

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGING AND DISABILITY SERVICES DIVISION
POLICY MANUAL**

| POLICY # | REVISED | TITLE | EFFECTIVE DATE | PAGE |
|-----------------|----------------|---|-----------------------|-------------|
| 41- 8 | 9/8/2017 | Administering Agencies and Shared Living Arrangements | 8/25/2017 | 1 of 10 |

POLICY

It is the policy of DS to provide a structure and standards for the provision of residential support services in Shared Living arrangements.

PURPOSE

To provide specific guidelines for the protection, health and welfare of individuals with developmental disabilities, through the formation, implementation and enforcement of minimum requirements for providers of residential habilitation services in a Shared Living arrangement.

SCOPE

This policy applies to all Developmental Services (DS) Administering Agencies who subcontract with providers of Shared Living.

DEFINITIONS

Administering Agency: A DS Regional Center certified provider organization of supported living services that provides essential administrative oversight and support services to Shared Living providers, such as recruitment, approval to be a provider, quality assurance, training and other such functions.

Legally Responsible Individuals (LRI): Persons who are legally responsible to provide medical support, including spouses of recipients, legal guardians, and parents of children including adoptive parents, stepparents, and foster parents. LRI's cannot receive payment for the provision of residential support services.

Natural Supports: Natural supports are the relationships and activities that occur in everyday life. Natural supports usually involve family, household members, friends, co-workers, neighbors and acquaintances who provide unpaid assistance as part of the natural relationship. Examples include supervision and support with activities of daily living.

Person Centered Plan (PCP): A document and working tool that identifies the individual's interests, personal goals; health and welfare needs; and agreed upon supports and services that are to be provided through a variety of programs to include Medicaid State Plan, Medicaid Waiver, natural and informal supports, generic community resources and contracted services.

Relative/Immediate Family: Biological or adoptive family members, including but not limited to stepparents, grandparents, great grandparents, siblings, aunts, uncles, nieces, nephews, cousins and children.

Residential Support Services: Individually planned and coordinated services designed to ensure the health and welfare of the individual, and to assist in the acquisition, retention and improvement in skills necessary to support the person to successfully reside in the community. Residential Support Services are not a substitute for natural and informal supports provided by family, friends or other available community resources; however, are available to supplement those support systems.

Shared Living Arrangement: An arrangement in which a person, a couple or a family in the community and an individual with a disability choose to live together and share life's experiences.

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGING AND DISABILITY SERVICES DIVISION
POLICY MANUAL**

| POLICY # | REVISED | TITLE | EFFECTIVE DATE | PAGE |
|-----------------|----------------|---|-----------------------|-------------|
| 41- 8 | 9/8/2017 | Administering Agencies and Shared Living Arrangements | 8/25/2017 | 2 of 10 |

Shared Living Provider: A self-employed person that provides residential support services to an individual with disabilities when both parties have chosen to live together in a Shared Living arrangement. A provider who brings an individual into his/her existing home in a Shared Living arrangement may not be an employee of the individual or the individual's representative and may be considered an independent contractor. There is one shared living provider per household.

PROCEDURE

A. ADMINISTERING AGENCIES

1. Current and new Developmental Services (DS) providers must have successful work experience in the provision of Residential Support Services and/or experience as an Administering Agency.
2. Current certified providers of residential services applying to become an Administering Agency must be certified with at least a B overall certification score.
3. Administering Agencies or their employees may not have financial interest in the property or home for which shared living services occur.
4. Agencies applying to become an Administering Agency must demonstrate they have an effective quality assurance system that includes:
 - a. A 24-hour on call system;
 - b. A comprehensive training program and curriculum;
 - c. A thorough home study and host home application, screening and enrollment process;
 - d. A thorough individual served/Shared Living provider matching process;
 - e. An effective monitoring/Quality Assurance system;
 - f. A responsive grievance and complaint resolution process for the Shared Living provider and individual served; and
 - g. Emergency back up plans, to include immediate relocation of the individuals served as needed, to ensure the health, safety and welfare of the individuals served for all emergency situations, including all abuse, neglect and exploitation allegations.

