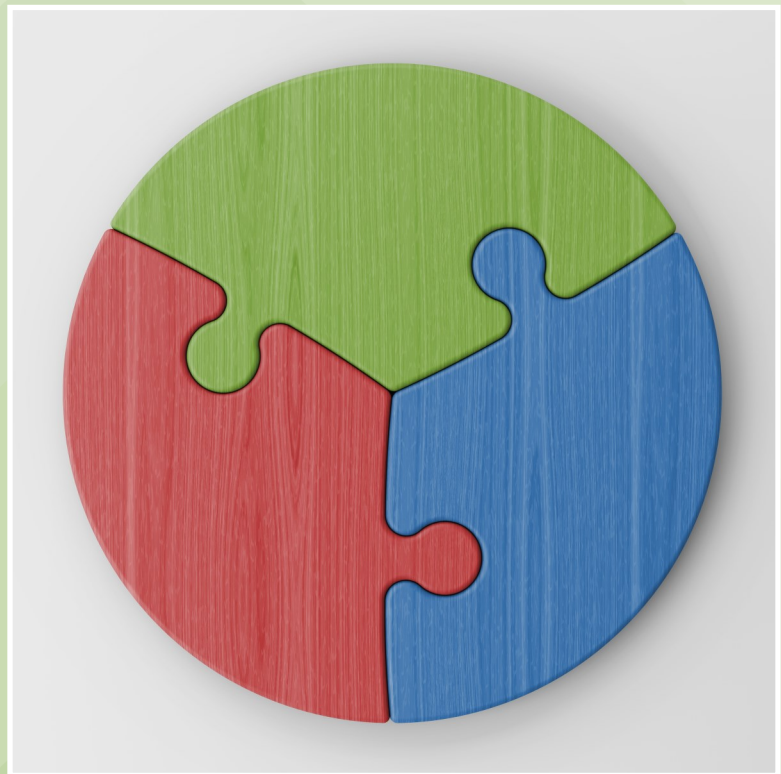


Adult Guardianship
Education Program:
Introduction to the
Developmental
Disabilities System
Participant Workbook



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INSTRUCTIONS

This workbook has been provided to guide you through this course. Please follow along as instructed in the video and do not work ahead.

As you watch the video, you will respond to a number of questions. These questions are designed to help you engage with the content and apply what you are learning. It's okay if you aren't sure how to answer, as you will receive feedback after you answer, and your responses will not be collected.

This workbook is a reference that you can take home with you. Besides questions, it includes faculty biographies and resources that might be helpful as you continue your work as a guardian.

The course video includes two optional breaks, at the 0:37:28 and 1:20:27 marks. You will need to pause the video if you want to take the break, then restart the video when you are ready to resume, as per the on-screen instructions.

TABLE OF CONTENTS

Faculty Biographies.....	2
Questions.....	3
PowerPoint Slides	13
Resources.....	29
Answer Key	53

FACULTY BIOGRAPHIES

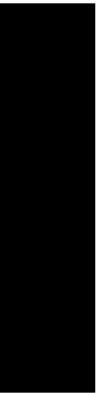
HEIDI DAVIDSON is currently a manager of the Office of Quality & Innovation at DODD. She has been with the Department of Developmental Disabilities for 20 years and has 33+ years of experience in the field of developmental disabilities. She began her career in Pennsylvania as a Direct Support Professional. She further provided supports to individuals with challenging behaviors and worked in management and administration of residential services. Upon relocating to Ohio she provided case management and behavior support services in a vocational setting. She began at DODD as a Certification Specialist. She's held many positions at the Department in the areas of technical assistance, behavior supports, and compliance prior to her current Regional Coordination Manager position.

COREY FERGUSON, MHA, is the Program Administrator for Family Outreach & Education at the Ohio Department of Developmental Disabilities. He is an Ohio Ambassador for Charting the LifeCourse program and the parent of three children who each receive additional educational services via an IEP. In addition, his oldest is medically complex and receives services and supports from the local County Board of Developmental Disabilities. Through his own experience, Corey has great interest in supporting and empowering people with disabilities, and families, in pursuing and achieving their best lives.

DEREK GRAHAM is an estate planning attorney and partner at Resch, Root, Philipps & Graham, LLC in Dublin, Ohio. Derek's practice focuses on estate planning, special needs estate planning, developmental disabilities law, guardianship, probate, probate litigation and business (organizational, transactional and succession). Early in his career he was fortunate to get experience in civil litigation, business transactions and estate planning. Then in 2009, he and his wife had their first daughter who was born with Down syndrome. Like many of his clients today, they were inundated with information and felt overwhelmed. Twelve years later, he now spends the majority of his days helping similarly situated families with the various resources that exist. Derek finds it very rewarding to help families understand how to effectively and practically plan their estate. More than that though, he enjoys helping families understand the resources available to them and how to get the most out of those resources.

KRISTEN HENRY is the Executive Director of Advocacy and Protective Services, Inc. (APSI), which provides guardianship and other protective services to over 3,200 adults with developmental disabilities in Ohio. She is an attorney with experience advocating for individuals with disabilities on issues related to guardianship, Medicaid, and civil rights, and she is a frequent presenter on guardianship topics. She earned her B.A. from The Ohio State University and her J.D. from The Ohio State University Moritz College of Law.

Questions



Services

CESE 1. Which of the services are available (if eligible) by the county board?

Circle all that apply then turn to the answer key to check your work.

- A. Service and support administrator
- B. Supported living services
- C. Assistive technology
- D. Transportation
- E. Environmental modifications
- F. Employment

Medicaid

CESE 2. Which answer best describes traditional Medicaid?
Circle the best answer then turn to the answer key to check your work.

- A. A federal program that allows the **elderly** to receive **housing assistance** services.
- B. A federal program that allows the **elderly** to receive **health-related** services.
- C. A federal program that allows **eligible individuals with low income** to receive **housing assistance** services.
- D. A federal program that allows **eligible individuals with low income** to receive **health-related** services.

Waivers

CESE 3. What does a waiver “waive”?

Circle the best answer then turn to the answer key to check your work.

- A. The requirement for an individual to be under a court-appointed guardian in order to receive Medicaid.
- B. The requirement for an individual to be over 18 years of age in order to receive Medicaid.
- C. The requirement for an individual to obtain skilled nursing care in order to receive Medicaid.
- D. The requirement for an individual to be in a nursing home, hospital, or long-term care setting in order to receive Medicaid.

Living Options

CESE 4. Where can a person who receives DODD services live? Circle all that apply then turn to the answer key to check your work.

- A. Family home
- B. Apartment
- C. Condo
- D. Licensed facility
- E. Intermediate care facility

Team Members

RRP 1. A team can include which members?
Circle all that apply then turn to the answer key to check your work.

- A. Person being supported
- B. Service and Support Administrator (SSA)
- C. Family members and friends
- D. Qualified Intellectual Disabilities Professional (QIDP)
- E. Providers and other professionals
- F. Guardian

Responsibilities

RRP 2. Which of the following is the guardian responsible for?
Circle all that apply then turn to the answer key to check your work.

- A. Providing informed consent
- B. Monitoring and coordinating services
- C. Maintaining eligibility of services
- D. Accounting to the Probate Court
- E. Establishing a budget for services
- F. Monitoring the person's plan and ICF services

Roles

RRP 3. How is the role of the QIDP different than the role of an SSA?

Circle the best answer then turn to the answer key to check your work.

- A. An SSA does not monitor a service plan. That is a QIDP's responsibility.
- B. An SSA coordinates all services. A QIDP does not coordinate all services.
- C. When somebody lives in an intermediate care facility, they have a QIDP rather than an SSA.

Incidents

MBSDR 1. What is an alleged, suspected, or actual occurrence of an incident when there is reason to believe the health and welfare of an individual may be adversely affected, or the individual may be placed at likely risk of harm?

Circle the best answer then turn to the answer key to check your work.

- A. Major unusual incident (MUI)
- B. Unusual incident (UI)

Reporters

MBSDR 2. Who must report an MUI?

Circle all that apply then turn to the answer key to check your work.

- A. Providers
- B. County Board staff
- C. Anybody paid to provide a Medicaid waiver

Measures

MBSDR 3. Denial of breakfast, lunch, and dinner, and placing a person in a room with no light are examples of _____ measures.

Circle the best answer then turn to the answer key to check your work.

- A. Prohibited
- B. Restrictive

MBSDR 4. _____ measures are temporary in nature and promote healing, recovery, and emotional well-being.

Circle the best answer then turn to the answer key to check your work.

- A. Prohibited
- B. Restrictive

MBSDR 5. Identify which of the following are prohibited measures and which are rights restrictions. Circle the best answer for each item then turn to the answer key to check your work.

