

Policy Transmittal Developmental Disabilities Services



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Authorized signature

Number: APD-PT-20-029
Issue date: 3/20/2020
UPDATED

Topic: Developmental Disabilities

Due date:

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 checked="" 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 type="checkbox"/> Other (please specify): |
| <input checked="" type="checkbox"/> ODDS Children’s Residential Services | |
| <input type="checkbox"/> Child Welfare Programs | |

Policy/rule title:	Temporary changes to developmental disabilities services		
Policy/rule number(s):	411-415-0090(1-3); 411-415-0070(8); 411-450-0060(2); 411-425-0055(1)	Release number:	v2
Effective date:	immediately	Expiration date:	05/31/2020
References:			
Web address:			

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Discussion/interpretation:

ODDS is immediately altering requirements around certain case management and other services in response to the COVID-19 pandemic. They are meant to address a case manager’s or provider’s inability to have face to face encounters with people they serve. Please note that these changes do not represent best case management

practices. They should be used only when necessary for the protection of the health and safety the people getting services and individual providers, case managers and other CME staff. These changes are in effect until further notice.

Contact requirements:

The following apply when an individual or a household is under quarantine, showing signs of illness, at high risk, is directed to self-isolate or is choosing to self-isolate.

- Face to face requirements for case management contact and for completing an ONA or other assessments do not apply. Virtual contact using a telehealth system, with a visual component, may be used as a substitute.
- The annual contact requirement for individuals receiving case management only may be done over the phone or using a telehealth system.
- Site visits required under OAR 411-415-0090(3) and facility-based employment path service monitoring may be conducted remotely, over the phone, via email or other methods that allow for the monitoring function to be fulfilled.

The Federal agency that enforces HIPAA requirements has chosen to end enforcement of certain aspects of the privacy law at this time. Additional information on that topic (current at the time of publication of this transmittal) from Health and Human Services may be found here:

<https://www.hhs.gov/about/news/2020/03/17/ocr-announces-notification-of-enforcement-discretion-for-telehealth-remote-communications-during-the-covid-19.html>.

And here:

<https://www.hhs.gov/hipaa/for-professionals/special-topics/emergency-preparedness/notification-enforcement-discretion-telehealth/index.html>

Please document in progress notes service monitoring or assessment activities conducted using other than face to face methods how the contact occurred and why face to face was did not occur.

When an ISP and service agreements cannot be developed timely enough to obtain the required signatures through the mail or other means before their effective dates, documented verbal approval on the part of the individual/guardian of the services and verbal agreement from the provider to deliver the services can substitute until the signatures can be gotten.

Providers of in-home services may be permitted to deliver services indirectly (i.e. without the person present) when an individual cannot or chooses not to enter the community. When cues are the only type of support necessary for an individual to complete and ADL/IADL task, they may be given over the phone or text if it will be effective.

Training/communication plan: Question sent to ODDS.FieldLiaison@dhsosha.state.or.us will be addressed during regularly scheduled webinars for CMEs and COVID-19.

Field/stakeholder review: Yes No

If yes, reviewed by:

Filing instructions:

If you have any questions about this policy, contact:

Contact(s): ODDS COVID-19 Team	
Phone:	Fax:
Email: ODDS.FieldLiaison@dhsosha.state.or.us	