B. ENROLLING SHARED LIVING PROVIDERS WITH AN ADMINISTERING AGENCY

1. All providers of Shared Living requesting to provide residential support services with DS after January 2013 must be enrolled with an Administering Agency.
2. Each Shared Living provider may only be enrolled and provide residential support services through one Administering Agency.
3. All adults residing in a Shared Living arrangement who will potentially provide residential support services to an individual must meet the following qualifications:
 - a. At least 18 years of age;
 - b. Enrolled with a DS Certified Administering Agency;

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGING AND DISABILITY SERVICES DIVISION
POLICY MANUAL**

| POLICY # | REVISED | TITLE | EFFECTIVE DATE | PAGE |
|-----------------|----------------|---|-----------------------|-------------|
| 41- 8 | 9/8/2017 | Administering Agencies and Shared Living Arrangements | 8/25/2017 | 3 of 10 |

- c. Have a High School Diploma or equivalent;
 - d. Complete First Aid and CPR training/certification prior to providing supports to an individual; in an accredited and approved course, i.e. American Red Cross, American Heart Association, or the equivalent;
 - e. Successfully meet Aging and Disability Services Division (ADSD) training requirements prior to providing services to an individual in their home;
 - f. Obtain criminal clearance in accordance with ADSD and Division of Health Care Financing Policy (DHCFP) policy;
 - g. Have the ability to implement the individual's PCP;
 - h. Have the ability to communicate with and understand the needs of the individual served; and
 - i. Maintain a foster care license if working with a child under the age of 18 years old.
4. The Administering Agency must maintain evidence of the above requirements.
- a. Administering Agencies are required to complete a thorough evaluation of each prospective Shared Living provider, including the home environment, and document that evaluation in a Shared Living study report. This is completed and/or updated as changes in the required home study information occur or when there is a vacancy to be filled.
 - b. Based on the Shared Living study report and supporting documentation, the Administering Agency will notify the potential Shared Living provider in writing as to whether or not the provider has been deemed appropriate to work with their organization.
 - 1) Supporting documents for the Shared Living study must include the following:
 - i. State and FBI. criminal clearance checks for all adults over the age of 18 years old residing in the home. (Initial checks and every 5 years thereafter);
 - ii. Three reference checks (no more than one personal reference check);
 - iii. Evidence of homeowner's, renters' insurance or personal property insurance;
 - iv. Evidence of current vehicle insurance, valid Nevada driver's license and current Nevada registration;
 - v. Current Vehicle Safety inspection;
 - vi. Statement as to whether or not there are firearms in the home and if so, the security measures in place;
 - vii. Documentation of home occupancy (e.g. current mortgage statement or renter's lease). Document(s) must be in the name of the potential Shared Living provider;

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGING AND DISABILITY SERVICES DIVISION
POLICY MANUAL**

| POLICY # | REVISED | TITLE | EFFECTIVE DATE | PAGE |
|-----------------|----------------|---|-----------------------|-------------|
| 41- 8 | 9/8/2017 | Administering Agencies and Shared Living Arrangements | 8/25/2017 | 4 of 10 |

- viii. The Shared Living study is completed, signed and dated by the designated employee of the Administering Agency or professional under contract with the Administering Agency and reviewed, signed and dated by the Agency Director or Qualified Intellectual Disability Professional (QIDP); and
 - ix. Signed statement from the potential provider of Shared Living indicating the receipt and review of the DS Standards for Service Provision, the ADSD Policy on Administering Agencies and Shared Living Arrangements, and the Administering Agency's Operational Standards for Shared Living Providers.
5. All adults residing in the Shared Living arrangement who provide residential support services to the individual must have at least the following training prior to providing services to the individual:
- a. Developmental Disabilities (required at orientation and on an as needed basis thereafter);
 - b. Prevention Recognition and Reporting of Mistreatment of Individuals receiving services to include Abuse, Abandonment, Exploitation, Isolation, Neglect, and Serious Injury of Unknown Origin; (required at orientation and on an annual basis thereafter)
 - c. Incident and Accident Reporting; (required at orientation and on an annual basis thereafter)
 - 1) Personal Rights/Responsibilities, Dignity, Respect and Due Process; (required at orientation and on an annual basis thereafter)
 - d. Disaster and Emergency Preparedness (required at orientation and on an annual basis thereafter);
 - e. Medical Supports and Identifying and Managing Medical Emergencies (required at orientation and on an annual basis thereafter);
 - f. Medication Supports, based on support needs of the individual, up to and including Medication Administration Certification in a DS approved program (required at orientation and on an annual basis thereafter);
 - g. Standard Precautions and Infection Control to Include Safe Food Handling (required at orientation and on annual basis thereafter);
 - h. Person Centered Planning, Person Centered Goals, Implementation and Reporting on Progress (required at orientation and on an as needed basis thereafter);
 - i. HIPAA and Confidentiality (required at orientation and on an annual basis thereafter);
 - j. Handling conflict and complaints/grievance procedure (required at orientation and on an as need basis thereafter);
 - k. Positive behavior approaches and supports based on the needs of the individual, up to and including Crisis Prevention /Intervention Certification through a DS approved program. (required at orientation and on an annual basis thereafter);