Limiting use of a phone Rights Restrictions Prohibited Measure

Loss of privilege due to behavior Rights Restrictions Prohibited Measure

Using restraints on a person Rights Restrictions Prohibited Measure

Limiting visitors to prevent harm Rights Restrictions Prohibited Measure

Application of electrical shock Rights Restrictions Prohibited Measure

Placing in a room with no light Rights Restrictions Prohibited Measure

Required bedtimes Rights Restrictions Prohibited Measure

Subjecting to painful sounds Rights Restrictions Prohibited Measure

Dispute Resolution

MBSDR 6. In what order should you do the following steps to resolve a dispute with a Service and Support Administrator (SSA)?

Put the numbers 1 through 4 in the blanks to show the correct order then turn to the answer key to check your work.

- ___ Talk with SSA supervisor
- ___ Talk about the issue with the SSA
- ___ Request new SSA
- ___ Request special team meeting

MBSDR 7. When is a guardian liable for contracts and debts of the ward?

Circle all that apply then turn to the answer key to check your work.


- A. When the relationship with the ward gives rise to liability
- B. When the guardian's negligence gives rise to debt
- C. When the guardian acted outside their scope of authority
- D. When the ward exceeds the credit limit on their charge card
- E. When the ward overdraws their checking account

PowerPoint Slides



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Introduction to the Developmental Disabilities System



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1

Goal(s) and Learning Objectives

1. Describe the **core elements of the system** in place to support adults with developmental disabilities.
2. Identify the **criteria used to determine eligibility** for County Board Developmental Disability programs.
3. Recognize the available **services**.
4. Discuss the **roles and responsibilities** of the team.
5. Identify the **rights of individuals** with developmental disabilities.
6. Recognize key approaches to **resolve disputes**.

2

Core Elements of the System

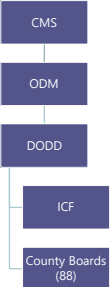


3

Ohio Developmental Disabilities Service System

Multiple Components

- Services & Supports
 - Department of Developmental Disabilities (DODD)
 - County Boards of Developmental Disabilities
 - Intermediate Care Facilities (ICF)
 - Service and Support Providers
- Funding
 - Centers for Medicare & Medicaid Services (CMS)
 - Ohio Department of Medicaid (ODM)
 - Ohio Department of Developmental Disabilities (DODD)
 - ICF
 - County Boards (88)



4

Ohio DODD

- Offering support across the lifespan of people with developmental disabilities, the Ohio Department of Developmental Disabilities oversees a statewide system of supportive services that focus on ensuring health and safety, supporting access to community participation, and increasing opportunities for meaningful employment.
- Develops state policy to align with federal regulations
- Provide regulatory oversight and technical assistance to ensure county board and providers are in compliance with federal and state requirements.

5

County Boards

- County boards of DD were originally created in the Ohio Revised Code in 1967 when the state recognized that no other existing systems were able to meet the needs of people with developmental disabilities and their families.
- Ohio's 88 county boards of developmental disabilities are the local government agencies that fund and oversee services and support
- Each county board has its own policies and strategic plan on how it operates within the state regulatory. This includes funding, based on a variety of revenue streams, including local tax levies.
- Local funding, including the Medicaid waiver match dollars, are allocated based on the assessed needs of individuals eligible for services within the county.

6

County Boards

- Each county board has a governing board composed of residents of the county. County boards have local authority to assess for, plan, and purchase services to meet the unique needs of the individuals they support.
- The County Board is the primary local contact, and serves 2 primary functions:
 - Determining Eligibility
 - Case Management
- County boards of DD have the ability to put **tax levies** on the county ballot (with permission from the county commissioners) and collect levy dollars to fund the operations of the agency and the services needed by people with disabilities.

7

Providers

- Wide Variety of Providers
 - Intermediate Care Facilities
 - Homemaker/Personal Care
 - Medical Transportation
 - Non-Medical Transportation
 - Home Modifications
 - Adult Day Supports
 - Assistive Technology & Remote Support
 - Clinical/Therapeutic Intervention
 - Community Respite
- Need to be Certified to Provide Service
- Service Specified by OhioISP
- Direct support professionals (DSPs) provide the hands on assistance the person needs with daily activities like cooking, cleaning, bathing, etc...

8

Individuals, Families, and Guardians

- Collaborating with the SSA/Q to make sure the ISP is up-to-date, person-centered, comprehensive, and achievable.
- Utilizing resources and information to research providers and selecting the provider for services and supports outlined in the OhioISP.
- Understanding and efficiently using funding/waiver budget.

9

What this means for guardians

10

Services and Eligibility



11

What is a Developmental Disability?

- Mental or physical impairment
- Manifested before age 22
- Likely to continue indefinitely
- Affect # of life areas
- Cannot be primarily MI (pull info from toolkit)

12

Eligibility for Services

- County Board of Developmental Disabilities are governmental agencies that fund, oversee and directly provides supports and services to individuals with developmental disabilities and their families
- Intermediate Care Facility (ICF) are state or privately operated residential programs for persons with intellectual disabilities and related conditions that provide supports and services to the individuals who live there 24 hours a day seven days a week.

13

Eligibility for County Board Services

- Determined by County Board of DD
- Have a Developmental Disability
 - Child's/Ohio Eligibility Determination Instrument (OEDI/COEDI)
 - Level of Care (LOC)



14

How Are Services Funded

- Local funds (levy dollars)
- Medicaid waiver services
- Traditional Medicaid services
- Private pay



15

What the Heck is Medicaid???

Medicaid (traditional services)

- Established by Title XIX of the Social Security Act that helps with the costs of medically necessary services for eligible individuals.
- Medicaid eligibility in Ohio is handled by the 88 County Departments of Job and Family Services (CDJFS). Medicaid eligibility must be redetermined at least once every twelve months.
- **Not referring to Expansion Medicaid**

16

Traditional Medicaid

- State Plan Services (card services)
- Covers a wide range of needs, including doctor visits, prescriptions, medical equipment at home, dental and vision services, pregnancy care, and mental health services.
- Ohio's Medicaid State Plan also includes coverage for residential placement in Nursing Facilities (NFs) and Intermediate Care Facilities (ICFs) for individuals who are eligible for Medicaid and have an assessed need for long-term services and supports.



17

What the heck is a Medicaid Waiver???

- A level of care (LOC) assessment is conducted to determine which residential placement the individual is entitled to receive.
- Individuals who have a NF LOC or an ICF LOC may opt to **waive** their entitlement to placement in an NF or ICF and choose to receive services and supports through a home- and community-based services (HCBS) waiver.
- All individuals enrolled on any HCBS waiver must have their LOC reviewed at least once every **twelve months**.

18

Services Available to Eligible Persons through County Board

- Service and Support Administrator (SSA)
- Supported living services
- Adult day services
- Home modifications
- Assistive technology
- Remote supports (explain?)
- Transportation
- Residential services
- Employment support and/or services
- Self-directed services (explain?)



19

Services Available – Intermediate Care Facility

- Qualified Intellectual Disability Professional (QIDP) – Case Management
- Service Planning
- Transportation
- Nursing
- Medical
- Behavioral Health
- Residential
- Day Program
- Recreation



20

Services Available – Medicaid

Includes coverage for services such as:

- Inpatient & outpatient hospital services;
- Physician & other professional, clinical services;
- Laboratory and X-ray services;
- Prescription medications;
- Private duty nursing;
- Home health services;
- Case management; and
- Many other medically necessary services.



