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**Date:** March 30, 2017 **DDSD-DDW Numbered Memo 2017-4.1**  
**(supersedes 2017-4)**

**To:** DDW Case managers and DDW Providers

**From:** Christina Hill DDW Program Manager  
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**Subject:** **Guidance on Special Instructions from DDSD to CORE for Adult DDW Budgets undergoing Outside Review**

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The purpose of this memo is to inform the field of requirements for Special Instructions from Developmental Disabilities Supports Division (DDSD) to the Continual Outside Review and Evaluation Team (CORE) for adult budgets undergoing Outside Review.

### Special Instructions

Special Instructions allow DDSD to communicate specific instructions to CORE on exceptional circumstances. However, Special Instructions do not guarantee that the service(s) will be clinically approved by CORE. Special Instructions include:

**Imminent Review Request** – A DDSD process where DDSD provides written direction to the CORE to complete a clinical review or provider changes within a 3 or 5-day turnaround time.

**Retroactive Start Date** – A service or provider change that needs to have a start date that has already passed.

**DDSD waiver of 30 Day Requirement** – A DDSD approval to waive the requirement for 30-day submission for revisions, due to health and safety issues or any other reason deemed necessary by DDSD.

**Overturn CORE Decision per DDSD** – A DDSD directive to the CORE to overturn a CORE decision

**Inquiry/Research/Status** – A DDSD request for information concerning a budget submission.

### Roles and Responsibilities

**Outside Review (OR) Program Manager** submits the *Special Instructions Form*, with related documentation, to the CORE for clinical review and approval.

**Regional Office (RO) Case Management (CM) Coordinators** assist in identifying the issues and documentation needed to submit the Special Instructions through the OR Program Manager.

**The Fair Hearing Unit** may also work with the OR Program Manager regarding Special Instructions.

**Bureau of Behavioral Support (BBS)** may work with the OR Program Manager for Imminent Reviews.

**Case Managers (CMs)** work with their respective RO CM Coordinator or BBS Supports when an Individual Service Plan (ISP) and budget worksheet needs Special Instructions for the CORE to complete the review.

## **Requirements for Special Instructions**

**Imminent Review Decisions:** RO CM Coordinators or Statewide Crisis Coordinator will review request from CM's to see if it meets Imminent Review criteria, including, but not limited to;

- a. Significant life changes (i.e., change in living situation or change in medical condition),
- b. Risk of significant harm to self or others; loss or death of a significant person to the individual,
- c. A serious accident, illness, injury, or hospitalization,
- d. Loss of a job or being at risk of losing a job,
- e. Sudden relocation,
- f. Situations where it has been determined that the individual is a victim of abuse, neglect, or exploitation,
- g. Criminal justice involvement (arrest, incarceration, release, etc.),
- h. Expedited allocation,
- i. Risk of loss of services,
- j. Risk of provider crisis if PA not provided, or
- k. Other situations that warrant urgent changes to protect the best interest of the individual, including loss of services or being at risk of losing services.

## **Retroactive Start Date and Waivers of the 30 Day Requirement**

The RO CM Coordinator determines if a request for Retroactive Start Date or for a Waiver of the 30 Day Requirement is appropriate. Circumstances should be rare and based on the following examples.

- i. Examples of appropriate requests:
  - Reasonable error or oversights
  - Problems with IDT planning or submissions
  - Revision submission late due to provider delays that were unanticipated or outside of CM control
- ii. Examples of Inappropriate requests:
  - Transition meeting/Planning was not held
  - Services were not provided at retroactive Start Date
  - IDT Minutes or Team Planning Process reflects a start date that provider did not comply with
- a. The CM works with the RO CM Coordinator to submit the following documentation to the RO to support the request for Retroactive Start Date or for a Waiver of the 30 Day Requirement:
  - i. Letter of Explanation through the Agency Director on agency letterhead containing: Name, Date of Birth (DOB), reason why special instruction is being requested, and what will be put in place to prevent a Retroactive Start Date or Waiver of the 30 Day requirement from happening in the future (except for Imminent Reviews)
  - ii. If a Retroactive Start Date is requested, additional documentation showing that the service was already provided.

**Overturn CORE Decision per DDS:** The OR Program Manager will submit the *Special Instructions Form* in order to request the overturn of a decision made by the CORE. As stated in the Waldrop Settlement Agreement, the State may agree to overturn a decision to deny services at a requested agency conference.

**Inquiry/Research/Status:** RO CM Coordinators or other DDS personnel submit the *Special Instructions Form* if a submission found on the CORE Daily Master Spreadsheet (DMS) provide to case management agency directors has not been resolved within the 10-day mandated timeframe for CORE review, or there are comments on the DMS that do not provide clarity as to the status of the submission.

**Tracking Special Instructions and Provider Accountability**

- a. Only the OR Program Manager submits the *Special Instructions Form* directly to the CORE.
- b. If the RO CM Coordinator determines patterns of continued requests from a CM, CM Agency, or a DDW Provider, the RO CM Coordinator brings this to the attention of the Statewide CM Coordinator, RO Manager and/or the RO Bureau Chief to provide technical assistance and/or determine next steps which may include implementing the RO Contract Management Policy and Procedure.