

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

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36 - 3		Self-Directed Family Support Services	Upon Approval	1 of 6

POLICY

This policy provides guidelines for the Aging and Disability Services Division (ADSD) to allocate general fund dollars to qualified children open to Developmental Services (DS) to purchase specialized treatment, skill building and organized programming, to assist the individual/family in successful integration into their community.

PURPOSE

To outline the criterion for receiving Self-Directed Family Support Services (SDFSS), and the types of services that are offered by DS through its SDFSS program.

DEFINITIONS

Individual: the person determined eligible for the Aging and Disability Services Division (ADSD) Developmental Services (DS) regional center services.

Employer of Record: the parent/guardian of the individual receiving SDFSS who is responsible to choose, screen, orient, train, supervise, hire, and fire persons and/or agencies to meet the service goals and ensure the health and safety of the child. The employer of record is also responsible to submit billing claims with back-up documentation of services rendered.

Fiscal Intermediary: the contracted agency responsible to process and pay claims for services rendered.

PROCEDURE

A. PROGRAM

1. The Self-Directed Family Support Services (SDFSS) program specifically supports specialized treatment/therapies and/or organized events to include specialized camps, clinics or centers which assist the child in developing or maintaining appropriate skills to integrate into their community. The following are activities/treatment/services that may be purchased:
 - a. Behavior training/management: utilization of in-home and out of home behavioral training/treatment.
 - b. Social/Recreation: specialized day and after-school care and recreation programs.
 - c. Daily Living Skills: utilization of an in-home employee to train Activities of Daily Living (ADL) or Instrumental Activities of Daily Living (IADL) skills; and/or nutritional/dietary consult not covered by Medicaid or insurance.
 - d. Specialized Therapeutic Services: therapy not covered by Medicaid or private insurance including occupational therapy, physical therapy, speech therapy, music therapy, art therapy, hippotherapy, sensory integration, massage therapy, yoga, cranial sacral therapy, and swim therapy.
 - e. Supervision for those individuals who require specialized care to remain living in the family home and are unable to participate in community programs/therapies. All such situations will be reviewed and approved by the Regional Center Program Manager or designee.

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2. The SDFSS program is not an entitlement. The Regional Center retains the right to decrease or terminate funding based on the state's financial status, underutilization and/or inappropriate use of funding.

B. ELIGIBILITY

1. Self-Directed Family Support Services (SDFSS) shall be available to individuals who meet the following eligibility criteria:
 - a. The individual must meet the criteria for and be open to Developmental Services (DS) as determined by ADSD.
 - b. The individual must be a child under the age of 18.
 - c. The individual must be living in their natural home environment or foster home.
 - d. The family's gross income must not exceed 300% of the Federal Poverty Guidelines.
 - 1) Financial eligibility must be reviewed annually or when changes to the household composition or household income occur.
 - e. The service needs of the individual as determined by the support team must align with the types of services available through SDFSS. Needs must be clearly documented in the Person Centered Plan (PCP). Service goals must be consistent with those identified in the PCP and reasonable for the individual's abilities, skill and/or tolerance level.
 - f. The child's parent(s)/guardian(s)/caregiver(s) must understand the nature of the self-directed program and agree to actively participate in the assessment, planning, implementation, and evaluation of the chosen supports and services.
 - g. Individual is not a recipient of the Medicaid Home and Community Based Waiver for Individuals with Intellectual and Developmental Disabilities.
 - h. The family follows the terms of the self-directed service.
2. Providers of SDFSS cannot be the parent, stepparent, spouse, or primary caregiver living in the same residence as the person receiving services.
3. Providers of SDFSS must be 18 years of age or older.
4. Non-professional staff hired to provide in-home services and daily living skill training may not be paid more than \$15 per hour and no less than minimum wage.
5. Children who receive SDFSS will not be eligible to concurrently receive the following Regional Center services:
 - a. Jobs and Day Training (JDT) services;
 - b. Supported Living Arrangement (SLA) services, including Shared Living Arrangements; or
 - c. Purchase of Service (POS).
 - 1) POS may be approved under emergency conditions. All emergencies will be reviewed by the Regional Center Program Manager or designee. Criteria for determining an emergency would be:

