

State of New Jersey



NJ DEPARTMENT OF HUMAN SERVICES

DIVISION OF DEVELOPMENTAL DISABILITIES

Division Update for Individuals, Families, and Providers

January 27, 2022



NJ Mental Health Cares

If you're concerned about your mental health or the mental health of someone you love, **NJ Mental Health Cares** can help. The **free helpline** offers telephone counseling, emotional support, information and assistance.

866-202-HELP (4357)

7 days per week, 8am - 8pm

New  *Jersey*
MentalHealthCares
New Jersey's Behavioral Health and Referral Service



Helpline for Individuals Who Are Deaf and/or Hard of Hearing

- The Division of Mental Health and Addiction Services, in collaboration with the Division of the Deaf and Hard of Hearing, is pleased to provide a videophone helpline for individuals who are deaf and/or hard of hearing to access emotional support during the COVID-19 pandemic.
- Sign language users are able to communicate directly with partners at ACCESS. Individuals who are deaf and/or hard of hearing can call **973-870-0677 VP**, Monday to Friday from 9:00 am to 5:00 pm.



Agenda

- COVID-19 Statistics
- January 1, 2022 Rate Increase
- Updated Program Manuals
- DSP Competency and Capacity Building Steering Committee
- Updated COVID-19 Response Plan for Developmental Centers
- Updated Residential Visitation Guidance
- Updated Day Program Operating Guidance
- Updated Residential and Day Screening Policy
- Update to Support Coordination Return To Field
- DSP and SDE Onboarding
- Executive Order 283
- Resources

New Jersey COVID-19 Current Statistics*



State of New Jersey	
Positive	1,802,164
Deaths	28,186

**This update is as of Wednesday, January 26, 2022.*

For regular updates: <https://covid19.nj.gov/>

Consider downloading COVID Alert NJ on your Apple or Android smartphone: <https://covid19.nj.gov/pages/app>

DDD Specific COVID-19 Statistics*



	Community		Developmental Centers	Total
	Licensed	Own Home		
Positive	2,819	1,068	769	4,656
Deaths	125	74	42	241

DDD-specific statistics are updated weekly. Community data includes individuals **actively under DDD services in settings such as group homes, supervised apartments, out of state, and own-home settings.*

Full detail, including data for individuals not under services for whom reporting is voluntary and provided for informational purposes only, can be found at [NJ Department of Human Services COVID-19 Information](#).

COVID-19 Update Webinar Schedule

- February Update Webinar:
 - Thursday February 24, 2022 – 10:30 am
- [Register for the February Webinar](#)



January 1, 2022 Rate Increase

- On January 1, 2022, the Division successfully implemented the DSP and Supervisor Wage Increase.
- This provides about \$1.25 per hour increase to DSPs and DSP Supervisors.
- Impacted services:
 - Career Planning, Community Inclusion, Community Based Supports, Day Habilitation, Individual Supports, Pre-Vocational Training, Respite, and Supported Employment.
- Please review [Frequently Asked Questions](#) for more information.



Updated Program Manuals

- On January 10, 2022, the Division released updates to the Community Care and Supports Program Policies and Procedures Manuals.
- Page two of each respective manual contains a summary of changes.
- Links:
 - [Community Care Program Policies and Procedures Manual](#)
 - [Supports Program Policies and Procedures Manual](#)

Updated Program Manuals

- Updates include, but are not limited to, the following:
 - Added information about the Short and Long Eligibility Determination (i.e., Intake) Applications.
 - Clarification on the purchase of behavioral supports for person's assigned behavioral acuity who do not solely use provider managed services.
 - Updates of individual budgets to reflect all funding increases that have occurred since last publication.
 - Removed the requirement that a new NJ CAT be completed every five years.
 - Clarified that the NJ CAT shall be reviewed annually at the annual Individualized Service Plan (ISP) meeting and reassessments occur as needed.

Updated Program Manuals



- Clarified that the Support Coordinator (SC) shall inform the participant that service provider(s) can be part of planning team meetings and that they will include them if requested.
- Clarified that behavioral needs are to be documented in the ISP.
- Clarified that medical needs are to be documented in the ISP and that a discussion on data collection take place.
- Added how the SC is to provide assistance around housing options.
- Added how the SC is to provide assistance related to Electronic Visit Verification.
- Re-enforced that the individual is at the center of the planning process.

Updated Program Manuals



- Added a new section on *Individual as Decision Maker*
 - Discusses how SCs **and** service providers must include individuals in problem solving and decision-making.
 - That individuals are to be supported to do so in the least restrictive manner.
 - That there are alternatives to guardianship and that guardianship is the avenue of last resort.
 - Discusses that Supported Decision-Making and/or other less restrictive means of decision-making support (e.g., health-care proxies, advance directives, powers of attorney, etc.) should be tried before pursuing guardianship.
 - An overview of how the guardianship process works in cases where it may be needed.

