

(A) Guiding principles

- (1) Persons with developmental disabilities have the right to receive the full range of supports and services they need to be participating members of their communities. Employment services, continuing education, transportation services, technological supports, and therapeutic services should be available to individuals dependent upon their choices, desires and preferences.
- (2) Employment options include but are not limited to community competitive employment, supported employment, mobile work crews, enclaves, entrepreneurships and sheltered employment. Regardless of the individual's choice of a work site, adults should have access to the supports necessary to be successful and should receive the benefits provided to other workers in the same setting.
- (3) Individuals should have supports as needed to have access to retirement, recreational, social and employment activities. Services may be provided in an individual's home if appropriate. Individuals for whom work is not a priority have the right to spend their days involved in activities of interest and personal benefit in integrated, community-based settings. The county board shall plan and set priorities for services based on available resources.

(B) Personnel qualifications

Staff employed by the county board in adult services shall comply with rules 5123:2-5-01 and 5123:2-5-02 of the Administrative Code.

- (C) County boards of MR/DD participating in the community alternative funding system or under the jurisdiction of other licensing or certifying bodies must comply with additional requirements as outlined in rules governing those programs.

(D) Eligibility

- (1) Each county board shall have on file written procedures regarding entry into the program. This information shall be disseminated to the applicant, the applicant's legal guardian, staff and others upon request and reviewed annually. Information about the mission, programs and services of the county board shall be provided to the individual requesting services and, if appropriate family and friends, in a format that can be easily understood by the individual.
- (2) To be eligible for adult services, an individual shall:
 - (a) Be sixteen years of age or older;

- (b) Have a developmental disability as defined in section 5126.01 of the Revised Code; and
 - (c) If applicable, be placed into the program by the school district of residence as the least-restrictive environment in accordance with rule 3301-51-02 of the Administrative Code.
- (3) Notwithstanding the definitions of "developmental disability" and "developmentally disabled person" in section 5126.01 of the Revised Code, all persons who were eligible for services and participated in programs offered by a county board of MR/DD on July 1, 1991, shall continue to be eligible for those services and to participate in those programs as long as they are in need of services.
 - (4) The county board shall ensure that eligibility determinations on behalf of an applicant be conducted in a timely manner and within forty-five calendar days after all information necessary to make the determination has been received from the referring party or applicant.
 - (5) The superintendent or his designee shall have the authority to make the final decision regarding eligibility of the individual.
 - (6) Individuals determined ineligible for county board of MR/DD services shall be afforded due process rights pursuant to rule 5123:2-1-02 of the Administrative Code. Records of individuals determined ineligible shall be maintained for five years after determination has been made. Individuals determined ineligible for county board services shall be referred to other appropriate community agencies.
- (E) Assessment of an individual's desires and preferences
- (1) Each county board of MR/DD shall develop a functional assessment process for each individual to determine his or her choices, desires and preferences in home, vocational and community environments.
 - (2) If services or supports are requested, the assessment shall commence within sixty calendar days from the date that eligibility is established. This time frame may be extended based upon extenuating circumstances and with agreement from the individual. The assessment process is ongoing.
 - (3) The initial assessment shall begin with a review of available information to determine if supplemental situational and/or other formal or informal evaluations should occur.
 - (4) A written assessment plan shall be developed in conjunction with the applicant, the applicant's legal guardian and, if desired, the advocate of the applicant's

choice. The results of the plan shall be used for the provision and/or coordination of services.

- (5) A medical examination current within six months from the date that eligibility was established shall be available or be completed.
- (6) Participation in adult services or placement onto a waiting list shall take place within thirty calendar days from the date that the initial assessment begins. Individuals placed on a waiting list shall be referred to other community service and support providers as appropriate.
- (7) The start date for participation in the program may be postponed based upon extenuating circumstances and with agreement of the individual requesting services.

(F) Waiting lists

When it is necessary to establish waiting lists for services, records shall be maintained in accordance with rule 5123:2-1-02 of the Administrative Code.

(G) Individual plan (IP)

Each individual shall have a written plan. The individual plan (IP) outlines the services, supports, education and training program that will be provided and coordinated for the individual by various agencies and persons.

- (1) A certificated staff member of the county board shall serve as an individual plan coordinator. The meeting to develop the IP shall include at a minimum, the individual, the individual's legal guardian, a certificated staff member of the county board and, if desired, the individual's advocate or friend. The individual plan coordinator in conjunction with the individual and/or his representative shall determine which other people shall be present at the meeting. The individual plan coordinator shall be responsible for the development of the IP and shall ensure that services, goals and objectives implemented are not conflicting with each other. The provision of adult services is contingent upon the consent of the individual or legal guardian. Such consent may be modified or withdrawn at any time. The individual plan coordinator shall advise and present options in an appropriate manner to the individual so the individual may have a voice in matters pertaining to his life. A written summary of the meeting which includes any dissenting opinions of those present shall be made and entered into the individual's permanent record.
- (2) The adult services provider team may vary in size and composition according to the needs and preferences of the individual. The team shall include those persons directly providing services to the individual, and it shall meet on a formal or informal basis as needed. Members of the team assist the individual in

determining the services, supports, goals, methodologies and procedures contained within the plan. Members do not need to attend the IP development meeting to be part of the individual's team.

