

Cottonwood, Inc.
Policies and Procedures

SECTION: Day Supports (General)

POLICY NO: 02-019

SUBJECT: Final Rule Statement of Principles and Procedures

EFFECTIVE DATE: February 2021

Policy:

It is the policy of Cottonwood, Inc. that all persons served (consumers) shall be afforded the following rights and protections as they relate to the provision of services provided by Community Service Providers (“CSP’s”) like Cottonwood, Inc. under the Home and Community Based Services IDD Waiver and the Kansas Developmental Disability Reform Act (“DDRA”) and applicable regulations. Cottonwood Inc.’s “Rights of Persons Served” annual review packet is also incorporated in this policy. Cottonwood, Inc. will incorporate all values expressed in this policy into informational resources provided to its employees and persons served. Staff will be trained in these principles as part of their required classroom training and initial shadowing in their respective assigned locations prior to working with consumers and annually thereafter as part of their licensing review training and annual performance evaluation review.

Procedures:

Rights- Each person served will annually review and acknowledge receipt of Cottonwood Inc.’s “Consumer Rights” handout. In addition, employees will be required to review and attest to Cottonwood Inc.’s “Performance Evaluation Report Form/Review of Rights of Persons Served” on an annual basis. Both documents are based on and in compliance with KDADS’ “Article 63-Developmental Disabilities- Licensing Providers of Community Services: Review of Rights of Persons Served.”

Training-Cottonwood, Inc. shall provide training annually to all employees and volunteers regarding the values expressed in this policy (see Cottonwood, Inc. policy 03-047 “Staff Training”). Each employee will receive initial training on the values and inherent human and civil rights expressed in this policy and referenced above as part of the orientation process for new employees. Additionally, employees will be required to receive an annual refresher training at the time of licensing and also at the time of their performance evaluation which serves as the documentation thereof.

Cottonwood, Inc. shall provide persons served training regarding their rights including the right to file a complaint/grievance, to have visitors of their choosing, and to participate in activities of their choosing outside of the service setting (“come and go”) as part of the annual person-centered support planning process. Receipt of such training will be documented.

Services- Cottonwood, Inc. provides various services to persons with Intellectual and Developmental Disabilities (IDD) including but not limited to:

Residential Services

Day services

Targeted Case Management

Persons served and/or their guardians are required to enter into and sign a legally binding service agreement should they choose Cottonwood, Inc. for services. This service agreement is inclusive of Cottonwood Inc.'s "Consumer Handbook."

Day Support (Services) Protections

Cottonwood, Inc. offers Day services to individuals with IDD who qualify for the Home and Community-Based ("HCBS") waiver and choose Cottonwood, Inc. as their CSP.

While Cottonwood Inc.'s Day Services are provided solely to individuals with I/DD, these individuals are not isolated solely due to their disabilities. Individuals have the same access to the greater community, services, and supports as those who do not have disabilities. Cottonwood, Inc. believes in the natural rhythms of daily life and does not impose an institutional control over any aspect of daily living.

Persons served are not required to receive medical, behavioral or other therapy services on-site at any site where Day Services are provided and are free to choose when, where and from whom such services are provided. Day Services are not provided in Residential settings (and vice versa) unless a medical professional has indicated that Day Services provided in the community or in a Cottonwood, Inc. Day Services site are not in the best interest of the person served. Cottonwood, Inc. will then provide such services at home or in an alternative setting.

Community Integration- Persons choosing Cottonwood Inc.'s Day Services are encouraged to, supported in, and assisted with participating in community events, activities, and services of their choosing. It is the policy of Cottonwood, Inc. to facilitate involvement in innovative, age appropriate, and stimulating local experiences and activities for individuals served ***when paid work is not the primary preference or may not be meaningful to the individual.***

Upon entering Cottonwood, Inc. Day Services, individuals indicate what service component best meets their needs and preferences. They may do a Trial Visit in more than one area to determine the best fit. The individual chooses how they want their day to look and what productivity and leisure means to them. Cottonwood, Inc. offers center-based work, supported employment, full or part-time retirement, and a life enrichment component where activities and learning are emphasized.

When participating in center-based employment at Cottonwood, Inc. persons served shall have input regarding their work schedule and will have jobs matched to their skills and interests depending on work availability.