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- i. Family Death;
 - ii. Family illness/hospitalization;
 - iii. Person in imminent danger of abuse or neglect; or
 - iv. Other emergency situation as authorized by the Regional Center Program Manager or designee.
6. Children who receive SDFSS may concurrently receive Respite Services through the Regional Center and/or services through ADSD's Autism Treatment Assistance Program (ATAP).
7. SDFSS may have a waitlist due to budgetary constraints. If there is a waitlist for services, the Service Coordinator will submit a service request to their supervisor to add the person to the waitlist. Waitlist determinations are based on priority of need and length of wait and/or financial availability. SDFSS funding may be discontinued at any time based on availability of state funding or if funding is not being used for the intended purpose. Priority of need is defined as:
 - a. Priority 1 – receiving no paid supports;
 - b. Priority 2 – receiving wrap- around services, to include Respite Services, ATAP and other types of paid supports.

C. APPLICATION PROCESS

1. For potentially eligible individuals, the assigned Service Coordinator will provide the family an overview of the SDFSS program at the initial and annual PCP meetings, and as requested by the family. Information reviewed should include an explanation of program intent and reinforce that this is a supplemental support service and should not replace those activities typically provided by natural and informal support systems. Additionally, the services provided must be a direct service provided to the child to assist in skill development or maintenance. Teams who are unable to identify reasonable and measurable goals that may be purchased with this funding will be referred/linked to alternative resources.
2. The family will request SDFSS through their assigned Service Coordinator.
3. The family must meet financial eligibility, which is typically determined annually. If the family's financial eligibility was not determined in the past year, or there have been changes to household income or composition since the last financial eligibility was determined, the family must submit an updated financial eligibility packet.
4. If deemed ineligible for SDFSS, the family will be provided a notice of decision.
5. Children deemed eligible will be placed on the Regional Center wait list for SDFSS if no funding is available.
6. When SDFSS funding is available, the parent/guardian shall identify possible support resources. The team will be responsible to review service needs/challenges and identify those services they wish to purchase. The services identified by the team will be consistent with those identified in the PCP and reasonable for the individual's abilities, skill and/or tolerance level.

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7. Reasonable timelines for purchased services and the child's response to services will be reviewed quarterly. Documented progress may serve as justification to continue services.

D. FAMILY/GUARDIAN RESPONSIBILITIES & PAYMENT OF SERVICE

1. The parent/guardian shall receive an orientation to the Fiscal Intermediary processes and expectations for payment of services provided, including service start up, hiring of staff, and required documentation defining specific activities/training completed with the child. This orientation shall include details on how to navigate the Fiscal Intermediary program website and contacts to manage the services delivered.
2. A SDFSS authorization between the Regional Center and the Fiscal Intermediary will be written to activate services. The service authorization must be renewed each fiscal year thereafter in order to continue services.
3. The parent/guardian and Regional Center Service Coordinator shall sign and agree to the terms of the Self-Directed Family Support Services Responsibilities Agreement (Attachment A) prior to the activation of services and each fiscal year thereafter.
4. SDFSS funding will be granted to recipients in monthly allocations and will be based on the service eligibility criteria. The monthly spending shall not exceed the individual monthly allotment. Unutilized monthly allotments do not carry over into subsequent months. The parent/guardian shall be financially responsible for all costs incurred above the authorized monthly allocation or other expenditures not covered by the PCP.
5. SDFSS payment for services provided will be processed through a Fiscal Intermediary. The responsibility of the Fiscal Intermediary is to manage applicable employment taxes and payroll.
6. The parent/guardian shall be referred to as the employer of record. The employer of record shall be responsible to choose, screen, orient, train, supervise, hire, and fire persons and/or agencies to meet the service goals and ensure the health and safety of the child. This includes identifying with the agency service coordinator any new service and ensuring that services are commensurate with the PCP recommendations.
 - a. The employer of record is responsible to make the necessary employee documents, such as W-4, I-9, and/or W-9, available to the Fiscal Intermediary before services can begin. If applicable, the employer of record is responsible for meeting State of Nevada workman's comp laws, to include carrying Worker's Compensation Insurance. The cost for Worker's Compensation Insurance may be paid by the employer out of their own resources or the cost may be subtracted from their annual individual budget. With the second option, remaining funds make up the actual individual budget to be expended for services over the term of the contract. The parent/guardian agrees that the Regional Center may contact any or all of the providers employed.
 - b. The employer of record will submit timesheets or vendor payment forms along with detailed documentation that justifies the authorized service to include the date of service, type of service provided, the recipient's response to said service and a summary of progress with specific recommendations for ongoing treatment.