21

Services Available – Medicaid Waivers

- Adult Day Services
- Assistive Technology
- Career Planning
- Community Respite
- Environmental Accessibility Adaptations
- Homemaker/Personal Care
- Informal Respite
- Money Management
- Participant Directed Services
- Remote Support
- Shared Living



22

Ohio Waivers

- Level I
- Self
- Individual Options (IO)
- Non-DODD
- Many services available, see waiver chart in resources

Waiver Name	Description	Level I	IO	DDP
Adult Day Services	Helps to build connections around the place where a person lives, or in their community based on their interests and activities.	✓	✓	✓
Assistive Technology	Provides electronic, non-electronic, physical, or engineered solutions that address needs/interests identified in the service plan.	✓	✓	✓
Career Planning	Helps find jobs in the community; help to start a business; bring technology to help with work; and work with the employer to improve the job.	✓	✓	✓
Clinical/Therapeutic Interventions	This service can help a person meet the needs identified in a functional behavior assessment through counseling, coaching, and training.	✓	✓	✓
Community Respite	Provides a break to caregivers by giving temporary services at recreation centers, libraries, and other community locations across regional administrative areas.	✓	✓	✓
Community Transition	Provides support for one-time transitional short-term services for a person moving from an intermediate care facility or nursing facility to a community-based setting.	✓	✓	✓
Environmental Accessibility Adaptations	Changes to a person's home that helps them to function with greater independence.	✓	✓	✓
Functional Behavioral Assessment	Helps a person understand why they do the things that they do and how their environment influences their actions.	✓	✓	✓
Group Employment Support	Helps a person in a small group of people with the same goal, learn new job skills that can help them get a job in the community.	✓	✓	✓

23

DODD Waivers

- **Level One (L1)**
 - Primarily for people who utilize adult day services and have minimal residential service needs.
 - Annual cost cap of \$45K for adults and \$30K for children.
- **Self-Empowered Life Funding (SELF)**
 - Primarily for people who are able to and prefer to self-direct the majority of their services.
 - Annual cost cap of \$45K for adults and \$30K for children.
- **Individual Options (IO)**
 - Comprehensive waiver, primarily for people who have routine, on-going residential support needs.
 - Funding range determined by the Ohio Developmental Disabilities Profile (ODDP) with a prior authorization process in place for service needs beyond the funding range.

24

Process for Getting a DODD Waiver

To get a waiver, you must first be assessed. There is a limited number of waivers. County boards use a standardized assessment to find whether an individual has unmet needs.

Immediate need

People assessed to have an immediate need are not placed on a waiting list, as those needs must be met within 30 days. The needs may be met by waiver enrollment or by other services and supports available through the county board and/or other community resources.

Current need

People assessed to have a current need, which is defined as a need for services and supports that must be met within the next 12 months, are placed on the Current Needs waiting list if the county does not have a waiver enrollment opportunity (waiver slot) available and the need cannot be met by other services and supports available through the county board and/or other community resources.

25

Assessments

- The LOC and the OEDI criteria are similar but do not match up exactly, so there are cases in which the person has been determined not eligible for county board services but could still be eligible for Home and Community-Based Services Waivers using the LOC Assessment.
- The waiting list assessment is reviewed every 12 months. The review should consider whether anything has changed for the person and his/her situation, using the previous assessment as the baseline.

26

Where Can You Live?

- Family home
- In own apartment/house/condo
- Shared Living in a provider's home
- Licensed Waiver facility
- Intermediate Care Facility (ICF) for Individuals with Intellectual Disabilities



27

Intermediate Care Facility Considerations

- Pre-admission counseling
 - Options counseling
 - How to find ICF Info - DODD Intermediate Facilities Search and DODD Provider Search
- Vicki will send link to DODD website where you can search for ICFs?



28

What this means for guardians

29

Team Roles and Responsibilities



30

What is a Team?

- Support network established by the person
- Members of the team can include:
 - Person being supported
 - Guardian
 - SSA/QIDP
 - Family members/friends
 - Providers/other professionals



31

Role of the Team

- Listens to the person and determines their wants, needs, and how to balance the things that the person feels are important.
- Establishes an OhioISP, driven by the person, to determine services that are in the best interest of that individual.

32

Role of the Guardian

- Advocate for the person
- Make decisions that are in the best interest of the person
- Provide informed consent
- Monitor and coordinate services
- Maintain eligibility for services
- Accountable to Probate Court



33

Informed Consent & Decision Making

Best Interest:

- "Least intrusive, most normalizing and least restrictive."

Due Diligence:

- "...communicating with the ward and being fully informed..."

Least Restrictive Alternative:

- "...imposing the least limitations on the ward's rights, freedom or ability to control the ward's environment."

Person-Centered Planning:

- "A guardian shall strive to balance a ward's maximum independence and self-reliance with the ward's best interest.
- Emphasis on protection of rights and communication with ward.

34

Court Requirements

- Conflicts of interest
 - Direct service provider prohibition
 - Approval of court required
- Change of residence
- Guardian Report / Annual Plan
- Report abuse, neglect & exploitation

35

Role of Service and Support Administrator (SSA)

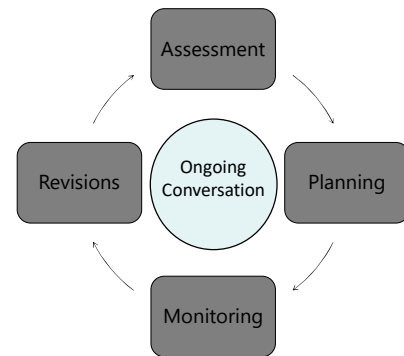
- Establishes a budget for services
- Provides continuous monitoring of ISP and services
- Coordinates all services
- Advocate for the person

36

Role of Qualified Intellectual Disability Professional (QIDP)

- Continuously monitors the person's plan and ICF services
- Coordinates services
- Advocate for the person

37



38

Role of the Provider

- Provide input to the person's plan
- Implement the plan
- Advocate for the person



39

What this Means for Guardians

40

Service Planning

- Individual Service Plan
 - A written description of the services, supports and activities provided to a person
- Ohio Individual Service Plan
 - the web-based information technology platform created and maintained by the Ohio Department of Developmental Disabilities. It is used to carry out the person centered process for assessing and planning with Ohioans with developmental disabilities
 - County Boards or Intermediate Care Facilities may use a system that sends information to the DODD system

41



42

Core Values: Beyond the Paper

- Kindness & Empathy
- Collaboration
- Transparency
- Innovation
- Quality
- Inclusiveness
- Accountability

43

Guiding Principles

- Recurring Themes
 - Simplification
 - Standardization
 - Ease of use for DSPs
 - Portability



44

Philosophy Behind the Assessment

- Standardization & Simplification
- Relaxed Environment
- Engage and Empower
- Person-centered tools: Get to know the person and understand their abilities
- Intuitive questions: Asking the right questions to drive natural conversations



45

Standardized Assessment Sections:

- Communication
- Advocacy and Engagement
- Safety and Security
- Social and Spirituality
- Daily Life and Employment
- Community Living
- Healthy Living

*Align with Life Course terminology

46

Concerning assessing...

- All specialized assessments completed by qualified professionals will be uploaded

Specialized tools that require completion by a qualified professional:

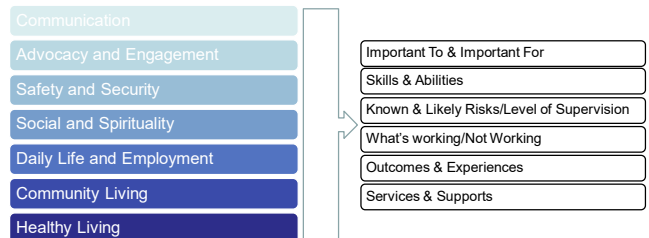
Other

- Discovery tools are interwoven in the assessment
 - Communication Chart example:

What the person does or says:	What it usually means:	What we should do or say in response:

47

Assessment truly drives planning



48

Sections of the Ohio Individual Services Plan

- One Page Description – quick overview of the person and what they want support to look like
- Summaries from assessment:
 - Important To & Important For
 - Skills & Abilities
 - Known & Likely Risks/Levels of Supervision

49

Sections of the Ohio Individual Services Plan

- Outcomes & Experiences
 - Looking at the past year and successes
 - Focus on progress – how will we know?
- Services & Supports
 - Paid & other supports, Professional Referrals
- Agreements/Informed Consent – includes Restrictive Measures
- Contact Information – important people, places, clubs/groups

50

[Log In to OhioISP](#)

To access OhioISP, you will need an OHID to get started. If you do not have an OHID, follow the steps in the [OHID Login Guide](#). Setting up an OHID requires an active email address. If you do not have an email address, follow the steps outlined in the [Creating a Gmail Account To Street Dashboard](#).

After signing in to OhioISP, you will see a dashboard with tiles that will show you the details that users need to see. Click each tile to review the information.



51

What this means for guardians

52

MUIs



53

What is an MUI?

An **MUI (major unusual incident)** is an alleged, suspected or actual occurrence of an incident when there is reason to believe the health and welfare of an individual may be adversely affected or the individual may be placed at likely risk of harm.

There are 3 categories of incidents:

- A- includes abuse, neglect, exploitation, accidental or suspicious death
- B- other deaths, attempted suicide, medical emergencies, significant injuries
- C- law enforcement, unanticipated hospitalization, unapproved behavior supports

54

MUI Key Points

- Providers, County Board staff, and others paid to provide Medicaid waiver services must report
- Alleged, suspected or actual occurrence
- Reason to believe a person is at risk of harm based on facts present, not opinion
- Guardians are required to be notified by the provider on the day an incident occurs or is discovered
- Guardians are also notified of the findings of the investigation

55

Unusual Incidents (UIs)

"Unusual incident" means an event or occurrence involving an individual that is not consistent with routine operations, policies and procedures, or the individual's care or service plan, but is not a major unusual incident.