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGING AND DISABILITY SERVICES DIVISION
POLICY MANUAL**

| POLICY # | REVISED | TITLE | EFFECTIVE DATE | PAGE |
|-----------------|----------------|---|-----------------------|-------------|
| 41- 8 | 9/8/2017 | Administering Agencies and Shared Living Arrangements | 8/25/2017 | 5 of 10 |

- l. Ethics, boundaries, and professional behavior (required at orientation and on annual basis thereafter);
 - m. Documentation and billing requirements (required at orientation and on an as need basis thereafter); and
 - n. "Hands On" job orientation specific to the special needs of the individuals the shared living provider will be supporting. (required at orientation and on an as need basis thereafter).
6. The Administering Agency must maintain evidence of the type of training, content, dates, length of training, and/or copies of certificates for all adults providing service. A signed attestation between the agency and the Shared Living provider, which indicates the receipt of trainings, must also be maintained.

C. MATCHING INDIVIDUAL AND SHARED LIVING PROVIDER

1. When an individual is identified for potentially receiving residential support services in a Shared Living arrangement, a Provider Referral will be submitted to all DS certified Administering Agencies in the applicable region. The Provider Referral will outline the specific support needs of the individual, as well as their expressed preferences. Administering Agencies will have five (5) days to respond to the referral.
2. DS Service Coordinators will support individuals and their family members in interviewing Administering Agencies.
3. Once an individual selects an Administering Agency, the agency will work with the individual, family and Service Coordinator in selecting a provider of Shared Living that will best meet the individual's needs. This will include interviewing potential providers of Shared Living along with a review of the Shared Living studies the agency has conducted.
4. Once a provider of Shared Living is selected, the Administering Agency will discuss individual support needs with the provider of Shared Living and arrange for specialized training to facilitate a successful transition to the Shared Living arrangement.

D. AUTHORIZATION & PAYMENT

1. The Regional Center contracts directly with the Administering Agency, who will subcontract with the provider of Shared Living.
2. All service authorizations are individualized and based on a person's needs and desired outcomes.
3. Individuals receiving residential support services from non-- relatives/non-immediate family members in a Shared Living arrangement where they are the only service recipient may only be authorized for up to 260 hours per month of services per month. Individuals who receive residential support services in a Shared Living arrangement where there are two-three service recipients may only be authorized up to 175 hours per month per individual served in the Shared Living arrangement. Residential support services are not a replacement for natural supports.
4. Individuals receiving residential support services from relatives/immediate family members in a Shared Living arrangement may be authorized up to 175 hours per month. Residential support services are not a replacement for natural supports.

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGING AND DISABILITY SERVICES DIVISION
POLICY MANUAL**

| POLICY # | REVISED | TITLE | EFFECTIVE DATE | PAGE |
|-----------------|----------------|---|-----------------------|-------------|
| 41- 8 | 9/8/2017 | Administering Agencies and Shared Living Arrangements | 8/25/2017 | 6 of 10 |

