

Policy Transmittal Developmental Disabilities Services



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Number: APD-PT-20-024

Issue date: 3/13/2020

Topic: Developmental Disabilities

Due date: 3/13/2020

Transmitting (check the box that best applies):

- New policy
 Policy change
 Policy clarification
 Executive letter
 Administrative Rule
 Manual update
 Other:

Applies to (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input type="checkbox"/> Area Agencies on Aging: {Select type} | <input type="checkbox"/> Health Services |
| <input type="checkbox"/> Aging and People with Disabilities | <input checked="" type="checkbox"/> Office of Developmental Disabilities Services (ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs | <input type="checkbox"/> ODDS Children's Intensive In Home Services |
| <input checked="" type="checkbox"/> County DD program managers | <input type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input checked="" type="checkbox"/> Support Service Brokerage Directors | <input checked="" type="checkbox"/> Other (<i>please specify</i>): DSA and Employment Path Services at Provider Sites and other congregate settings |
| <input type="checkbox"/> ODDS Children's Residential Services | |
| <input type="checkbox"/> Child Welfare Programs | |

Policy/rule title:	Temporary closures for some congregate DSA and employment sites due to COVID-19 risk		
Policy/rule number(s):	Governor Brown's Executive Order 20-03 and 20-05	Release number:	
Effective date:	3/18/2020	Expiration date:	5/31/2020
References:	Governor Brown's Executive Orders 20-03 and 20-05		
Web address:	https://www.oregon.gov/gov/Documents/executive_orders/eo_20-05.pdf https://www.oregon.gov/gov/Documents/executive_orders/eo_20-03.pdf		

Background Summary

This temporary emergency policy is an effort by ODDS, providers, and partners, to work together to mitigate the spread of COVID-19, particularly among individuals with intellectual and developmental disabilities (I/DD), as well as the Direct Support Professionals (DSPs) and Personal Support Workers (PSWs) who support them. Congregate Day Support Activities and Employment service settings are where Oregonians with I/DD may be vulnerable for transmitting COVID-19. Additional background information policy rationale can be found at the end of this transmittal.

New Temporary Policy Impacting DSA and Employment Services in Congregate Settings

By March 18, 2020 all DSA Facility, Employment Path Facility, DSA Community and Employment Path Community providers must *temporarily* discontinue congregate DSA or employment path services for more than 10 individuals at a given time at any one location within the county. While 10 is the maximum, the smaller the group, the lower the risk of COVID-19 spread, so ODDS encourages providers to work with residential providers, Case Management Entities (CMEs), families and individuals to be as creative as possible in planning any group services. DSA and employment path services that serve *fewer than 10 people at a time* may continue within general community settings, or smaller service settings.

DSA and Employment Path providers, along with individuals, families, Residential providers, and CMEs must begin to develop a plan to implement this policy now in order to prepare for closures by March 18, 2020.

As part of planning, the following must be considered:

1. Work with the person's ISP team to develop a back-up plan and plan to transition each individual using services within the setting, including identifying alternative services (in-home support, additional residential support, DSA or employment path services in a smaller or general community setting).
2. Identify whether any DSA or Employment Path services will continue within the setting, and to what extent (e.g. numbers served, strategies for mitigating spread, etc.).
3. Send written notification to all individuals and case management entities impacted by the changes.

Notification must include:

- a. Date of closure

- b. Reason for closure
- c. Potential options for alternatives services

4. A communication plan for re-opening when COVID-19 is contained.

At this time, this policy is enforcing Governor Brown's recent Executive Orders (20-03 and 20-05) as well as policy guidance; and does not require the formal notification process outlined in OAR 411-345 or 411-450, as it is being done at the directive of DHS.

Case Management Entities (CMEs) must offer any available alternative services.

Alternative DSA and employment service options may continue. This includes DSA and employment services at general community business settings where fewer than 10 individuals are served at a given time (i.e. job coaching, small group employment, 1:1 employment path community, etc.). DSA and employment providers who serve fewer than 10 individuals in a given setting may choose to close during this time in order to prevent the spread of disease, or to reallocate and prioritize staffing for other necessary services. However, in the event of a voluntary closure, individuals and CMEs, as well as ODDS must be notified as outlined in steps 3 and 4 above *prior to closure.*

Individuals continuing to use employment and DSA services must still be supported to take standard precautions (washing hands, using distancing measures at work or during the course of services, staying home when sick, following the direction of a public health official, following an employer's policies, identifying individualized risks and ensuring a provider has appropriate risk mitigation strategies in place).

