



**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**DEPARTMENT ON DISABILITY SERVICES**

<b>POLICY</b>	
Department on Disability Services	Subject: Personal Funds
Responsible Program or Office: Developmental Disabilities Administration	Policy Number: 2018-DDA-POL003
Date of Approval by Director: September 27, 2018	Number of Pages: 4
Effective Date: January 1, 2019	Expiration Date: N/A
Supersedes: Personal Funds Policy, 2014-DDA-POL006 (effective January 9, 2015)	
Cross References, Related Policies and Procedures, and Related Documents: Home and Community-Based Setting Requirements at 29 DCMR § 1938 <i>et seq.</i> ; Incident Management and Enforcement Policy; Incident Reporting Procedures; Incident Investigation Procedures; Person-Centered Planning Process and Individual Support Plans Policy and Procedure; Personal Funds Procedure; and Person-Centered Modifications Procedure.	

**1. PURPOSE**

This purpose of this policy is to:

- A. Ensure that providers from whom people receive residential supports and services through the Department on Disability Services’ (DDS) Developmental Disabilities Administration (DDA) service delivery system have and implement policies and procedures to ensure that each person controls his or her personal funds and bank accounts, except where person-centered modifications have been approved as part of the Individual Support Plan (ISP), and to safeguard people’s personal funds;
- B. Provide guidelines for maintaining benefits/entitlements to which a person is eligible; and
- C. Establish that the Office of the Chief Financial Officer (OCFO) and the DDS/DDA’s Incident Management and Enforcement Unit (IMEU) are the oversight authorities for the protection of personal funds and possessions to include, but not be limited to, investigating allegations of theft, exploitation, mismanagement and inaccuracy, and reconciling and auditing people’s bank and other accounts.





## 2. APPLICABILITY

This policy applies to all employees of DDS/DDA, DDA providers, and all persons and agencies that provide residential supports and services to people through the DDA service delivery system.

## 3. AUTHORITY

The authority for this policy is established in DDS as set forth in D.C. Law 16-264, the “Department on Disability Services Establishment Act of 2006,” effective March 14, 2007 (D.C. Official Code § 7-761.01 *et seq.*); and D.C. Law 2-137, the “Citizens with Intellectual Disabilities Constitutional Rights and Dignity Act of 1978,” effective March 3, 1979 (D.C. Official Code § 7-1301.01 *et seq.*).

## 4. RESPONSIBILITY

The responsibility for this policy is vested in the Director of DDS. Implementation of this policy is the responsibility of the DDS Deputy Director for DDA, in coordination with the Chief of Staff and the DDS Deputy Director for Quality Assurance and Performance Management Administration.

## 5. POLICY

It is the policy of DDS to:

Ensure that people receiving DDA supports and services in the Home and Community-Based Setting have control over their personal funds and bank accounts, as evidenced in part by people being able to access their funds when they want to and without advanced notice, except where permissible person-centered modifications have been approved by the Provider Human Rights Community and through person-centered planning as part of their ISP.

Require residential providers to account for and safeguard people’s personal funds. The residential provider is responsible for supporting a person to manage his or her personal funds, including maintaining their assets, at a level that assures that the person continues to be eligible for public benefits as appropriate.

Establish OCFO and IMEU as the oversight authorities for the protection of personal funds and possessions to include, but not be limited to, investigating allegations of theft, exploitation, mismanagement and inaccuracy, and reconciling and auditing people’s bank and accounts.

## 6. STANDARDS

A. DDA residential providers must have and fully implement policies and procedures that





comply with this policy and safeguard people's personal funds.

- B. Any deviations from the Home and Community-Based Setting Requirements regulations regarding personal funds must be supported by a specific assessed need, justified and documented in the person's person-centered ISP, and be reviewed and approved as a restriction by the Provider's Human Rights Committee in accordance with the Person-Centered Modifications Procedure.
- C. Each person receiving residential services through DDA shall have his or her money maintained in his or her own Federal Deposit Insurance Corporation insured bank account, which is interest bearing where possible. Each person's personal funds must be maintained in a separate account and shall not be co-mingled with provider funds.
- D. Each residential provider shall establish an accounting system for personal accounts, maintain records and receipts for disbursements greater than \$25 in a day, withdrawals and deposits, and interest earned for each account.
- E. For people who receive residential provider supports to access or spend their personal funds, the residential provider shall establish an accounting system that tracks all personal funds deposits, interest earned, withdrawals and expenditures, including the date, time, amount, staff, and person's signature and whether or not the person agreed to give them the receipt to keep with their personal financial records.
- F. Personal fund financial records must be located at the person's home and be made available for review upon request by the person, his or her conservator or other appropriate substitute decision-maker, DDS staff or other duly authorized person.
- G. All personal funds held in the name of the person will be accounted for and available to the person for his or her use as identified in the Individual Financial Plan (IFP).
- H. An IFP for each person shall be developed annually and shall guide the process of safeguarding the person's funds.
- I. DDS and DDA residential providers shall monitor the expenditure of people's personal funds to ensure compliance with the IFP.
- J. DDA residential providers shall establish a system that supports the person to manage their resources so that they continue to qualify for all of the public benefits for which they are otherwise eligible. For people who are over-resourced, this may include supporting a person to open an ABLE account, use a special needs trust, or otherwise spend down their funds.





- K. DDA residential providers must conduct reviews of each person's financial records on at least a quarterly basis and document that either the review was conducted or the person refused the review. Reviews must include verification of all account activity, proper documentation and an MCIS update.
  
- L. DDS may sanction providers who do not comply with this policy, or its implementing procedures, in accordance with the DDS Imposition of Sanctions Policy and Procedure.

  
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Andrew P. Reese, Director

  
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Approval Date

