

*****Proposed New Rule - July 27, 2012*****

5123:X-X-XX Quality assurance.

- (A) The Ohio department of developmental disabilities promotes services, supports, and activities that enhance the quality of life for Ohioans with developmental disabilities with regard to individuals':
- (1) Emotional well-being;
 - (2) Interpersonal relationships;
 - (3) Material well-being;
 - (4) Personal development;
 - (5) Self-determination;
 - (6) Physical well-being;
 - (7) Social inclusion; and
 - (8) Rights as set forth in section 5123.62 of the Revised Code.
- (B) The department employs multiple processes, set forth in the following administrative rules, to achieve quality outcomes for individuals who receive services:
- (1) Rule 5123:2-1-11 of the Administrative Code (service and support administration);
 - (2) Rule 5123:2-2-01 of the Administrative Code (provider certification);
 - (3) Rules 5123:2-3-01 to 5123:2-3-26 of the Administrative Code (residential facilities licensed pursuant to section 5123.19 of the Revised Code);
 - (4) Rule 5123:2-4-01 (county board accreditation);
 - (5) Rule 5123:2-6-07 (administration of prescribed medications, performance of health-related activities, and performance of tube feedings);
 - (6) Rule 5123:2-9-08 (compliance reviews for home and community-based services); and
 - (7) Rule 5123:2-17-02 (major unusual incidents).
- (C) Additionally, the department participates in "National Core Indicators," a collaboration among state agencies that serve individuals with developmental disabilities, the "National Association of State Directors of Developmental Disabilities Services," and

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the "Human Services Research Institute" which offers a systemic approach to performance and outcome measurement.

- (D) Individuals who receive services, legal guardians, or family members may request a review of services or may request the results of prior reviews that have been conducted. In response, the department may initiate or conduct a review, request that a review be conducted by the county board of developmental disabilities, or take other appropriate action.

(N) Monitoring ISP implementation

The persons employed by or under subcontract with a county board to provide service and support administration shall, in accordance with policies and procedures that shall be established by the board and any protocols that may be established by the department, establish and implement an ongoing continuous quality monitoring system that is tailored to the individual, includes face to face visits and is based on information provided by the individual. The service and support administrator who is the single point of accountability for an individual shall perform this duty in accordance with the following requirements:

- (1) The purpose of this monitoring shall be to verify:
 - (a) The health, safety and welfare of the individual;
 - (b) What is important to and for the individual;
 - (c) Service Satisfaction;
 - (d) Achievement of the desired outcomes for the individual as stated in the ISP; and
 - (e) That services received are those reflected in the ISP.
- (2) Areas to be monitored, as applicable to each individual, shall include, but not be limited to, the following:
 - (a) Emotional well-being (self-worth, self-esteem, satisfaction with life);
 - (b) Interpersonal relations (social contacts, relationships, emotional supports) ;
 - (c) Material well-being (money, work, education) ;
 - (d) Personal development (achievements, success, personal competence);
 - (e) Self determination (self advocacy, choices, personal control, opportunities);
 - (f) Physical well-being (health, daily living skills appropriate to age);
 - (g) Rights (equality, citizenship, access, due process, responsibility); and
 - (e) Social inclusion (community participation, social supports) .
- (3) The service and support administrator who is the single point of accountability for an individual shall provide verbal and/or written feedback from monitoring activities to the individual, legal guardian and provider(s) as appropriate.
- (4) If this monitoring indicates areas of provider non-compliance with continuing certification standards for providers certified as HCBS waiver providers, the county board shall conduct provider compliance reviews in accordance with rule 5123:2-9-08 of the Administrative Code.

(P) Advocacy and self-advocacy

- (1) Each individual receiving service and support administration shall have an ISP that identifies how that individual currently speaks up for him or herself, what services and supports can assist the individual to improve self advocacy skills and the supports that are needed to increase the individual's opportunities to participate in advocacy and to network with persons or groups including persons with disabilities and others.