Updated Program Manuals

- Removed restriction on parent, spouse and/or guardian from becoming a self-directed employee for certain services.
- Added reference to legislation that provides a one-year extension to special education for students through the 2022-2023 school year due to COVID-19.
- Updated CPR/FA requirements to reflect current American Red Cross and American Heart Association requirements as a *written* competency assessment is no longer required in their certification.

Updated Program Manuals



- Added a new section on *Home and Community Based Services (HCBS) Settings Compliance*.
 - Describes how HCBS Settings Compliance applies to day and residential settings.
 - That settings must be integrated in and support full access for individuals to the greater community.
 - That the setting is to be selected by the individual.
 - Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.
 - That the setting optimizes individual initiative, autonomy, and independence in making life choices.
 - That the setting facilitates individual choice regarding services and supports, and who provides them.

Updated Program Manuals

- Describes additional qualities that must be met is provider-owned, managed or controlled residential settings.
- That any restrictions must be supported by a specific assessed need and justified in the person-centered service plan (i.e., ISP).
- Describes settings that are not HCBS which are:
 - A nursing facility; An institution for mental diseases; An intermediate care facility for individuals with intellectual disabilities; A hospital; or
 - Any other locations that have qualities of an institutional setting. This includes:
 - Any setting that is located in a building that is also a publicly or privately operated facility that provides inpatient institutional treatment;
 - Any setting that is located in a building on the grounds of, or immediately adjacent to, a public institution; or
 - Any other setting that has the effect of isolating individuals receiving Medicaid Waiver HCBS from the broader community of individuals not receiving Medicaid HCBS.

Updated Program Manuals

- Updated *Provider Fiscal Responsibility* Section.
- Updated certification timelines for Day Habilitation and that a 5% absentee factor has been added to that rate.
- Added budget flexibility in relation to Environmental Modifications, Goods and Services, and Vehicle Modifications.
- Added detail around Goods and Services Activity Fees.
- Provided additional information related to Support Coordination Agency caseload size.
- Added language that an entity rendering Supports Brokerage may not provide other waiver services to an individual to whom they provide Supports Brokerage.

DSP Competency and Capacity Building Steering Committee

- Time-limited stakeholder committee charged with the review and adoption of a core set of competencies based on nationally recognized competency and skill sets.
- Will aid in the development of a training framework which will include mandatory pre-service training, initial onboarding training, ongoing professional development, and opportunities to specialize in specific skill areas that will be established to create a career pathway/DSP certificate program.



DSP Competency and Capacity Building Steering Committee

- Frontline Supervisor Competencies will be reviewed and adopted.
- Based on these competencies, existing training will be identified, and new training will be developed to address potential gaps. A frontline supervisor “specialization” will be established as part of the DSP certification model to cultivate supervision that promotes and supports the delivery of high quality Home and Community Based Services by DSPs.



DSP Competency and Capacity Building Steering Committee

- Membership will include:
 - Individuals with disabilities;
 - Family members of individuals with disabilities;
 - The NJ Council on Developmental Disabilities;
 - Autism New Jersey;
 - Disability Rights New Jersey;
 - Ombudsman for Individuals with IDD and their Families;
 - Academic Organizations;
 - Service Providers; and
 - Support Coordination Agencies.
- First committee meeting will occur in early 2022.

Updated COVID-19 Response Plan for Developmental Centers

- In alignment with recent directives from the Centers for Medicare and Medicaid Services (CMS) and the New Jersey Department of Health (NJ DOH) related to Intermediate Care Facilities, the COVID-19 Response Plan for Developmental Centers has been updated.
- Updates provide further flexibility in visitation policies and the cohorting of resident living areas.
- Please see [COVID-19 Response Plan for New Jersey Developmental Centers](#) for detail.



Updated Residential Visitation Guidance

- Updates have been made to Residential Visitation Guidance.
- Notable areas include:
 - Addition of references to current Executive Orders and Directives around staff vaccination and testing;
 - Additional flexibility around visitation if a person is sick;
 - Direction for visitors to notify the provider visited if they become sick within 14 days of a visit;
 - Clarification on screening upon return from off-site visits.
- Please see [Residential Visitation Guidance](#) for more information.



