

**Delaware Health and Social Services
Division of Developmental Disabilities Services
Community Services & Adult Special Populations**

Signed Copy in Office

of PARC Chair

Title: Standard Suspension Request

Approved By: _____

Division Director

Written/Revised By: DDDS Policy and Records Committee

Revision Date: May 23, 2005

This policy replaces the Waiver Request Policy

I. Purpose

To establish guidelines for processing Standard Suspension Requests.

II. Policy

To enforce compliance with DDDS Program Standards, Home and Community Based Waiver (HCBS) requirements and contract standards which are necessary and desirable to provide adequate services and to protect the health, welfare and safety of individuals receiving services.

III. Application

All DDDS Employees and Contractors

IV. Definitions

- A. Unreasonable Hardship - extraordinary cost, inconvenience or labor for which the intent/results would be comparatively insignificant.
- B. Suspension of a Standard – a time-limited suspension of a specific program standard, HCBS requirement or contract standard for a provider or provider agency as documented and approved by the DDDS.

V. Standards

- A. Specific DDDS Program Standards, HCBS requirements or DDDS Contract Standards may be suspended providing:
 - 1. The suspension will not adversely affect the health, safety, welfare or rights of the individual;
 - 2. The suspension is in accordance with the particular needs of the individual(s) receiving services and the Essential Lifestyle Plan;
 - 3. Strict enforcement of the Standard would result in unreasonable hardship on the provider.
- B. A request to suspend a specific standard shall be submitted in writing with substantial detail justifying the reason for the request.
- C. The DDDS Chief of Administration shall be consulted prior to approving a HCBS requirement or DDDS Contract Standards Standard Request.
- D. Suspension of a DDDS Program Standard, HCBS requirement or DDDS Contract Standard shall be reviewed as designated in the Standard Suspension Request but at least annually concurrent with the contract renewal/certification process.
- E. All requests for suspensions to the Delaware Regulations for Neighborhood Homes For Persons with Developmental Disabilities shall be made to the Division of Long Term Care Residents Protection. in accordance with Section 55.16 of the said regulations.

VI. Procedures

<u>Responsibility</u>	<u>Action</u>
Person Making Suspension Request	1. Initiates written request for suspension. 2. Submits Standard Suspension Request according to format (Exhibit A) and submits to the Director of Community Services or Director of Adult Special Populations, as applicable.
Director of Community Services or Director of Adult Special Populations (or designee)	3. Consults with DDDS Chief of Administration prior to approving a Standard Suspension Request for a HCBS requirement or DDDS contract standard. 4. Reviews, indicates disposition and signs Standard Suspension Request. 5. Forwards signed Standard Suspension Request and attachments to the applicable Regional Program Director and the DDDS Chief of Administration. 6. Enters applicable information onto Standard Suspension Tracking Sheet. 7. Sends current Standard Suspension Tracking Sheet to the Risk Management Committee Coordinator bi-annually (July-December data due on January 15 th and January-June data due on July 15 th)
Applicable Regional Program Director/Designee	8. Corresponds in writing to the applicant of the Standard Suspension Request to advise of disposition, reason for denial (if applicable), requirements for monitoring health and safety and the date the waiver expires. 9. Files/Disseminates copies of the aforementioned correspondence and completed Standard Suspension Request as follows: Foster Care Provider- in the provider's file, to the foster care provider, to the applicable Regional Director of Quality Assurance, the DDDS Chief of Administration, Director of Community Services or Adult Special Populations, Director of Residential Development, and in the COR's of all individuals living in the home who may be affected by the Standard Suspension, behind the HCBS waiver documents in the Data Base Section. Agency Provider- to the Director of the applicable agency provider, applicable Regional Director of Quality Assurance, DDDS Chief of Administration, Director of Community Services or Adult Special Populations, Director of Residential Development, the assigned DDDS Case Manager/Social Worker and in the COR's of all individuals living in the home who may be affected by the Standard Suspension, behind the HCBS waiver documents in the Data Base

VII. References

- A. State of Delaware, Delaware Health and Social Services, Division of Developmental Disabilities Services Program Standards.

VIII. Exhibits

- A. Standard Suspension Request
- B. Standard Suspension Tracking Sheet



**DELAWARE HEALTH & SOCIAL SERVICES
DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES
COMMUNITY SERVICES & ADULT SPECIAL POPULATIONS**

Standard Suspension Request

NAME OF PROVIDER: _____
HOME ADDRESS & PHONE #: _____

Division of Developmental Disabilities Services Standard Requested to be waived:

Names of People Potentially Affected by Standard Suspension: _____

Will Individuals' Health, Safety and/or Rights be Compromised by the Standard Suspension (If yes, please explain why and how such will be addressed): _____

Summary of Request:

Recommendation: (to be completed by CS or ASP Director)

Suggested Review Date: (to be completed by CS or ASP Director)

Date: _____

Signature of Person Requesting Waiver

Waiver _____ approved _____ disapproved

Signature of Community Services or Adult Special Populations Director Date

