

## **1240-E - HABILITATION SERVICES**

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### **I. PURPOSE**

This Policy applies to ALTCS E/PD, DES/DDD (DDD) Contractors; Fee-For-Service (FFS) programs including: Tribal ALTCS. Services are designed to assist individuals in acquiring, retaining, and improving the self-help, socialization, and adaptive skills necessary to reside successfully in their own home or an Alternative Home and Community Based Services (HCBS) setting. These services include the provision of training independent living skills or special developmental skills, orientation, and mobility training, sensory-motor development, and supported employment. For supported employment services refer to AMPM Policy 1240-J. Physical therapy, occupational therapy, and speech therapy may be provided in conjunction with habilitation services as described in this Policy. Members may not receive habilitation services while in a behavioral health residential facility.

### **II. DEFINITIONS**

For purposes of this Policy:

#### **HABILITATION**

A service encompassing the provision of training in independent living skills or special developmental skills, sensory-motor development, orientation and mobility and behavior intervention. Physical, occupational or speech therapies may be provided as a part of or in conjunction with other habilitation services.

Additional Definitions are located on the AHCCCS website at: [AHCCCS Contract and Policy Dictionary](#).

### **III. POLICY**

Habilitation provider agencies shall be certified by, (DDD) and registered as, an AHCCCS provider prior to rendering services to ALTCS and Tribal ALTCS members. The number and frequency of services is determined through the service assessment and planning process conducted by the case manager and specified in the member's service plan. An individual who assists an elderly individual or an individual determined to have a disability with activities necessary to allow them to reside in their own home (including Habilitation services) shall be employed/contracted by a provider agency, or in the case of member-directed options (as specified in AMPM Policy 1320-A), by ALTCS and Tribal ALTCS members in order to provide such services to ALTCS Members.

**A. BACKGROUND CHECK REQUIREMENTS**

1. Provider agencies shall develop policies and procedures for, and begin conducting background checks of Direct Care Workers (DCWs) that comply with the following standards:
  - a. At the time of hire/initial contract and every three years thereafter, conduct a nationwide criminal background check that accounts for criminal convictions in Arizona,
  - b. At the time of hire/initial contract and every year thereafter, conduct a search of the Arizona Adult Protective Services (APS) Registry,
  - c. Prohibit a DCW from providing services to ALTCS and Tribal ALTCS members if the background check results contains:
    - i. Convictions for any of the offenses as specified in in A.R.S. § 41-1758.03(B) or (C), or
    - ii. Any substantiated report of abuse, neglect or exploitation of vulnerable adults listed on the APS Registry pursuant to A.R.S. § 46-459.
  - d. Upon hire/initial contract and annually thereafter, obtain a notarized attestation from the DCW that they are not:
    - i. Subject to registration as a sex offender in Arizona or any other jurisdiction,
    - ii. Awaiting trial on or been convicted of committing or attempting, soliciting, facilitating, or conspiring to commit any criminal offense listed in A.R.S. § 41-1758.03(B) or (C), or any similar offense in another state or jurisdiction.
  - e. Require DCWs to report immediately to the agency if a law enforcement entity has charged the DCW with any crime listed in A.R.S. § 41-1758.03(B) or (C),
  - f. Require DCWs to report immediately to the agency if APS has alleged that the DCW abused, neglected, or exploited a vulnerable adult,
  - g. Agencies may choose to allow exceptions to the background requirements for DCWs providing services to family members only. If the agency allows a DCW to provide services under this exception, the agency shall:
    - i. Notify the ALTCS or Tribal ALTCS member in writing that the DCW does not meet the background check standards and therefore otherwise would not normally be allowed to provide services, and
    - ii. Obtain consent from the ALTCS or Tribal ALTCS member to allow the DCW to provide services despite the findings of the background check.
  - h. Agencies are prohibited from allowing exceptions to the APS Registry screening requirements for DCWs providing services to family members only.
2. Provider agencies are required to comply with fingerprint clearance card requirements outlined in A.R.S. Title 41, Chapter 12, Article 3.1. Providers may use a DCW's fingerprint clearance card as evidence of complying with the criminal background check required by this Policy, however, the agency shall still comply with the obligation to check the Arizona APS Registry. DCWs are prohibited from providing services to ALTCS and Tribal ALTCS members if the DCW is precluded from receiving a fingerprint clearance card or has a substantiated report of abuse, neglect or exploitation of vulnerable adults listed on the APS Registry pursuant to A.R.S. § 46-459.

**B. OTHER HOME AND COMMUNITY BASED SERVICES**

Other HCBS may be provided in conjunction with Habilitation, including, but not limited to, physical therapy, occupational therapy and speech therapy as specified in AMPM Policy 310-X. Habilitation providers may carry out activities designed by a therapist as part of the daily routine. AHCCCS encourages the therapist to train primary caregivers (paid and unpaid) to carry out the therapy activities within the normal routine of the member.

**C. SPECIAL CIRCUMSTANCES**

The service known as day treatment and training is included under Habilitation services.