56

Reporting Abuse, Neglect, or Theft

If someone is in danger, call 911.

To report a concern of abuse, neglect, or theft happening to a person with developmental disabilities,

- Call the MUI Reporting Hotline for your county BODD, each county board has a 24 hour emergency number
- Call 1-800-617-6733 for the DODD Abuse and Neglect Hotline during business hours, or
- Report abuse or neglect online to DODD at ocf.prodapps.dodd.ohio.gov/

57

Handout – in Manual

The handout is divided into two main sections. The left section, 'Understanding Major Unusual Incidents', explains the purpose of MUIs and provides a flowchart for the reporting process. The right section, 'Report an MUI', provides detailed instructions on how to report an incident, including contact information for county boards and the DODD hotline. A contact information form is also included.

58

What this means for guardians

59

Rights of the Individual



60

Rights of Individuals Under Guardianship

- Guardianship does not terminate all rights
- Scope of guardianship may include exercising rights on behalf of the individual
- Individual retains many rights to exercise

61

Sources of Rights

- Human rights and civil rights
- Additional rights
 - Due process in guardianship
 - Rule 66
 - DD Bill of Rights – Revised Code 5123.62
 - 24 listed rights *****INCLUDE IN MATERIALS*****

62

What does this Mean for Guardians?

63

Behavior Supports



64

Behavior Support Rule

- Many individuals with developmental disabilities receive behavioral supports to address their health and safety
- Behavior supports include positive measures and restrictive measures when necessary
- Ohio Admin. Code 5123-2-06 regulates behavior supports by paid providers

65

Prohibited Measures

- Prohibited measures are never allowed:
 - Prone restraint
 - Manual or mechanical restraints, if:
 - The restraint has the potential to inhibit/restrict an individual's ability to breathe
 - The restraint is medically contraindicated
 - The restraint causes pain or harm
 - Disabling a communication device
 - Denial of breakfast, lunch, dinner, snacks, or beverages
 - Limited exception for denial of snacks or beverages for individuals with primary polydipsia or a compulsive eating disorder such as Prader-Willi Syndrome

66

Prohibited Measures

- Prohibited measures are never allowed (continued):
 - Placing an individual in a room with no light
 - Subjecting an individual to damaging or painful sound
 - Application of electric shock to an individual's body
 - Limited exception for electroconvulsive therapy prescribed to treat a diagnosed medical condition
 - Subjecting an individual to any humiliating or derogatory treatment
 - Squirting an individual with any substance as an inducement or consequence for behavior
 - Using any restrictive measure for punishment, retaliation, convenience of providers, or as a substitute for specialized services

67

Restrictive Measures

- Restrictive measures require review and approval by human rights committee (HRC):
 - Chemical restraint
 - Manual restraint
 - Mechanical restraint
 - Rights restriction
 - Time-out
- Only permitted when there is risk of harm
 - Rights restrictions may be permitted when there is risk of legal sanction

68

Human Rights Committee

If the team identifies a need for a restrictive measure, the strategy and supporting documentation are presented to the human rights committee (HRC) for approval

Guardian involvement:

- Development of behavior support strategy with team
- Provide informed consent to restrictive measure
- Receive notification of HRC meeting
 - May choose to attend HRC meeting
- Receive written notification of HRC decision
- May seek reconsideration or appeal of HRC decision
- Receive notification of the use of certain restrictive measures
- Periodic review of behavior support strategy with team

For questions and more information, email: behavior.support@dodd.ohio.gov

*****DIRECT WHERE TO GET MORE INFORMATION/TRAINING?*****

69

What does this mean for guardians?

70

Dispute Resolution



Dispute Resolution

- Focus must remain on individual served
- Reasonable minds can disagree
- Advocacy should not involve alienation
- Team members all have co-dependency on one another



71

72

Dispute Resolution (cont.)

- Court involvement
 - Third Parties have the right to file complaints about guardians
- Guardian can seek court oversight
 - Motion for Instruction
 - Court is Superior Guardian
 - Report incidents when level of care not being met



73

Dispute Resolution – Right to Appeal

Many decisions made within the DD system involve right to appeal.

Right to Appeal:

- Denial of eligibility
- Subsequent finding of ineligibility/disenrollment
- Denial of request for waiver
- Disenrollment from waiver
- Disputes over funding range of waiver
- Discharge from ICF

***Read correspondence—file Appeal QUICKLY**

74

Team Disputes

Dispute with SSA

1. Talk about issue with SSA
2. Request special team meeting to discuss issue
3. Talk with SSA supervisor
4. Last Resort-Request new SSA



Dispute with Provider

1. Talk about issue with provider
2. Talk about issue with SSA
3. Request special team meeting to discuss issue
4. Change provider-free choice of provider

75

Guardian Liability

- No liability for contract and debts of ward
 - **Exceptions:**
 - Agree to be liable
 - Relationship gives rise to liability
 - Negligence of guardian gives rise to debt
 - Guardian acted outside scope of authority
- Negligence v. Self-Determination

76

What does this mean for guardians?

77

“Treat people as if they were what they ought to be and you help them become what they are capable of becoming.”

- Johann Wolfgang von Goethe

78

Terms & Acronyms

- ID - Intellectual Disability
- DD - Developmental Disability
- DODD - Department of Developmental Disabilities
- CBDD - County Board of Developmental Disability
- ICF/IID - Intermediate Care Facility/Intellectual Disability
- Ohio ISP - Ohio Individual Service Plan
- HCBS- Home and Community Based Services
- SSA- Service and Support Administrator
- MUI - Major Unusual Incident
- UI - Unusual Incident
- DSP - Direct Service Professional

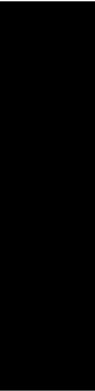
79

Terms & Acronyms

- QIDP-Qualified Intellectual Disability Professional
- PASRR - Pre-Admission Screen Resident Review
- NF - Nursing Facility
- C/OEDI - Child's/Ohio Eligibility Determination Instrument
- LOC - Level of Care
- ODM - Ohio Department of Medicaid
- HRC - Human Rights Committee

80

Resources

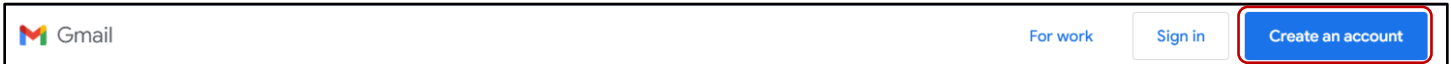


Ohio ISP Website: <https://dodd.ohio.gov/compliance/oisp>

Report Abuse or Neglect Online: <http://ocf.prodapps.dodd.ohio.gov/>

Gmail Account Creation Tip Sheet

To create a free email account via Gmail, begin by visiting gmail.com and clicking **Create an account**



Enter some basic information, **First name**, **Last name**, select a **Username** that is unique to you and easy to remember.

Enter a **Password** and **Confirm** the password. Click **Next**.

Note: if you want to ensure your passwords match, click the **Show password** check box.

The next screen will ask for additional information. Include **Your birthday** and indicate your **Gender**, and click **Next**.

Recovery options

After entering your basic information to create an email account, you will be asked for additional information.

Google

Peter, welcome to Google

peterspideyparker900@gmail.com

Phone number (optional)
1234567890

Google will use this number only for account security. Your number won't be visible to others. You can choose later whether to use it for other purposes.

Recovery email address (optional)
We'll use it to keep your account secure

Month Day Year
Your birthday

Your personal info is private & safe

Add a phone number in the **Phone Number (optional)** field.

If you have one, add another email address in the **Recovery email address (optional)** field.

Note: This information is optional, it is useful for recovering your email address in case you lose your login information.

Click **I Agree** to complete setting up your Gmail account.

now we collect and use this data now by clicking "More Options" below. You can always adjust your controls later or withdraw your consent for the future by visiting My Account (myaccount.google.com).

More options ▾

Cancel **I agree**

You will then be directed to your new Gmail inbox.

Gmail

Compose

Inbox Primary Social Promotions

Your Primary tab is empty.
Personal messages and messages that don't appear in other tabs will be shown here.
To add or remove tabs click [inbox settings](#).



