



GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT ON DISABILITY SERVICES

DDS TRANSMITTAL #18-9

TO: Developmental Disabilities Administration Home and Community Based Services Waiver Providers for the Following Services: Supported Living, Supported Living with Transportation, Host Home, Residential Habilitation, Day Habilitation, Small Group Day Habilitation, Individualized Day Supports, Companion, Supported Employment, Small Group Supported Employment and Employment Readiness

FROM: Erin Leveton, State Office of Policy Planning and Innovation

DATE: October 1, 2018

RE: Revised Personal Funds Policy, 2018-DDA-POL003: Effective January 1, 2019

Today the Department on Disability Services (DDS), Developmental Disabilities Administration (DDA) releases a revised policy regarding Home and Community Based Services (HCBS) waiver settings for people with intellectual and developmental disabilities (IDD): Personal Funds Policy, 2018-DDA-POL003. This policy replaces the 2015 edition by the same name.

This requirements in this policy are largely the same. Residential providers must still account for and safeguard people’s personal funds, and support people in acquiring and maintaining public benefits. This updated version makes explicit the responsibility of residential providers to support people in managing their assets so as to qualify for public benefits for which they would otherwise be eligible. It also more explicitly states the requirements that residential providers are responsible for monitoring the expenditure of people’s personal funds to ensure compliance with their Individual Financial Plans.

Consistent with the Home and Community Based Setting Requirements (HCBS) regulations, [29 DCMR §1938](#) and the federal HCBS Settings Rule, this policy requires that people who receive residential supports and services through the DDA delivery system control their own personal funds and bank accounts. Providers must have and implement policies and procedures to ensure that each person in an HCBS setting has this financial control, except where person-centered modifications (PCMs) have been approved as part of the Individual Support Plan and to safeguard people’s funds.

If a person in an HCBS Setting needs an exception (called a “deviation” in the regulations) to these requirements to ensure health or safety, please follow the process as described in DDS’ Person-Centered Modifications Procedure, 2018-DDA-PROC002, with an effective date of February 4, 2019.





DDS appreciates that providers have largely transformed their practices to meet the HCBS Settings Rule and local regulatory requirements regarding personal funds. Data from Provider Certification Review (PCR) and Service Coordination Monitoring demonstrates high levels of compliance in this area.

The effective date for this policy is January 1, 2019, as personal funds audits are conducted on a calendar year basis. However, given some of the confusion around the requirements for person-centered modifications (PCM), the effective date to have PCMs in place is February 4, 2019. By that time, all PCMs, including those related to personal funds, should have been reviewed by the Provider HRC and reflected in the person's Individual Support Plan (ISP). Please use this time to review this policy and its potential impact on the people you support. If you believe that a PCM is needed, please have your Human Rights Committee review the proposal and seek a corresponding ISP amendment. This effective date does not change the requirement in existing District of Columbia regulations that, subject to a Person-Centered Modification:

All Supported Living, Supported Living with Transportation, Host Home Without Transportation, Residential Habilitation, Day Habilitation, Small Group Day Habilitation, Individualized Day Supports, Companion, Supported Employment, Small Group Supported Employment and Employment Readiness settings must ensure that people have control over his or her 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.

PCR and Service Coordination Monitoring will continue to evaluate compliance with these requirements.

DDS appreciates the guidance on personal funds from the Home and Community Based Settings Advisory Group. We look forward to working with that group on updates to the Personal Funds procedure. The Advisory Group meets most Mondays at 2 p.m. and meetings are open to the public. If you are interested in participating, please contact Gregory Banks at gregory.banks@dc.gov or 202.442.8499.

