

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT ON DISABILITY SERVICES



Effective Date: August 1, 2011	Number of Attachments: 2
Responsible Office: DDS Deputy Director, Developmental Disabilities Administration	
Supersedes Policy: N/A	
Title/Subject: Enhanced Monitoring Policy	
Cross-References: Enhanced Monitoring Procedure	

All underlined words/definitions can be found in the Definitions Appendix.

1. PURPOSE

The purpose of this policy is to establish the standards and guidelines by which the Department on Disability Services (DDS), Developmental Disabilities Administration (DDA), will place a provider on enhanced monitoring after (1) a provider has been found to have serious deficiencies in health and safety that may result in immediate jeopardy or imminent danger to the individuals served by DDA or (2) a provider has failed to demonstrate effective systems in supporting individuals in accordance with DDS policies and procedures. Enhanced Monitoring is the process through which all DDA divisions coordinate, oversee and monitor all corrective actions for those providers placed on enhanced monitoring. This process is coordinated through the Quality Management Division. Once a provider is placed on enhanced monitoring all DDA monitoring, and corrective actions being taken will be coordinated through this process. This includes, but is not limited to: issues, training audits, fiscal audits, utilization reviews, Service Coordination Monitoring, recommendations from the Mortality Review Committee and Fatality Review Committee, and incident investigation recommendations.

2. APPLICABILITY

This policy applies to all DDA employees, subcontractors, providers/vendors, consultants, volunteers, and governmental agencies that provide services and supports on behalf of individuals with disabilities receiving services as part of the DDA Service Delivery System funded by DDA or the Department of Health Care Finance (DHCF).

3. AUTHORITY

The authority for this policy is established in the Department on Disability Services 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 "Mentally Retarded Citizens Constitutional Rights and Dignity Act of 1978," effective March 3, 1979 (D.C. Official Code § 7-1301.01 *et seq.*).

4. POLICY

It is the policy of DDS to ensure all individuals receiving services from the DDA service system have access to and receive quality supports, services, and health care. When a provider has been found to have serious deficiencies in health and safety placing individuals in possible imminent risk, DDA will place the provider on enhanced monitoring to monitor the health and safety of the people supported by the provider and to monitor the progress on corrective actions being taken by the provider.

5. RESPONSIBILITY

The responsibility for this policy is vested in the Director, Department on Disability Services. Implementation for this policy is the responsibility of the DDS Deputy Director (Deputy), Developmental Disabilities Administration.

6. STANDARDS

The following are the standards by which DDS will evaluate compliance with this policy:

- A. A provider may be placed on enhanced monitoring as a provider agency in its entirety, as a provider of a specific waiver service, or for a specific service location.
- B. DDA shall monitor all providers for the quality of services and supports provided to the individuals served by DDA.
- C. Criteria for referral on Enhanced Monitoring
A provider is placed on enhanced monitoring when at least one (1) of the following has occurred:
 1. DDS/DDA implements the District of Columbia's Protocol for Additional Enforcement Mechanisms for Providers Whose Performance Poses Potential Risk of Harm to *Evans* Class Members;
 2. Identification by D.C. Health Regulation and Licensing Administration (HRLA) of an immediate jeopardy or imminent danger to one or more individuals (being provided services and supports by a DDA provider) which cannot be resolved immediately and permanently within 24 hours;
 3. Identification by DDA of an immediate jeopardy or imminent danger to one or more individuals (being provided services and supports by a DDA provider) which is not resolved immediately and permanently within 24 hours;
 4. Other enforcement action as evidenced by HRLA report;
 5. A pattern of several repeated Serious Reportable Incidents (SRIs) or a recurring serious of reportable incidents that have not been adequately addressed and poses an imminent risk to the health, safety and welfare of the individuals served;
 6. Repeated entry of a specific site or sites onto the Watch List;
 7. A score of Unsatisfactory on the DDA Provider Certification Review (PCR);
 8. Recommendation from the Immediate Response Committee (IRC) or the Quality Improvement Committee (QIC) based on a pattern of SRIs;
 9. Patterns or trends in issues identified through Service Coordination, Incident Management and Enforcement Unit, Health and Wellness Unit, Quality Enhancement and Improvement (QE/OI) Unit, Home and Community-Based Services (HCBS) Waiver Utilization reviews or by DHCF;

10. Recommendation from the Mortality Review Committee (MRC) Coordinator based on death investigation/data and MRC recommendations;
11. Recommendation from the Deputy or her designee determines that there are performance issues that are seriously deficient or which pose a threat to the health, safety and well-being of the individuals receiving services from the agency.

D. Sanctions from placement on Enhanced Monitoring.

The frequency and/or severity of conditions leading to the placement of a provider on enhanced monitoring by DDA may lead to the following, escalating sanctions:

1. Suspension of referrals or permission to serve new individuals in an Intermediate Care Facility for Persons with Intellectual Disabilities (ICF/ID) and/or Home and Community-Based Services (HCBS) Waiver program;
2. Referral to HRLA for investigation;
3. Referral to any applicable professional licensing board for investigation;
4. Referral to DHCF for investigation;
5. Referral to the D.C. Office of the Inspector General for investigation;
6. Compliance with corrective actions of outstanding issues during the DDA PCR to pass the waiver certification review process;
7. Compliance with corrective actions of outstanding unmet needs during a PCR to pass the waiver certification review process;
8. Request to DDS Office of Contracts and Procurement to provide a proposed notice of termination of the Human Care Agreement (HCA);
9. Request to DHCF to provide a proposed notice of termination of enrollment in the HCBS Waiver program.



Laura L. Nuss, Director

8/1/2011

Approval Date

Attachments:

1. Enhanced Monitoring Procedure
2. District of Columbia's Protocol for Additional Enforcement Mechanisms for Providers Whose Performance Poses Potential Risk of Harm to *Evans* Class Members