Department of Developmental Disabilities
Division of Information Technology Services

Mike DeWine, Governor
Kim Hauck, Director

OH|ID Creation and MyDODD User Guide

November, 2021

Department of Developmental Disabilities
Division of Information Technology Services
30 East Broad Street, 12th Floor
Columbus, Ohio 43215



Table of Contents

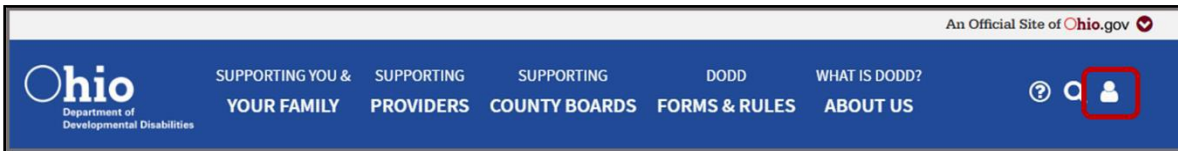
Create an OH ID Account	2
OH ID Primary Account.....	2
Request DODD Access.....	12

Create an OH|ID Account

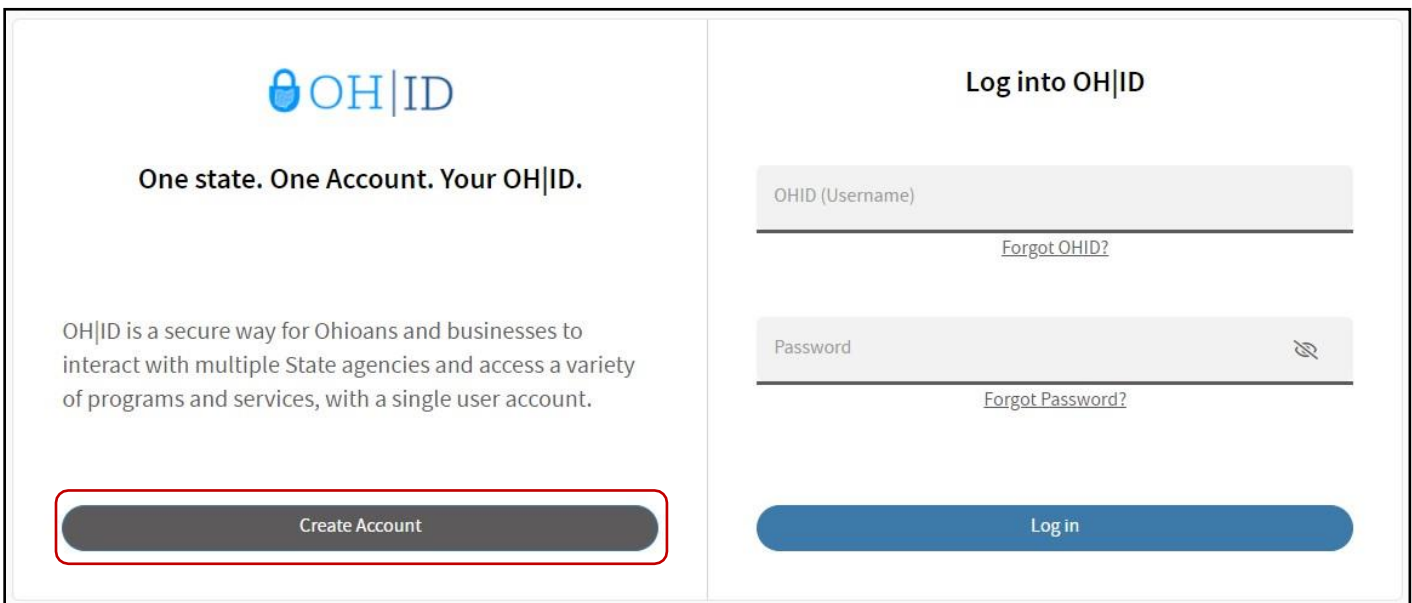
OH|ID Primary Account

This section will cover creating access to OH|ID accounts and DODD applications.

1. Go to <https://dodd.ohio.gov/>.
2. Click the silhouette icon to login.



3. Click **Create Account**.



4. Enter your email address in the **Email Address** and **Confirm Email Address** fields, and click **Send PIN**. You must enter a valid email address. Internal (DODD) users will use a valid email address, OAKS#@id.ohio.gov or First.Last@dodd.ohio.gov.

Create OH|ID Account

- 1 **Email Verification**
- 2 Personal Info
- 3 Pick a Username
- 4 Create Password
- 5 Account Recovery
- 6 Terms & Conditions

Email Verification

With one OH|ID account, you can sign in to multiple State of Ohio agency systems more securely.

We need to verify the email address you want to use for your OH|ID account. A one-time PIN will be emailed to the email address you provide below.

Email Address	Confirm Email Address
<input type="text" value="doddpete5@gmail.com"/>	<input type="text" value="doddpete5@gmail.com"/>

5. You will receive an email with a temporary PIN to verify your email. **Enter PIN** in the field and click **Verify**.

The screenshot shows the 'Email Verification' step of the account creation process. On the left is a sidebar with steps 1 through 6. Step 1, 'Email Verification', is highlighted. The main content area has the title 'Email Verification' and a message: 'An email with a one-time PIN was sent to doddpete5@gmail.com.' Below this is a form with a label 'Enter PIN', a text input field containing '881640', and a blue 'Verify' button. There are two sections for troubleshooting: 'Having Trouble?' with bullet points about checking junk mail and waiting 10 minutes, and 'Still Having Trouble?' with advice to add the email to contacts and ask an IT administrator. A link 'Send me a new PIN' is at the bottom.

Create OH|ID Account

1 Email Verification

2 Personal Info

3 Pick a Username

4 Create Password

5 Account Recovery

6 Terms & Conditions

Email Verification

An email with a one-time PIN was sent to doddpete5@gmail.com.

Enter PIN

881640

Verify

Having Trouble?

- Search your junk mail and spam folder for an email from: **DONOTREPLY-Enterpriseldentity@ohio.gov**.
- Wait 10 minutes and refresh your email inbox.

Still Having Trouble?

Your email provider is likely marking this email as spam, which is blocking or delaying it.

- Add **DONOTREPLY-Enterpriseldentity@Ohio.gov** to your contacts.
- Ask your IT administrator to add this email to the safe-sender list.

[Send me a new PIN](#)

6. Begin entering your information. Your **Legal First Name**, **Legal Last Name** and **Date of Birth** are required. Click **Next** to continue.

Create OH|ID Account

- ✓ Email Verification
- 2 Personal Info**
- 3 Pick a Username
- 4 Create Password
- 5 Account Recovery
- 6 Terms & Conditions

Personal Info

Legal First Name	Legal Last Name
<input type="text" value="Pete"/>	<input type="text" value="DYNCLDTEST"/>
Date of Birth	Last 4 digits of SSN (optional)
<input type="text" value="05/07/1986"/>	<input type="text"/>

Be sure to use your real date of birth, you may need it for account recovery later.

Note: For testing, replace your last name with **DYNCLDTEST**.

7. Enter a **Username** that meets the **Username Requirements**. Click **Next**.

Create OH|ID Account

- ✓ Email Verification
- ✓ Personal Info
- 3 Pick a Username**
- 4 Create Password
- 5 Account Recovery
- 6 Terms & Conditions

Pick a Username

Username Requirements

- Must be between 6-64 characters
- Cannot start or end in a special character
- Cannot contain only numbers
- Only . _ - or @ No other special characters

Username

Cancel

Next

Note: You will receive the below message if you already have an **OH|ID** account linked to the email address you entered.

OH|ID Profile Information

Enter the information below to begin creating your OH|ID profile.

This email address is in use by another OH|ID account. For your security, please use a different email address. If you have already created an OH|ID account but forgotten your username or password, please return to the home page and select 'Forgot username/password?' to begin the recovery process.

8. Create a password for your OH|ID. Review the **Password Requirements** and add yours to the **Password** and **Confirm Password** fields. Click **Next** to continue.

Create OH|ID Account

- ✓ Email Verification
- ✓ Personal Info
- ✓ Pick a Username
- 4 Create Password**
- 5 Account Recovery
- 6 Terms & Conditions

Create Password

Password Requirements

- Must have at least 8 and no more than 30 characters in length
- Must contain 1 character from each of the following categories:
 - Upper case letters (A-Z)
 - Lower case letter (a-z)
 - Numbers (0-9)
 - Special characters (!\$#,%@~^&*_-+=><(){}[]%";:~\?')
- Cannot include your first name, last name, username, or OH|ID
 - Example: If your name or username is John Smith, your password cannot contain "John" or "Smith"

Password

Confirm Password

[Cancel](#) [Next](#)

9. Add a **Mobile Number** to set up text message **Account Recovery**.

Create OH|ID Account

- ✓ Email Verification
- ✓ Personal Info
- ✓ Pick a Username
- ✓ Create Password
- 5 Account Recovery**
- 6 Terms & Conditions

Account Recovery

Your email (doddpete5@gmail.com) is the main way you'll reset your password. Adding your mobile number to your account ensures that we have a way to reach you if you lose access to your email.

