



Proposed new rule: 9 CSR 45-3.080 Self Directed Supports

In early November, 2015, the Division of Developmental Disabilities posted a draft rule for self-directed supports on the division's website for public review and comment. This is a summary of comments and responses.

Comment: The division received several comments and questions regarding the reimbursement methodology.

Response: Revisions were made to the draft rule for clarity and an updated draft was posted November 17.

Comment: A reviewer noted several technical errors and a misspelled word. This reviewer also recommended adding verbiage to clarify training that may be exempted, and adding verbiage to clarify that wages must be established within guidelines.

Response: Corrections are made and language in draft rule is revised for clarification.

Comments: A reviewer recommended a specific form be required for monitoring and documenting/reporting issues to the Regional Office. Concerns were expressed regarding verification and documentation of issues that would lead to a plan of correction. Some technical errors were noted.

Response: Language has been added to the draft rule to provide additional specificity regarding improvement plans, time frames, and protections and safeguards when terminating the option for self-direction.

Comment: A recommendation was made to add employer responsibilities to the rule.

Response: The draft is updated with employer responsibilities.

8/22/2016

Comment: A recommendation was made regarding the ISP definition, for clarity and brevity.

Response: The draft is updated with the recommended definition.

Additional modifications have been made to the draft to ensure compliance and consistency with the most current HCBS waivers approved by the Centers for Medicare and Medicaid Services and US Department of Labor standards and requirements.