

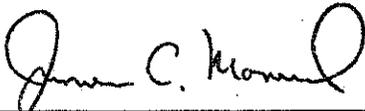
STATE OF OHIO
DEPARTMENT OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

5123:2-12-03 SUPPORTED LIVING INDIVIDUAL SERVICE PLANS (ISPS).

- (A) THE PURPOSE OF THIS RULE IS TO ESTABLISH STANDARDS FOR INDIVIDUAL SERVICE PLANS (ISPS) FOR ELIGIBLE INDIVIDUALS RECEIVING SUPPORTED LIVING.
- (B) THE INDIVIDUAL'S CHOICES SHALL BE THE PRIMARY FACTOR FOR DEVELOPING THE ISP. THE INDIVIDUAL'S CHOICES ARE THOSE EXPRESSED DIRECTLY BY THE INDIVIDUAL, BY THE INDIVIDUAL'S PARENT(S), CUSTODIAN, OR GUARDIAN AS APPLICABLE, OR BY A FRIEND OR ADVOCATE OF THE INDIVIDUAL'S CHOICE. INDIVIDUALS, INCLUDING THOSE WHO HAVE BEEN ADJUDICATED INCOMPETENT PURSUANT TO CHAPTER 2111. OF THE REVISED CODE, HAVE THE RIGHT TO PARTICIPATE IN DECISIONS THAT AFFECT THEIR LIVES AND TO HAVE THEIR NEEDS, DESIRES, AND PREFERENCES CONSIDERED.
- (C) INITIAL FORMAL AND/OR INFORMAL EVALUATIONS SHALL ADDRESS ALL OF THE QUALITY INDICATORS LISTED IN PARAGRAPHS (B)(1) TO (B)(7) OF RULE 5123:2-12-01 ("SUPPORTED LIVING QUALITY ASSURANCE") OF THE ADMINISTRATIVE CODE. SUBSEQUENT FORMAL AND/OR INFORMAL EVALUATIONS SHALL BE USED AS A RESOURCE TO IDENTIFY APPROPRIATE METHODS OF DEVELOPING THE SERVICES AND ACTIVITIES NECESSARY TO SUPPORT THE CHOICES OF AND MEET THE NEEDS OF THE INDIVIDUAL.
- (D) BASED ON THE NEEDS AND CHOICES EXPRESSED BY THE INDIVIDUAL, THE SERVICE AREAS TO BE PROVIDED MAY INCLUDE, BUT ARE NOT LIMITED TO, THOSE AREAS IDENTIFIED IN RULE 5123:2-12-01 OF THE ADMINISTRATIVE CODE.
- (E) THE ISP SHALL BE DEVELOPED BY THE INDIVIDUAL WITH THE SUPPORT AND ASSISTANCE OF A REPRESENTATIVE OF THE COUNTY BOARD AND PERSON(S) OF THE INDIVIDUAL'S CHOOSING, WHICH MAY INCLUDE, BUT IS NOT LIMITED TO, FAMILY MEMBERS, FRIENDS, AND ADVOCATES.
- (F) THE SERVICES AND ACTIVITIES DESCRIBED IN THE ISP SHALL SUPPORT THE INDIVIDUAL'S CHOICES, MEET THE INDIVIDUAL'S NEEDS, ENHANCE THE INDIVIDUAL'S OPTIONS, AND ASSIST THE INDIVIDUAL IN EXPANDING AND DEVELOPING COMPETENCIES THAT WILL LEAD TO A MORE INDEPENDENT, SECURE, AND RESPONSIBLE LIFE. DISSENTING OPINIONS REGARDING THE SERVICES AND ACTIVITIES SELECTED SHALL BE NOTED.
- (G) FOLLOWING THE SELECTION OF SERVICE PROVIDERS, THE ISP OR AN ATTACHMENT TO THE ISP SHALL INDICATE THE PROVIDER OF EACH SERVICE AND ACTIVITY, THE FREQUENCY AND DURATION OF SERVICES, THE SERVICE COST, AND THE FUNDING SOURCE OF THE SERVICE. THE ISP OR AN ATTACHMENT TO THE ISP SHALL ALSO INDICATE IF ANY OF THE SERVICES OR ACTIVITIES DESCRIBED WILL NOT BE DELIVERED OR WILL BE DELIVERED THROUGH NATURAL, UNPAID SUPPORTS, INCLUDING FAMILY MEMBERS. THE PROVISION OF PAID SERVICES IS SUBJECT TO THE AVAILABILITY OF RESOURCES.