5. The rate to the Administering Agency for residential support services is the current approved DS rate for residential support services for organizational providers. DS does not provide reimbursement for overnight supervision for individuals receiving residential support services in a Shared Living arrangement.
6. Providers of Shared Living are required to maintain a daily log and progress report that meets the Home and Community Based Waiver requirements. Daily records of residential support services must be completed at the time of service.
7. Providers of Shared Living must disclose if they are providing any Personal Care Services (PCA) to the individual they are living with funded through the Medicaid State Plan to the DS Regional Center Service Coordinator. DS will not contract for services that are covered by PCA services. A copy of the PCA plan and authorization must be kept in the individual record as part of the individual's PCP to ensure there is not duplication of services.
8. Administering Agencies are responsible for accurately billing the Regional Center for services provided.
9. The Administering Agency is responsible for contracting with and compensating the provider of Shared Living for services rendered, and ensuring that all state and federal laws regarding overtime and subcontractors are complied with.
10. No legally responsible individual may be reimbursed for services to their child, ward, or spouse.
11. Room and Board in any Shared Living setting will be determined as follows:
12. The resources of the individual served, including, but not limited to, Social Security benefits, food stamps and employment earnings, will be the total resources available for Room and Board costs. State supplements for Room and Board are only utilized if the individual's resources are not sufficient to cover basic costs and must be approved by the DS Regional Center Program Manager.
 - a. Individuals will receive the current standard allotment for food and personal needs monies, as determined annually by the DS Regional Centers.
 - b. Individuals will retain 20% of any employment earnings, up to a maximum of \$200 monthly, to use for additional personal needs money.
 - c. The DS Regional Center will not provide funding for furnishing the home or costs for damages incurred, unless prior authorized by the DS Regional Center Agency Manager or designee.
 - d. The DS Regional Center will not provide funding for the purchase or leasing of vehicles.
 - e. Amounts approved for rent, utilities and phone will be determined based on Housing and Urban Development (HUD) fair market value, actual costs and the total number of adults and children residing the home. Housing costs are split between all adults living in the home.

E. MONITORING SHARED LIVING ARRANGEMENTS

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGING AND DISABILITY SERVICES DIVISION
POLICY MANUAL**

| POLICY # | REVISED | TITLE | EFFECTIVE DATE | PAGE |
|-----------------|----------------|---|-----------------------|-------------|
| 41- 8 | 9/8/2017 | Administering Agencies and Shared Living Arrangements | 8/25/2017 | 7 of 10 |

1. Administering Agencies ensures compliance with the Administering Agency and Shared Living Policy, Standards of Service Provision, Home and Community Based Waiver, and current ADSD and DS Regional Center policies.
2. The Administering Agency completes an initial home visit of each Shared Living arrangement, prior to approval to operate. The DS Regional Center Service Coordinator will conduct a follow up site visit prior to initiating services to an individual in the home.
3. The DS Regional Center Service Coordinator will conduct a home visit at least every three (3) months to monitor the individual's progress in the specific Shared Living arrangement, and to ensure that the provider of Shared Living is delivering the supports in accordance with the PCP.
4. Administering Agencies will conduct home visits at least monthly, in order to verify that the provider of Shared Living is delivering services in accordance with the PCP recommendations and will document the following:
 - a. Available supports, care and treatment. This includes, but is not limited to, the needs addressed in the PCP.
 - b. Human and Civil Rights are maintained.
 - c. Oversight of self-administration of medication (if applicable) or that the administering of medication follows applicable laws, rules and regulations.
 - d. Person Centered focus is evident.
5. Daily logs are completed timely and accurately.
 - a. Information and documentation management is protected, secure, organized and confidential.
 - b. The provider of Shared Living and other family members, as applicable, demonstrate respect for the individual(s) served and include the individual in the day to day family routines.
 - c. Additionally, the Administering Agency shall assess the physical environment, review of disaster and fire safety plan, required training, community inclusion, personal funds, and vehicle transportation.
 - d. This verification is signed by the Administering Agency and provider of Shared Living and is maintained with the provider record.
6. The Administering Agency will complete a comprehensive environmental review of the home at least every 6 months. A copy of the review results and a written summary of corrections implemented are kept in the Shared Living provider record according to the ADSD record retention schedule of six (6) years.
7. DS Regional Center Quality Assurance staff will complete certification and other quality reviews of the Administering Agencies, as per NAC 435. This will include, but is not limited to, environmental reviews of Shared Living environments, review of records, and interviews with Shared Living providers and individuals served.
8. DS Regional Center staff may conduct unannounced home visits and investigations at any time. DS Regional Center staff has the authority to examine quality of care and support delivery, the individual's records, physical premises, including the condition of the home grounds, equipment, food, water supply, sanitation, maintenance,

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGING AND DISABILITY SERVICES DIVISION
POLICY MANUAL**

| POLICY # | REVISED | TITLE | EFFECTIVE DATE | PAGE |
|-----------------|----------------|---|-----------------------|-------------|
| 41- 8 | 9/8/2017 | Administering Agencies and Shared Living Arrangements | 8/25/2017 | 8 of 10 |

housekeeping practices and any other areas necessary to determine compliance with standards.