Set up mobile/text message account recovery

You will receive a PIN via text message. Message and data rates apply. [See Terms & Conditions and Privacy Policies.](#)

Mobile Number

If you choose not to add your mobile number to your account at this time, you can [skip this step](#).

10. Once you receive a text message, add your code to the **Enter PIN** field and click **Verify**. Click **Next** to continue.

Create OH|ID Account

- ✓ Email Verification
- ✓ Personal Info
- ✓ Pick a Username
- ✓ Create Password
- 5 Account Recovery**
- 6 Terms & Conditions

Account Recovery

Your email (doddpete5@gmail.com) is the main way you'll reset your password. Adding your mobile number to your account ensures that we have a way to reach you if you lose access to your email.

Set up mobile/text message account recovery

A message with your PIN has been sent to ***-***-██████████

Enter PIN

Having Trouble?

[Send me a new PIN](#)

11. Check the **I Agree** box on the Terms & Conditions section. Answer the final confirmation question, and click **Create Account**.

Create OH|ID Account

- ✓ Email Verification
- ✓ Personal Info
- ✓ Pick a Username
- ✓ Create Password
- ✓ Account Recovery
- 6 Terms & Conditions**

Terms & Conditions

In order to proceed with creating your account, you must agree to the following terms and conditions.

By clicking "I Agree" and creating an OH|ID account, you consent to use electronic signatures with the State of Ohio and receive communications in electronic form.

If you use this site, you are responsible for maintaining the confidentiality of your OH|ID account(s) and password(s) and for restricting access to your computer, and you agree to accept responsibility for all activities that occur under your OH|ID account(s) or password(s). The Ohio Department of Administrative Services reserves the right, in the event of a violation of law or State of Ohio policy, or as a result of any suspicious activity occurring on your OH|ID account, to refuse service, terminate accounts, remove or edit content on ohid.ohio.gov, or cancel transactions related to your OH|ID account.

I Agree

Confirm you are not a robot

Which word from the list "carload, exact, assail, portfolio" contains the letter "p"?

✓ VERIFIED

[Cancel](#) [Create Account](#)

Your OH|ID account has been successfully created! Check your email to see that setup is complete. Next you will request access to your DODD Applications.



Create OH|ID Account

- ✓ Email Verification
- ✓ Personal Info
- ✓ Pick a Username
- ✓ Create Password
- ✓ Account Recovery
- ✓ Confirmation

Check your Email

We are working to create your new OH|ID account. This may take a few seconds or a few minutes.

OH|ID: PeteUser1

Email: [REDACTED]

Once you receive a confirmation email, return here to [log in to OH|ID](#).

Request DODD Access

This section will cover **creating additional access and roles with your OH|ID.**

1. Enter your OH|ID **Username** and **Password**. Click **Log in**.

Log into OH|ID

StroupP1

[Forgot OHID?](#)

.....

[Forgot Password?](#)

Log in

2. If you receive the "pending subscription" message, click on the **OH|ID page** hyperlink.

Ohio | Department of
Developmental Disabilities

Welcome **Tester, Peter !!**

We are awaiting on your subscription from OH|ID

It seems that you just created an OH|ID account and trying to access DODD applications. We have not yet received all information on your account. Ensure you subscribe to "My DODD" tile in OH|ID [page](#).

Please wait for 30 minutes and try again.

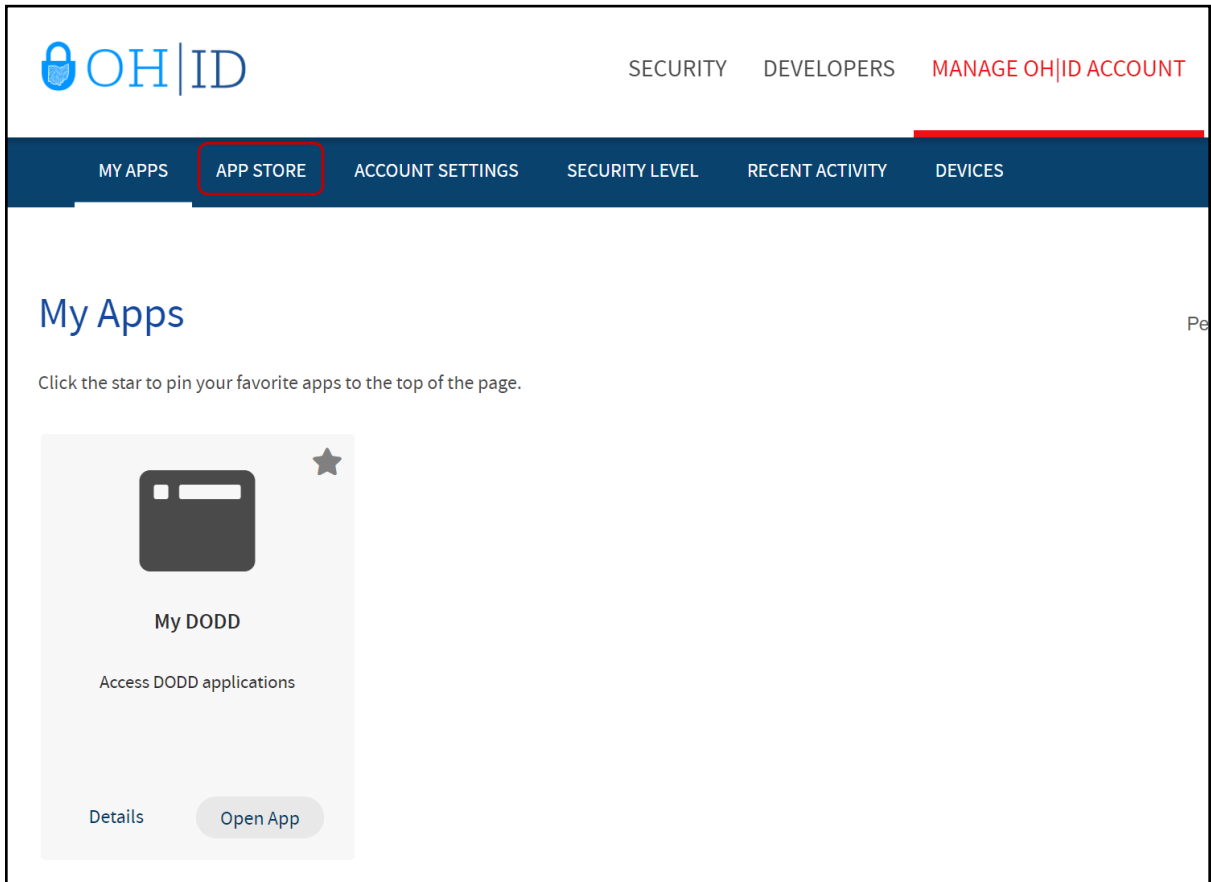
PENDING SUBSCRIPTION — EMAIL VERIFICATION — EMAIL VERIFICATION — FINAL PROCESSING

To continue to MyLearning, Please click button below.

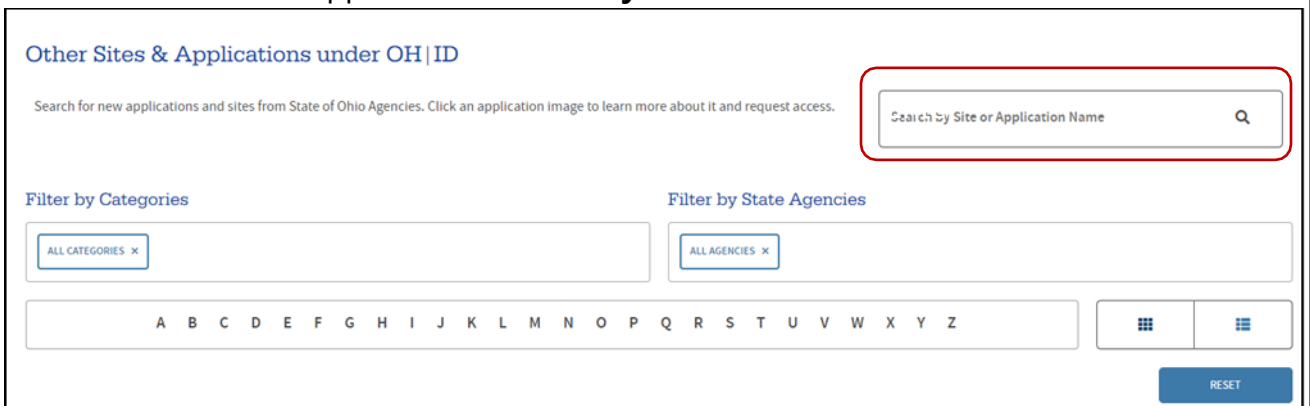
CONTINUE TO MYLEARNING

If you have any questions or comments regarding your request, please contact our ITS Call Center for assistance.
Email: ITSCallCenter@dodd.ohio.gov, Phone: 1-800-617-6733 (Toll Free) between 8.00 a.m. and 4.00 p.m. Select Option 4.