Updated Day Program Operating Guidance

- Updates have been made to Day Program Operating Guidance.
- Notable areas include:
 - Addition of references to current Executive Orders and Directives around staff vaccination and testing;
 - Removal of recommendation that participants be seated in every other row while being transported;
 - Direction for visitors to notify the provider visited if they become sick within 14 days of a visit;
- Please see [Day Program Operating Guidance](#) for more information.



Updated Residential and Day Screening Policy

- Updates have been made to the Residential Day Screening Policy.
- Notable areas include:
 - Adjustments to align with aforementioned Residential and Day Guidance.
- Please see [Residential and Day Screening Policy](#) for more information.



Updated Support Coordinator Return to Field Guidance

- The requirement for face-to-face visits by Support Coordinators was suspended in March 2020 due to the COVID-19 pandemic.
- In July 2021, the Division released guidance on the limited resumption of face-to-face visits through the end of calendar year 2021.
- This guidance has been updated to confirm requirements for face-to-face visits effective **March 1, 2022.**
- Please see [Support Coordinator Field Visits](#) for more information.



DSP and SDE Onboarding

- On January 20, 2022, the Office of Program Integrity and Accountability (OPIA) announced they will provide expedited approval of emergency hiring requests for 90 days in certain circumstances.
- Please note that finger printing, drug testing, etc. remain mandatory requirements for DSPs and SDEs and are not indefinitely waived.
- Please see [Employee Onboarding](#) for more information.

Executive Order 283

- On January 19, 2022, [Executive Order No. 283](#) went into effect requiring covered workers at health care facilities and high-risk congregate settings to be up-to-date with COVID-19 vaccination, including booster dose.
- This impacts many settings, including but not limited to:
 - Developmental Centers;
 - Licensed community residences for individuals with intellectual and developmental disabilities (I/DD) and traumatic brain injury (TBI) (e.g., group homes and supervised apartments);
 - Certified day programs for individuals with I/DD and TBI; and
 - Support Coordination Agencies.

Executive Order 283

- Developmental Centers (DCs) are covered by the CMS Rule and have earlier compliance dates.
- Unvaccinated workers in DCs have until:
 - January 27, 2022 to receive their first dose of the primary series of COVID-19 vaccine.
 - February 28, 2022 to provide adequate proof that they are up-to-date with COVID-19 vaccinations, including booster.
 - Staff who become eligible for a booster after February 28, 2022 have until three weeks after they are eligible for a booster to receive it.

Executive Order 283

- The below DDD settings are NOT covered by the CMS Rule and have a later compliance date:
 - Licensed community residences for individuals with I/DD or TBI;
 - Certified day programs for individuals with I/DD or TBI; and
 - Support Coordination Agencies.
- Unvaccinated workers in these settings have until:
 - February 16, 2022 to receive their first dose of the primary series of COVID-19 vaccine.
 - March 30, 2022 to provide adequate proof that they are up-to-date with their COVID-19 vaccinations, including booster.
 - Staff who become eligible for a booster after March 30, 2022 have until three weeks after they are eligible for a booster to receive it.

Executive Order 283

- Staff who receive their primary series of COVID-19 vaccination do not have to be tested weekly. However, booster **must** be received within three weeks of eligibility.
- A covered worker may be granted an exemption by their employer for a qualifying medical disability as defined by the ADA or sincerely held religious belief pursuant to Title VII of the Civil Rights Act.
 - Covered workers granted an exemption must continue to be tested once or twice weekly as required by [Executive Order No. 252](#).
- Masking will continue to be required for staff, regardless of vaccination status.

Important Resources

- [Disability Rights New Jersey](#)
 - 1-800-922-7233 (toll-free in New Jersey only)
- [Ombudsman for Individuals with Developmental Disabilities and their Families](#)
 - 1-609-984-7764
- [New Jersey Council on Developmental Disabilities](#)
 - 1-800-792-8858



Important Resources

- For assistance during this time:
 - For issues, call the Division Community Services office for your county or 1 (800) 832-9173.
 - For routine questions: DDD.FeeForService@dhs.nj.gov
 - For COVID-related questions: DDD.COVID-19@dhs.nj.gov
 - To report suspected abuse, neglect or exploitation: call 1 (800) 832-9173, then press 1.

Highlighted Resources

- For individuals, families and caregivers
 - [Boggs Center COVID-19 Information and Resources](#)
 - [COVID-19 Materials for People with Intellectual and Developmental Disabilities and Care Providers](#)
- For individuals:
 - NJ Self-Advocacy Project's [Stay Healthy at Home Webinar Series](#)
- For Direct Support Professionals
 - [National Alliance for Direct Support Professionals \(NADSP\) COVID-19 Toolkit for DSPs](#)
 - [CDC Guidance for Direct Service Providers](#)