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- 1) This documentation may be submitted to the Fiscal Intermediary on a bimonthly schedule (typically the 15th and 30th of the month) for payment; any timesheets turned in at other dates will be processed by the Fiscal Intermediary in the next available billing cycle.
- 2) The Service Coordinator will review all timesheets/vendor payment forms and all back-up documentation to ensure all information is complete, consistent with the PCP and the self-directed service. Service Coordinators will review documents within 5 business days of submission.
 - i. If the parent fails to provide required back-up documentation, payment for services rendered will be denied by the Service Coordinator.
- 3) Payments will be made to the employees and vendors according to the policies of the Fiscal Intermediary.
- 4) Employers have 60 days after the last date of service in which to submit timesheets; after this period, these services will not be reimbursed by the regional center. Additionally, at the end of the service fiscal year, which is June 30th, employers of record will have 10 business days to submit any remaining claims. Claims submitted after this time period will fall into the stale claims process.

E. TERMINATION

1. SDFSS funding is intended to be utilized on a monthly basis and must be used at a minimum every 90 days.
2. After 60 days of non-use, the parent/guardian and the Service Coordinator will determine an agreement for future SDFSS needs.
3. SDFSS funding that is not utilized within a 90-day period will result in a termination of the SDFSS authorization. The Regional Center Service Coordinator will send the SDFSS Utilization and Termination Notice (Attachment B) to the family within five (5) business days of the 90-day period of non-use.
4. SDFSS will also be terminated if the family violates the terms of the Self-Directed Family Support Services Responsibilities Agreement (Attachment A).
5. The Regional Center Service Coordinator will complete the Fiscal Intermediary Client Closure Notification (Attachment C) to send to the Fiscal Intermediary within five (5) business days of the termination.

F. DENIAL AND APPEAL

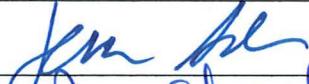
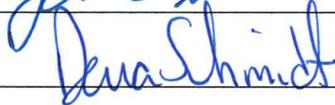
1. If a family wishes to appeal the denial or termination of SDFSS, the family must file a written appeal with the appropriate Regional Center Program Manager or their designee within 15 working days after the family receives the written notice of decision. The Regional Center Program Manager or their designee may request documentation of evidence to support the appeal. The Regional Center Program Manager or their designee shall complete a review of the appeal within 30 working days after receiving the written appeal. The decision of the Regional Center Program Manager or their designee will be considered the final decision.

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ATTACHMENTS

- Attachment A – Self-Directed Family Support Services Responsibilities Agreement
- Attachment B – Self-Directed Family Support Services Utilization and Termination Notice
- Attachment C – Fiscal Intermediary Client Closure Notification

Approved By		
Title	Signature	Date
Deputy Administrator		6/18/2021
Division Administrator or Designee		6/23/2021

Document History

Revision	Date	Change