

Coronavirus Disease 2019 (COVID-19):

Solving Disagreements and Individualized Planning for Individuals Receiving Residential Habilitation and Community Participation Support or Day Habilitation

ODP Announcement 20-093

AUDIENCE:

Providers of Residential Habilitation
Providers of Community Participation Support (CPS) or Day Habilitation
Individuals and Families
All other interested stakeholders

PURPOSE:

This communication provides guidance to all Residential Habilitation, CPS and Day Habilitation providers regarding effective individualized planning and solving disagreements that may arise during planning.

DISCUSSION:

Some Pennsylvanians are faced with challenging decisions as the Commonwealth has advanced Governor Wolf's Process to Reopen Pennsylvania, balancing *personal safety* and a return to *community living* during the COVID-19 pandemic. Making these decisions can present unique challenges for teams supporting individuals receiving Residential Habilitation and CPS or Day Habilitation services.

The Office of Developmental Programs (ODP) acknowledges the creativity and planning that providers have exhibited to reopen facility-based CPS and Day Habilitation. Additionally, through weekly regional discussions, ODP has received questions and concerns from providers, Supports Coordination Organizations, and Administrative Entities about how to resolve disagreements when individuals receiving Residential

Habilitation desire to return to facility-based CPS or Day Habilitation or other activities outside of their home and team members have concerns about these activities. To address these concerns, ODP is providing the following guidance to help facilitate successful transition planning and help providers have the tools they need to work collaboratively while resolving disagreements.

- **Collaboration**

In the spirit of service to individuals and families, it is paramount that Residential Habilitation and CPS or Day Habilitation providers continue to *communicate* and *collaborate* with each other during this critical time. Tension around reopening facility-based CPS and Day Habilitation services can be high due to the pressure of modifying environments, enacting new safety protocols, re-training staff, making proper supplies available and most significantly keeping people safe. Additionally, Residential Habilitation providers are working to address safety and quality of life matters for individuals and their housemates by establishing protocols that limit potential exposure. Providers of all three types of services have an important role in the planning process that requires an inclusive approach.

Supports Coordinators (SCs) will continue to provide support in facilitating person-centered planning activities.

- **Individualized Planning**

Due to the multifaceted considerations related to health associated with COVID-19, the individualized planning process is the most effective way to ensure desired outcomes. On May 18, 2020, ODP published the [Individual Transition Guide \(ITG\)](#) designed to assist individuals, families, SCs and other team members with identifying supports and services needed for individuals to re-engage in desired activities outside of their home. This guide should be used to evaluate an individual's circumstances as teams reconvene and reevaluate if revisions or modifications to an individual's supports and services are necessary due to COVID-19. In addition to the ITG, ODP has provided [Your Roadmap Back Into the Community for Parents and Caregivers](#), as well as the [Resource Guide to Community Readiness for Parents and Caregivers](#) as additional tools for transition planning.

The ITG should be used to identify any changes in support needs, services, risk mitigation strategies, and plan outcomes as outlined in the individual's Individual

Support Plan (ISP). SCs should use the Annotated ISP in conjunction with the ITG with an emphasis on the health and safety focus areas.

It is critical that both Residential Habilitation and CPS or Day Habilitation providers participate in this important planning process. The individual and other team members should be prepared to provide constructive input about the following areas: (1) the individual's desire to return to community activities and settings, (2) physical health status, (3) infection control measures, (4) mental health and behavioral health needs, (5) changes in routine, and (6) the conditions of supports and services.

- **Resolving Disagreements**

When a team has worked through the ITG process and has been unable to resolve disagreements associated with planning for CPS or Day Habilitation services to return, providers should contact their Administrative Entity for additional support.

Some situations might not be resolvable through the team process and may require alterations to the way Residential Habilitation, CPS or Day Habilitation services are delivered.

- **Residential Habilitation Providers Are Expected to Provide Day Activities**

If an individual by choice or through the planning process cannot return to CPS or Day Habilitation services, it is ODP's expectation that Residential Habilitation providers give individuals options (of the individual's choosing) of meaningful day activities.

- **Supporting Individual Choice**

In accordance with 55 Pa. Code § 6100.222, the ISP process must be directed by the individual to the extent possible and as desired by the individual and enable the individual to make choices and decisions. The ISP must reflect what is important to the individual to ensure that services and supports are delivered in a manner reflecting individual preferences and ensuring the individual's health, safety, and well-being.

In discussing the option of resuming CPS or Day Habilitation services, the team should have conversations regarding why the individual wants to resume services

and what it is about the service that is important to the individual. This will allow the team to brainstorm all options for supporting the individual's choices, desires and interests which can mitigate concerns and disagreements expressed among team members. Using LifeCourse tools such as the [Integrated Supports Star](#) can be useful in helping teams think of different options for supporting the individual's choices.