- (H) THE SERVICES AND ACTIVITIES DESCRIBED IN THE ISP SHALL NOT BE PROVIDED WITHOUT THE INDIVIDUAL'S CONSENT OR THE CONSENT OF THE PARENT(S), CUSTODIAN, OR GUARDIAN, AS APPLICABLE. IF THE INDIVIDUAL IS A CHILD, CONSENT SHALL BE OBTAINED FROM THE INDIVIDUAL'S PARENT(S) UNLESS THE INDIVIDUAL HAS A CUSTODIAN IN WHICH CASE CONSENT SHALL BE OBTAINED FROM THE CUSTODIAN. IF THE INDIVIDUAL HAS A GUARDIAN, CONSENT SHALL BE OBTAINED FROM THE GUARDIAN. CONSENT SHALL BE IN WRITING AND MAY BE WITHDRAWN WITH APPROPRIATE NOTICE ACCORDING TO CONTRACT PROVISIONS.
- (I) THE COUNTY BOARD AND THE PROVIDER SHALL ATTEMPT TO RESOLVE DISPUTES THAT ARISE WHEN CONSENT IS REFUSED OR WITHDRAWN BY MAKING A REASONABLE ACCOMMODATION TO PROVIDE THE INDIVIDUAL WITH ALTERNATIVE SERVICES OR ACTIVITIES.
- (J) AN ISP SHALL BE EFFECTIVE FOR A SPECIFIED PERIOD OF TIME, AS AGREED TO BY THE INDIVIDUAL AND THE COUNTY BOARD. THE EFFECTIVE PERIOD OF THE ISP SHALL BE INCLUDED IN THE CONTRACT(S) DEVELOPED BETWEEN THE COUNTY BOARD AND THE PROVIDER(S). ONLY THOSE PORTIONS OF THE ISP RELEVANT TO THE PROVIDER SHALL BE INCLUDED AS AN ATTACHMENT TO THE CONTRACT ENTERED INTO BETWEEN THE COUNTY BOARD AND THE PROVIDER UNLESS OTHERWISE CONSENTED TO BY THE INDIVIDUAL. IN DETERMINING THE PERIOD OF EFFECTIVENESS FOR THE ISP, THE NATURE OF THE SERVICES AND SUPPORTS TO BE PROVIDED AND THE MANNER IN WHICH THEY ARE CUSTOMARILY PROVIDED SHALL BE CONSIDERED. ISPS SHALL BE REVIEWED AND/OR EVALUATED AS NECESSARY, BUT AT LEAST ANNUALLY, TO DETERMINE SERVICE EFFECTIVENESS.
- (K) THE PROVIDER SHALL HAVE THE OPPORTUNITY FOR INPUT INTO THE DEVELOPMENT OR REVISION OF THE ISP OF AN INDIVIDUAL RECEIVING SERVICES FROM THE PROVIDER WHEN THE PROVIDER IS UNDER CONTRACT WITH THE COUNTY BOARD FOR SERVICES TO THAT INDIVIDUAL.
- (L) THE SERVICES AND ACTIVITIES DESCRIBED IN THE ISP SHALL BE AMONG THE AREAS REVIEWED AND EVALUATED AS PART OF ALL ISP REVIEWS AND AS PART OF QUALITY ASSURANCE REVIEWS CONDUCTED IN ACCORDANCE WITH RULE 5123:2-12-01 OF THE ADMINISTRATIVE CODE.

Effective: 7/24/95



Jerome C. Manuel, Director

7-14-95
Date

Promulgated under: Chapter 119.
Rule authorized by: 5126.05
Rule amplifies: 5126.012, 5126.05, 5126.41