Please also see DSA Communication to Providers and Case Management Entities: <https://www.oregon.gov/DHS/SENIORS-DISABILITIES/DD/ODDS%20Resource%20Library/ODDS-DSA-Covid-CME-Provider-Communication-Final.pdf>

Making a Request for Continued Funding:

ODDS is working to secure emergency funding for DSA and Employment Path setting programs to remain viable during this time. ODDS will issue additional guidance regarding how to request this funding shortly.

Additional Background and Policy Rationale

Many individuals with I/DD are at high risk for severe negative impacts from the COVID-19 virus. For information COVID-19, including the symptoms to watch for, visit

the Oregon Health Authority's COVID-19 website: www.healthoregon.org/coronavirus/
There is additional risk for individuals with I/DD because they often rely on an already limited number of Direct Support Professionals (DSPs) or Personal Support Workers (PSWs) for support to meet important personal care needs. Individuals with I/DD will be at a greater risk if there is a staffing shortage amongst DSPs and PSWs.

ODDS currently funds DSA and Employment Path in congregate settings that are often at a provider site or facility. In some cases, DSA facilities provide services for over 100 people a day and multiple staff. This type of congregate setting provides risk for the spread of COVID-19. Additionally, as these individuals frequently live in different residential settings, it creates the potential for the virus to spread to multiple residential settings.

Oregon is better situated than many states because our residential and in-home living settings are small (typically supporting 1-5 individuals). This allows ODDS to limit potential exposure to those living in the same home, and also limit potential exposure for DSPs. However, Oregon's congregate DSA and employment path settings continue to pose a major risk. In the event that multiple individuals from multiple different residential settings were to be exposed in a congregate DSA or employment path setting, this could create significant risk for people with I/DD in a community, as well as their staff.

Training/communication plan:

- **ODDS COVID-19 Web Page:** <https://www.oregon.gov/DHS/SENIORS-DISABILITIES/DD/Pages/ODDS-COVID-19-Information.aspx>
- **ODDS DSA and Employment Path Webinar for all DSA and Employment Path providers:**
Monday, March 16 from 8:00 a.m.-9:00 a.m.
Dial: 1-877-336-1831 Enter Code: 230706#
- **ODDS Provider Expectations Webinar:**
<https://attendee.gotowebinar.com/register/3518047287725902092>
Please send questions in advance to: ODDS.INFO@dhsosha.state.or.us
- **Provider Covid Template for Communications:**
<https://www.oregon.gov/DHS/SENIORS-DISABILITIES/DD/ODDS%20Resource%20Library/ODDS-Provider-Example-Template-Communication.pdf>
- **DSA Communication to Providers and Case Management Entities:**
<https://www.oregon.gov/DHS/SENIORS-DISABILITIES/DD/ODDS%20Resource%20Library/ODDS-DSA-Covid-CME->

[Provider-Communication-Final.pdf](#)

- **DSA Communication to Individuals and Families:**
<https://www.oregon.gov/DHS/SENIORS-DISABILITIES/DD/ODDS%20Resource%20Library/ODDS-DSA-Covid-Individuals-Family-Communication.pdf>
- **Submit questions and requests for technical assistance to:**
Employment.First@dhsosha.state.or.us or contact your Regional Employment Specialist directly: <https://www.oregon.gov/DHS/EMPLOYMENT/EMPLOYMENT-FIRST/Documents/Map-ODDS-Regional-Employment-Specialists.pdf>
- **Technical assistance is available regionally-based employment specialists:**
<https://www.oregon.gov/DHS/EMPLOYMENT/EMPLOYMENT-FIRST/Documents/Map-ODDS-Regional-Employment-Specialists.pdf>

Field/stakeholder review: Yes No

If yes, reviewed by:

Filing instructions:

If you have any questions about this policy, contact:

Contact(s): Allison Enriquez	
Phone: 503-945-5827	Fax:
Email: allison.enriquez@dhsosha.state.or.us	