9. DS Regional Center staff may conduct unannounced home visits and investigations at any time. DS Regional Center staff has the authority to examine quality of care and support delivery, the individual's records, physical premises, including the condition of the home grounds, equipment, food, water supply, sanitation, maintenance, housekeeping practices and any other areas necessary to determine compliance with standards.

F. TERMINATION OF CONTRACT BETWEEN THE SHARED LIVING PROVIDER THE ADMINISTERING AGENCY OR THE INDIVIDUAL

1. When a provider of Shared Living no longer wants to provide services to the individual and/or wants to end its subcontract with the Administering Agency, they must give at least a thirty (30) written day notice to:
 - a. The individual(s) served; and
 - b. The Administering Agency under contract.
2. When a provider of Shared Living initiates termination and ends the subcontracted agreement with the Administering Agency, the following apply:
 - a. The provider of Shared Living must assist the Administering Agency in efforts to facilitate a successful transition; and
 - b. If the provider of Shared Living is leaving the Administering Agency to subcontract with a different Administering Agency, it will be the individual's choice to stay with either the provider of Shared Living or the former Administering Agency.
3. When an Individual would like to initiate a termination of contract with their provider of Shared Living they will contact their case manager with their Administering Agency.
 - a. The Administering Agency will support the individual with selecting another provider of Shared Living.
 - b. The provider of Shared Living must assist the Administering Agency in efforts to facilitate a successful transition.
4. When an Individual would like to initiate a termination of contract with their Administering Agency they will contact their DS Regional Center Service Coordinator, who will support the individual with selecting another Administering Agency.
 - a. The Administering Agency must assist the DS Regional Center Service Coordinator in efforts to facilitate a successful transition.
 - b. The provider of Shared Living will have the choice of separating with the Individual and remaining with the Administering Agency or applying to become a provider of Shared Living through the new Administering Agency.
5. The provider of Shared Living is expected to continue working for thirty (30) days unless otherwise determined by the Administering Agency or the OS Regional Center.
6. If an emergency occurs and services must be terminated immediately, the provider of Shared Living must give immediate notice to all parties listed in the section above.

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGING AND DISABILITY SERVICES DIVISION
POLICY MANUAL**

| POLICY # | REVISED | TITLE | EFFECTIVE DATE | PAGE |
|-----------------|----------------|---|-----------------------|-------------|
| 41- 8 | 9/8/2017 | Administering Agencies and Shared Living Arrangements | 8/25/2017 | 9 of 10 |

7. The Administering Agency is responsible to notify the Regional Center Service Coordinator of the termination of contract within 24 hours, or the next business day, of receipt of the provider of Shared Living's written notice.
8. The Administering Agency or the DS Regional Center may terminate a contract for cause at any time.

G. TRANSFERENCE OF SHARED LIVING PROVIDERS


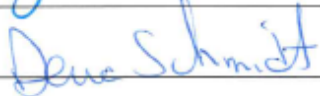
1. The Administering Agency and provider of Shared Living will cooperate as directed by the DS Regional Center to effectuate the smooth and reasonable transition of the care and support for individuals. This includes, but is not limited to, the transfer of the individual records, personal belongings, and funds of all individuals.
2. The Regional Center reserves the right under all provider of Shared Living agreements to transfer a Shared Living arrangement to another Administering Agency under the following circumstances:
 - a. Regional Center termination of the contract with the Administering Agency; or
 - b. Administering Agency termination of the contract.
 - 1) In either case above, the provider of Shared Living must be in agreement to contract with another certified Administering Agency if choosing to continue services for the individual.

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGING AND DISABILITY SERVICES DIVISION
POLICY MANUAL**

| POLICY # | REVISED | TITLE | EFFECTIVE DATE | PAGE |
|-----------------|----------------|---|-----------------------|-------------|
| 41-8 | 9/8/2017 | Administering Agencies and Shared Living Arrangements | 8/25/2017 | 10 of 10 |

ATTACHMENTS

Not Applicable

| Approved By | | |
|------------------------------------|--|---------|
| Title | Signature | Date |
| Deputy Administrator |  | 8/25/17 |
| Division Administrator or Designee |  | 9/18/17 |
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