title VII of Civil Rights Act of 1964 (P.L. 88-352) as amended (P.L. 92-261, 92-608); 29 CFR 1608; 9 CSR 10-6.-10; R.S. Mo 296; Governor's Executive Order
- Section 402 of Vietnam Era Veterans Readjustment Assistance Act of 1974 (P.L. 93-508); 41 CFR 60250
- Americans with Disabilities Act of 1990, Federal Register, Vol. 56, No. 144

Nothing in this requirement shall be construed to mean that a contractor shall be forced to hire unqualified or incompetent personnel or discharge qualified or competent personnel.

Administrative Requirements for Recipients of Funding

Notification to Applicant

A notice of approval will be sent to the applicant upon approval of the funding application and annual budget by the eitas Board of Directors. This notice will detail the project period, the funding approved, and any special conditions.

A contract will be developed for each provider funded and must be returned to eitas with appropriate signatures within 30 days of receipt by applicant. Each contract will detail the approved rates being paid, total amount of funding limitations, expectations for contract compliance, required outcomes, and actions to be taken for failure to comply with the contract and funding policies. All contracts will be monitored by eitas staff to ensure all requirements are being met.

Payment of Funds

- A. Payment for approved programs or services will be made by way of reimbursement based on invoices presented to eitas, respectively, for each month of the funding year. Invoices received after January 15 following the calendar year funding period will not be honored.
- B. Each contractor shall submit invoices and supporting documentation to eitas no later than the 15th day of the month following service provision to receive payment. Invoices received after the 15th of the month will not be honored.
- C. Eitas *will not* reimburse the provider agency for services or expenses not designated in the approved application for funding or in excess of the unit or line item cost specified in the approved budget and contract.
- D. Eitas may withhold or reduce payments under certain conditions. These conditions include:
 1. Reports which are delinquent, incorrect or incomplete.
 2. Service delivery units which do not correspond to the number of units for which reimbursement is requested.
 3. The program or service is not being operated in compliance with the policies and procedures stated in this document, the funding contract, or is in violation of local, state or federal laws, statutes or regulations.

Program Changes

A. Early termination of Service Contracts

A contract may be terminated or canceled at any time by eitas or the organization funded upon written notification consistent with the funding contract.

A contract may be revoked or terminated at any time within the funding period whenever it is determined by eitas that the provider has failed to comply with terms and conditions of the agreement; when sufficient funding for continued support is unavailable due to budget or other fiscal consideration; when a provider is cited by a certifying or licensing entity for serious program or service violations that are not corrected to eitas' satisfaction; or when continued funding would be inappropriate because of restructured program objectives or realigned program priorities.

B. Changes in Scope of Project

Changes in the scope of an approved service or program shall be *limited to minor changes* in methodology, approach, or other aspects that would expedite achievement of the project's objectives as long as the original objectives are not changed. Such changes should not result in increasing the cost of the services. If there are major changes anticipated, it is necessary that the applicant request approval in writing of the changes. If approved, reimbursement will only cover those post approval date expenses.

Monitoring and Reporting of Program Performance

Provider's individual contracts set forth the procedures for monitoring and reporting program performance under Developmental Disability Services of Jackson County – eitas funding policies. These procedures are designed to place reliance on providers to manage the day to day operations of the supported activities.

Providers shall constantly monitor their performance under program-supported activities to assure that contract requirements are being met, and other performance goals are being achieved.

Providers shall establish written procedures which provide a system through which service recipients may present grievances concerning the operation of the program.

Provider shall give to eitas' Executive Director and Agency Relations Supervisor by use of eitas Event Report or as applicable the Missouri DMH Event Report copy, written notice of:

- The death of an eligible person;
- A serious accident involving an eligible person;
- A life threatening illness of an eligible person;
- The making of any formal allegations of mistreatment of an eligible person; eligible person abuse, abuse, neglect death, or other investigation initiated

by any accreditation or regulatory or other investigatory body with similar status, in each case within 24-hours after the Provider becomes aware of the occurrence of such event.

For questions or explanations concerning these funding policies, please feel free to contact the Executive Director of Developmental Disability Services of Jackson County - eitas, Jake Jacobs, at (816) 363-2000 or jjacobs@eitas.org.

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