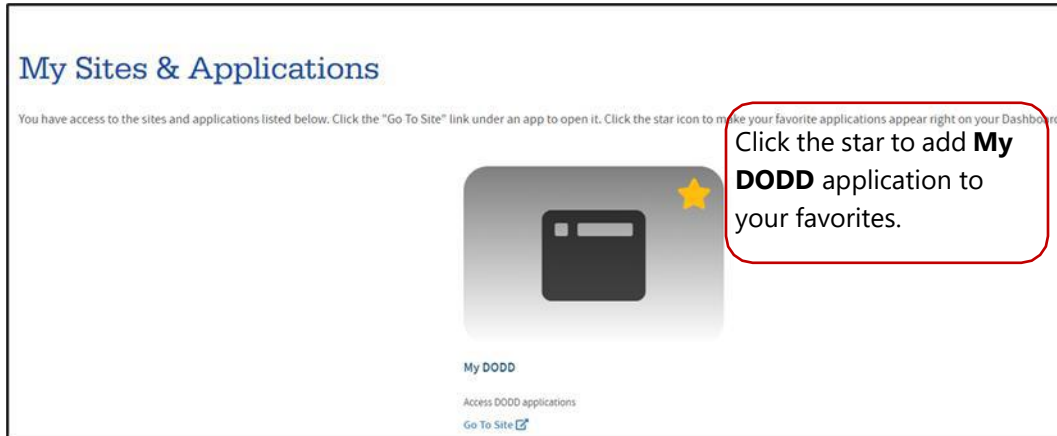
3. Click on **APP STORE** on the Tab Bar at the top of the page.



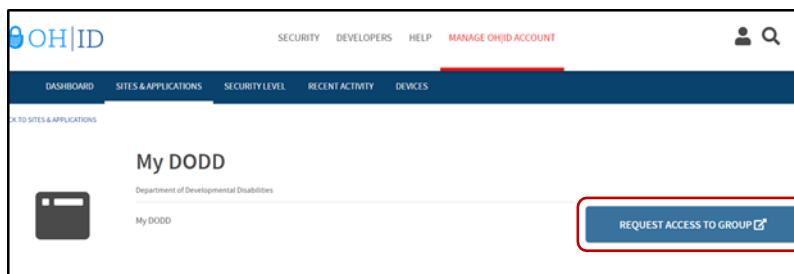
4. Search under Sites & Applications for the **My DODD** tile.



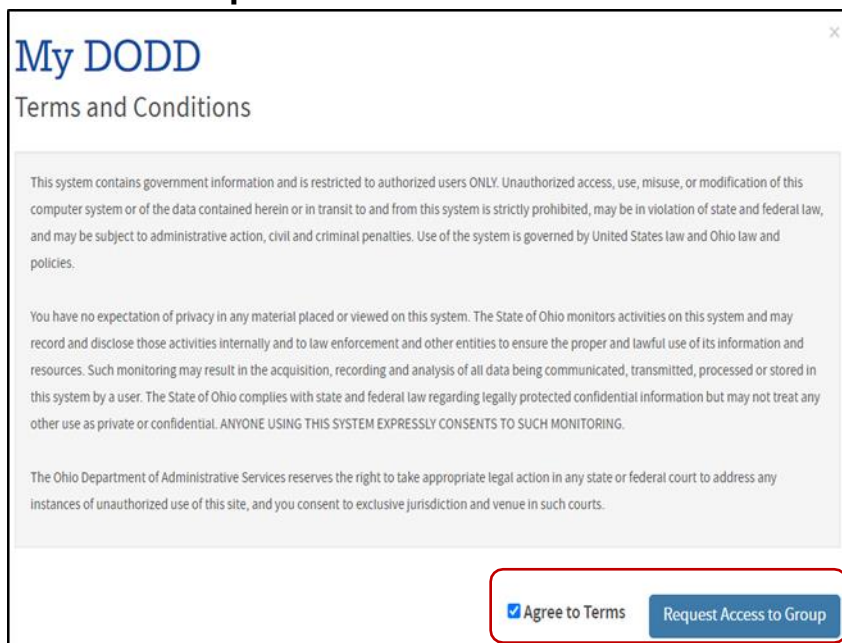
5. Click the **My DODD** tile to request access.



6. Click on **REQUEST ACCESS TO GROUP**.



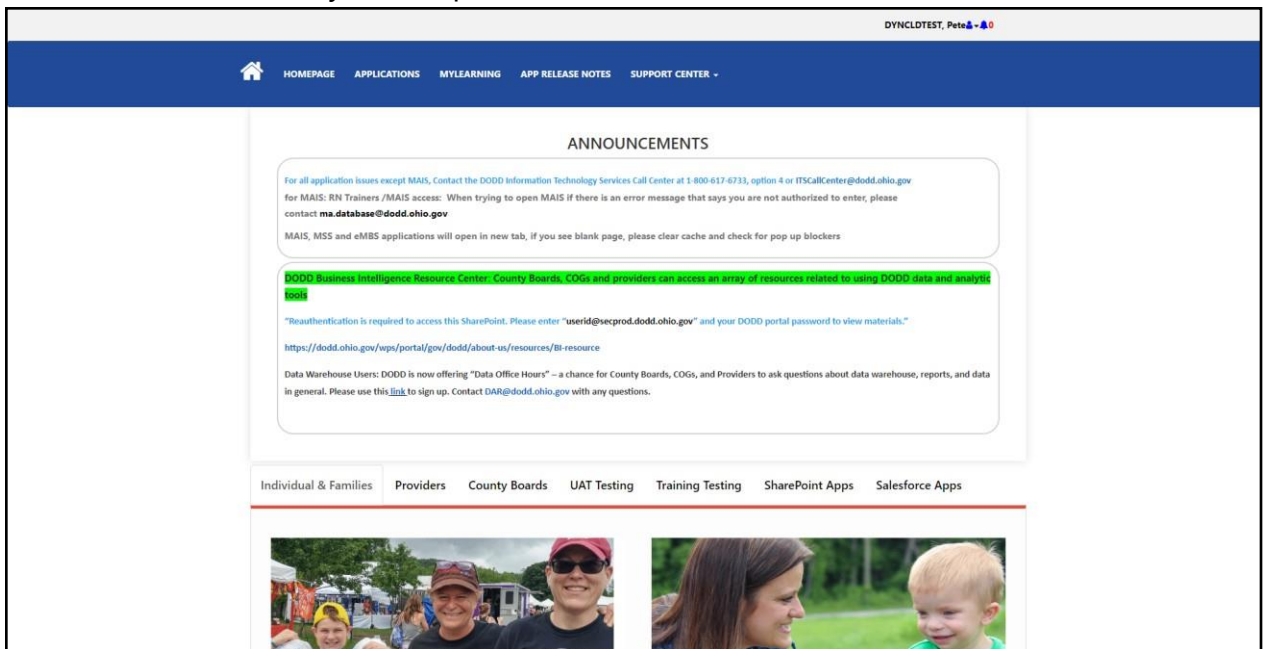
7. Read the Terms and Conditions section and check the **Agree to Terms** box. Click **Request Access to Group**.



8. Click **Launch** to access My DODD.



9. You will now see the My DODD portal.



Introduction to the Developmental Disabilities System: TERMS AND ACRONYMS

- **ID** - Intellectual Disability
- **DD** - Developmental Disability
- **DODD** - Department of Developmental Disabilities
- **CBDD** - County Board of Developmental Disability
- **ICF/IID** - Intermediate Care Facility/Intellectual Disability
- **Ohio ISP** – Ohio Individual Service Plan
- **HCBS**- Home and Community Based Services
- **SSA**- Service and Support Administrator
- **MUI** – Major Unusual Incident
- **UI** – Unusual Incident
- **DSP** – Direct Service Professional
- **QIDP**-Qualified Intellectual Disability Professional
- **PASRR** – Pre-Admission Screen Resident Review
- **NF** - Nursing Facility
- **C/OEDI** – Child’s/Ohio Eligibility Determination Instrument
- **LOC** – Level of Care
- **ODM** – Ohio Department of Medicaid
- **HRC** – Human Rights Committee

Understanding Major Unusual Incidents

What families need to know about the MUI/UI Reporting System

The Ohio Department of Developmental Disabilities (DODD) has a Major Unusual Incidents Registry Unit which is charged with providing oversight to Ohio's health and welfare quality improvement system.