- (3) The initial IP shall be developed within a maximum of thirty calendar days after entry of the individual into adult services. An IP shall be maintained for all individuals. This time frame may be extended based upon extenuating circumstances and with agreement from the individual.
- (4) After the initial plan is developed for an individual, appropriate team members shall meet at least annually to review, revise, and/or redevelop the IP or whenever a major change in training, continuing education, services, employment or supports is proposed.
- (5) The IP shall be signed by each adult services provider and persons who participated in the development of the IP.
- (6) The IP is to be a working document. The individual plan coordinator shall be responsible for assuring that the individual receives services required by the IP that are identified as the responsibility of the county board and for assuring that copies of applicable portions of the IP shall be in the possession of appropriate adult service providers. Confidentiality shall be maintained. An IP shall be given to the individual, legal guardian, person responsible for the plan, and other designated people involved in the individual's plan.
- (7) The county board shall assure that the IP shall be developed and implemented in coordination with other appropriate service providers or agencies.
- (8) Appropriate signed and dated notations in the record shall verify that the individual being served has received all services to which he has been referred or explanations of why services have not been provided.
- (9) The IP shall be based on priorities identified in the current assessment of choices, desires and preferences. The IP shall include opportunities:
 - (a) For the individual to control his life through informed choices;
 - (b) For developing significant social relationships within the community;
 - (c) For working and participating in the life of his community;
 - (d) That are in accordance with the individual's selected lifestyle;
 - (e) That support each individual's choices, desires and preferences leading to interdependence and full community inclusion;

- (f) That address how services/supports will follow the individual into activities that take place in the community; and
 - (g) That enable the individual to fulfill his lifelong plans.
- (10) The training, continuing education or therapeutic components of the IP shall include at a minimum:
- (a) Goals;
 - (b) Measurable objectives for each goal;
 - (c) The goal and objective review schedule;
 - (d) Frequency, duration and location of continuing education and therapeutic components or training;
 - (e) Implementation strategies and methodologies and the person responsible for the implementation; and
 - (f) A statement regarding the frequency and type of documentation that should be maintained.
- (11) The services/supports component of the IP shall include:
- (a) A statement of services/supports to be provided;
 - (b) Frequency and duration of services/supports;
 - (c) Identification of the adult services provider;
 - (d) A statement regarding the frequency and type of documentation that should be maintained; and
 - (e) The frequency at which the services/supports should be reviewed for effectiveness.

(H) Operating requirements

- (1) The county board shall adopt a policy regarding staffing requirements for adult services. The staffing requirements shall be based upon individual plans and resulting outcomes of the provision of services/supports for individuals for all programs available. The policy shall be reviewed annually.

- (2) Adult services shall be in operation a minimum of two hundred thirty-two days. An individual's needs may require more or fewer days of employment, continuing education, training, services and/or supports.
- (3) The county board shall prepare information on the program and distribute this information to all individuals participating in the program and to all legal guardians. This information shall include at least the following:
 - (a) A description of adult services;
 - (b) Eligibility criteria;
 - (c) Transportation policies and procedures;
 - (d) Payroll procedures and applicable fringe benefits;
 - (e) Explanation of attendance policies;
 - (f) Grievance procedures;
 - (g) Work hours and breaks; and
 - (h) Individual rights, confidentiality, and due process information.
- (4) Each county board shall adopt a policy regarding behavior management and confidentiality of records as outlined in rule 5123:2-1-02 of the Administrative Code.
- (5) A committee shall be formed of representatives of management and individuals participating in the program for the purpose of discussing matters of mutual concern, including aspects of the adult services operation. Meetings shall be held at least quarterly during the year.
- (6) All applicable components of adult services shall be in compliance with the regulations of the United States department of labor, wage and hour division, 29 C.F.R. 525.
- (7) Individuals engaged in paid work shall be provided coverage under the bureau of workers' compensation or its equivalent.

(I) Records

- (1) Records shall be maintained in a confidential manner and in a secure manner and include:

- (a) Initial date of inquiry and date individual begins participation in adult services;
 - (b) Verification of age;
 - (c) Emergency contact sheet;
 - (d) Medical report;
 - (e) Assessment of preferences, strengths, and needs;
 - (f) Special job accommodations;
 - (g) A copy of the current IP;
 - (h) Evidence of IP or IP reviews and revisions;
 - (i) Incident reports;
 - (j) Accident reports;
 - (k) Medication reports;
 - (l) Other reports;
 - (m) Attendance records; and
 - (n) Individual production and payroll records.
- (2) Designated staff shall review semiannually a representative sample of the records to measure their adequacy and fulfillment of record-keeping requirements.
- (3) Unusual incidents and medical emergencies shall be reported as soon as possible and within twenty-four hours of occurrence and in compliance with major unusual incident procedures as in accordance with rule 5123:2-17-02 of the Administrative Code.
- (4) There shall be a written procedure for reporting all accidents with recommendations regarding the safety program and handling of accidents and injuries. Information concerning health, safety and special job considerations shall be clearly communicated to appropriate staff.
- (5) Closure and transfer summaries shall be recorded within two weeks following the individual's exit from the program.

(J) Physical facilities

- (1) Program facilities owned or leased by the county board shall be in compliance with state and local building and mechanical codes with respect to the design, construction, and equipment applicable to the occupancy classification.
- (2) Adult services sites shall be in compliance with the "Ohio Fire Code" as administered by the state or local fire official.
- (3) Plumbing and sanitary installation shall be in compliance with the Ohio and local plumbing codes as administered by the Ohio health department or the local official having jurisdiction.
- (4) Facilities having food preparation areas shall have a valid food service license issued by the local health authorities having jurisdiction.
- (5) Breakrooms, restrooms, and dining areas shall be maintained in an orderly and sanitary manner.
- (6) Power equipment, fixed or portable, should include operating safeguards as required by the division of safety and hygiene, bureau of workers' compensation.

Replaces: 5123:2-1-06, 5123:2-1-07, 5123:2-1-08

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