When a primarily “activities- based” day is chosen as the preferred interest, input regarding desired activities is generated in regular meetings with consumers and staff. Staff solicit choices and preferences from consumers and will refer to personal preferences and goals outlined in Person Centered Support Plans. Staff may announce or post the daily/weekly choices which are selected based on weather, seasonal norms, community celebrations, community classes, and affordable or free and accessible locations. (See also Policy 60-012)

Visitors- Consumers at Cottonwood, Inc. Day Service sites are welcome to invite visitors at any time during the day. It is a courtesy to inform the staff in the area of the nature of the visit. Note: Visitors unknown to the staff or to the consumer raise a concern and staff should attempt to verify the identity of the visitor. Consumers and their visitors will be invited to meet in the courtyards or consumer breakroom areas away from production or activity areas. Consumers may leave with their visitors if their Person Centered Support Plan or Behavior Support Plan do not indicate that there are safety issues with certain identified individuals (such as an abusive family member) or the plan indicates that self-preservation skills are sufficient to help the person navigate risk without staff support.

Persons can “come and go” at any time from any Day Services site as long as there are no prohibitions to this in their Person Centered Support Plan or, if applicable, Behavior Support Plan. Input/Consent about any restrictions to coming and going is obtained through the team process and reviewed by the agency Human Rights Committee. There is no blanket policy about coming and going that pertains to all individuals at any given site. It is individually determined and persons are free to pursue their interests. If staff support is needed it is dependent on staff availability and transportation.

Accessibility-Accommodations/modifications are completed as needed to maximize physical accessibility of Day Services sites. Examples include automatic doors, zero elevation entry or ramps, Hoyer Lifts and track lifts, lighting enhancements, ADA adherence, accessible vehicles, access to para-transit, raised toilets, durable medical equipment such as wheelchairs and walkers for use when needed. If an individual’s accessibility requirements exceed what is structurally and/or financially feasible at the current site, the individual and team will seek appropriate alternatives.

Barriers Designed to Limit Access- Cottonwood, Inc.’s policy regarding measures to limit access to certain food storage areas, laundry areas, or staff work, or break areas will be consistent with the least restrictive setting principle that all individuals have the right to move about freely in their chosen environments. Staff offices, staff breakrooms, warehouses, clinic areas with med storage, and production areas that do not employ consumers, may be off limits as a general business practice and will not be considered restrictive. (See Policy 02-025)

Personal Belongings- All individuals served have a protected space to secure personal belongings either in a cubby or locker.

Personal Privacy- All Day sites are constructed to afford privacy with personal care. i.e. locked bathroom stalls, curtains, and closed doors.

Grievance Process-Persons served shall be afforded a process to file a grievance. (see policy #05-015 “Consumer Grievance and Appeal/Conflict Resolution”).

Legal and Regulatory Protections- The rights of persons served by Cottonwood, Inc. shall not be restricted by Cottonwood, Inc. or other parties unless provided for by lawful court order, lawfully restricted by a court-appointed guardian or is a restriction provided for under Kansas Regulations including the person’s Person-Centered Support Plan (PCSP). In such cases, Cottonwood, Inc. shall make reasonable efforts to ensure that such restrictions do not affect the rights of other persons served.

DOCUMENTS INCORPORATED IN THIS POLICY

Cottonwood, Inc. Service Agreement

Cottonwood, Inc. Policy #05-015F - Consumer Grievance and Appeal/Conflict Resolution

Cottonwood, Inc. Consumer Rights Handout

Cottonwood, Inc. Policy #03-047 - Staff Training

Cottonwood, Inc. Policy #02-025 – Right to the Least Restrictive Environment

Cottonwood, Inc. Policy # 60-012-Activity Choices and Preferences

Cottonwood, Inc. Accessibility Plan

Performance Evaluation Form

Annual Competency Based Worksheet Coversheet

DOCUMENTS INCORPORATED IN THIS POLICY BY REFERENCE

The Federal Americans with Disabilities Act (ADA)

The Kansas Developmental Disabilities Reform Act (DDRA)

Kansas Administrative Regulations 30-63 and 30-64 all.

COTTONWOOD, INC. POLICY CONFLICT

This policy shall supersede and override any other existing policies issued by Cottonwood, Inc. that are found to be in conflict with this policy.