The MUI unit strives to work cooperatively with people with intellectual and developmental disabilities, families, county boards, and providers to protect Ohioans, highlighting that all incidents are important and investigated.

Unusual incidents (UIs) are investigated by providers, and major unusual incidents (MUIs) are investigated by county boards of developmental disabilities or developmental center investigators.

What is an MUI

An MUI is an incident that someone says happened or says someone told them about that puts a person's health and welfare at risk.

What is a UI

A UI is an incident that is not consistent with a person's care or service plan and is not an MUI.

Why are MUIs Reported

MUIs are reported so they can be investigated. The investigation will help find out why the incident happened and what can be done to keep it from happening again. The goal is to help people be safe.

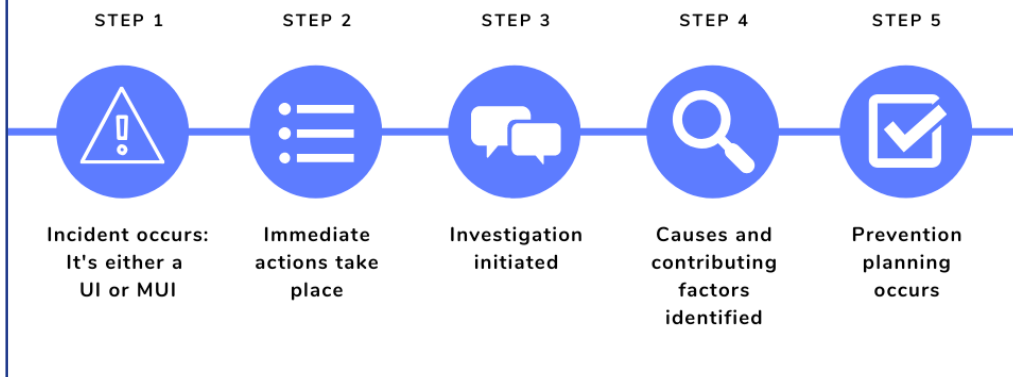
When are MUIs Reported

MUIs are reported immediately or within 24 hours based on MUI type.

MUIs and UIs Differences

UIs are not as serious as MUIs but need to be investigated to be sure everyone is safe and to try to keep it from happening again.

Quality Improvement Process



All MUIs have to be investigated by county boards or developmental centers, but some require law enforcement and other agencies to be involved.

Types of MUIs

Ohio Administrative Code [5123-17-02](#) states the 19 MUI classifications:

- Accidental or Suspicious Death
- Attempted Suicide
- Exploitation
- Failure to Report
- Law Enforcement
- Medical Emergency
- Misappropriation
- Missing Individual
- Neglect
- Non-Accidental or Suspicious Death
- Peer-to-Peer Act
- Physical Abuse
- Prohibited Sexual Relations
- Rights Code Violation
- Sexual Abuse
- Significant Injury
- Unanticipated Hospitalizations
- Unapproved Behavior Support
- Verbal Abuse

Who Must Report MUIs

All providers who are contracted, certified, or licensed to serve people with developmental disabilities are required to report MUIs to the person's county board.

All county board staff and DODD staff are required to report MUIs.

Anyone paid to provide Medicaid waiver services must report MUIs.

Who Receives MUIs

An MUI contact person at a county board or developmental center can receive the report.

DODD has a hotline: 1-800-617-6733.

Role of Family Members

Family members should report things that affect the health and safety (such as abuse, neglect, theft) of a person with developmental disabilities to the

- service and support administrator (SSA),
- MUI contact,
- or DODD MUI hotline.

Family members also work with the person's team to address concerns to prevent future incidents.

Report an MUI

To report an MUI, **call your county board MUI contact person.** County board contacts can be found on DODD's website, dodd.ohio.gov.

Or, contact the Ohio Department of Developmental Disabilities at the Abuse and Neglect Hotline:

1-866-313-6733

You can also report abuse or neglect through DODD's online reporting system at dodd.ohio.gov.

My MUI Contact Information

County _____

Contact Name _____

Phone Number _____

Notes _____

Providers, county boards, developmental centers, and DODD have different roles to ensure MUIs are reported properly.

Provider

A person's provider completes immediate actions to protect the person's health and safety.

Notifies legal guardian same day as the incident.

Parents who are not the person's legal guardians may only be notified with approval by the son, daughter, or the legal guardian.

Notifies the county board no later than four hours after the incident when the allegation is Abuse, Accidental or Suspicious Death, Exploitation, Misappropriation, Neglect, Peer-to-Peer Act, Prohibited Sexual Relations, or if the media has inquired about it.

Notifies law enforcement and/or children services of alleged crime if abuse or neglect is suspected and the person is younger than 21.

Shares the written incident report with the county board by 3 PM on first working day following the day they become aware.

County Board and Developmental Center

Takes all reasonable measures to ensure health and safety are taken; sees if other actions are necessary.

Notifies law enforcement and/or children services of alleged crime if abuse or neglect is suspected and the person is younger than 21.

Submits a report in DODD's Incident Tracking System by 5 PM the next working day following notification.

Conducts investigation, which identifies causes and contributing factors, so the team can address in the person's prevention plan.

Communicates preliminary findings with the person, their guardian, and provider within 14 working days of alleged sexual or physical abuse, if the case is not conducted by children services or law enforcement.

Sends a summary letter to guardian and residential provider five calendar days after the county board has recommended the case for closure.

DODD

DODD's intake unit reviews all initial reports to ensure that immediate actions have occurred, notifications are made, and the MUIs have been classified appropriately.

Conducts investigations where it is a conflict for county boards to do so.

Reviews cases prior to closure to ensure appropriate causes and contributing factors have been identified and that a prevention plan has been developed.

Other Responsibilities

Manages the Abuser Registry.

Conducts MUI training for people with disabilities, families, county boards, and providers.

Creates Health and Welfare Alerts.

Assesses statewide patterns and trends about MUIs.

Conducts mortality reviews.

Visit dodd.ohio.gov and check out the Health and Welfare page.

ANSWER KEY

CESE 1: The correct answer is A, B, C, D, E, and F. All of these services are available to eligible individuals by the county board.

CESE 2: The correct answer is D. Medicaid allows eligible individuals with low income to receive health-related services.

CESE 3: The correct answer is D. A waiver waives the requirement for an individual to be in a nursing home, hospital, or long-term care setting in order to receive Medicaid.

CESE 4: The correct answer is A, B, C, D, and E. All items listed are examples of where a person who receives DODD services can live.

RRP 1: The correct answer is A, B, C, D, E, and F. Members of a team can be anybody selected by the individual.

RRP 2: The correct answer is A, B, C, and D. Guardians are responsible for:

- *Providing informed consent,*
- *Monitoring and coordinating services,*
- *Maintaining eligibility of services, and*
- *Accounting to the Probate Court.*

RRP 3: The correct answer is C. When somebody lives in an intermediate care facility, they have a QIDP rather than an SSA.

MBSDR 1: The correct answer is A. This represents a major unusual incident (MUI).

MBSDR 2: The correct answer is A, B, and C. All of these must report MUIs.

MBSDR 3: The correct answer is A. These are prohibited measures.

MBSDR 4: The correct answer is B. Restrictive measures are temporary in nature and promote healing, recovery, and emotional well-being.

MBSDR 5: Rights Restrictions include:

- *Limiting use of a phone*
- *Losing privileges*
- *Limiting visitors*
- *Requiring bedtimes*

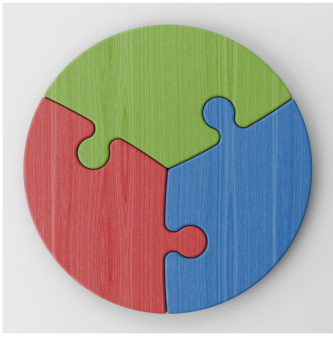
Prohibited Measures include:

- *Restraints*
- *Electrical shock*
- *Dark rooms and isolation*
- *Painful sounds*

MBSDR 6: The correct order is:

- 1. Talk about the issue with the SSA*
- 2. Request special team meeting*
- 3. Talk with SSA supervisor*
- 4. Request new SSA*

MBSDR 7: The correct answer is A, B, and C. Guardians are liable for contracts if the relationship with the ward gives rise to liability, the guardian's negligence gives rise to debt, or the guardian acts outside the scope of their authority.



THE SUPREME COURT *of* OHIO
JUDICIAL COLLEGE