

# DOJ Updates

Heather Norton, DBHDS



Using the

# **EMPLOYMENT and INTEGRATED COMMUNITY INVOLVEMENT**

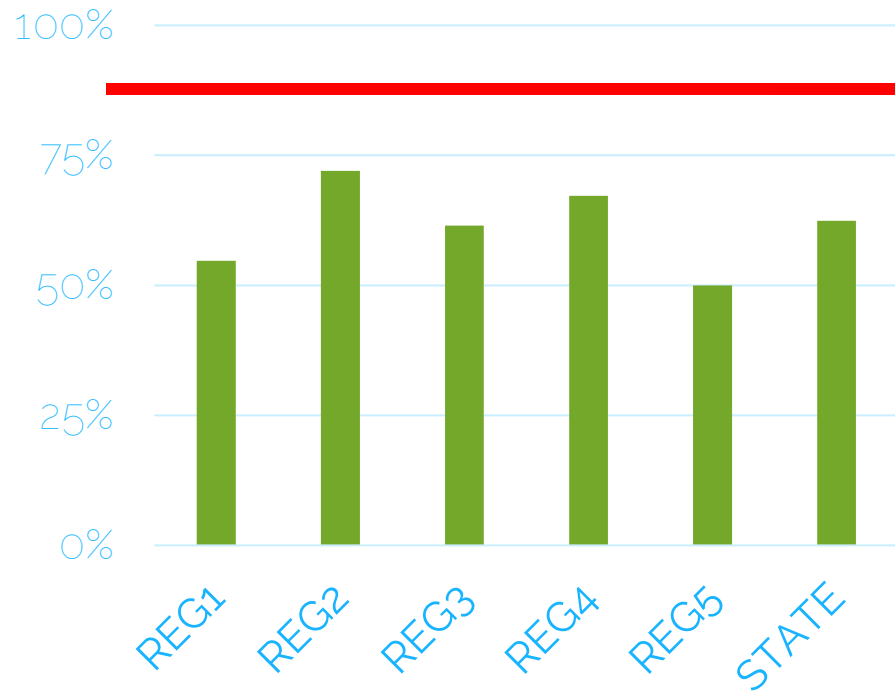
Life Areas

CASE MANAGEMENT STEERING COMMITTEE  
[cmssc@DBHDS.Virginia.gov](mailto:cmssc@DBHDS.Virginia.gov)





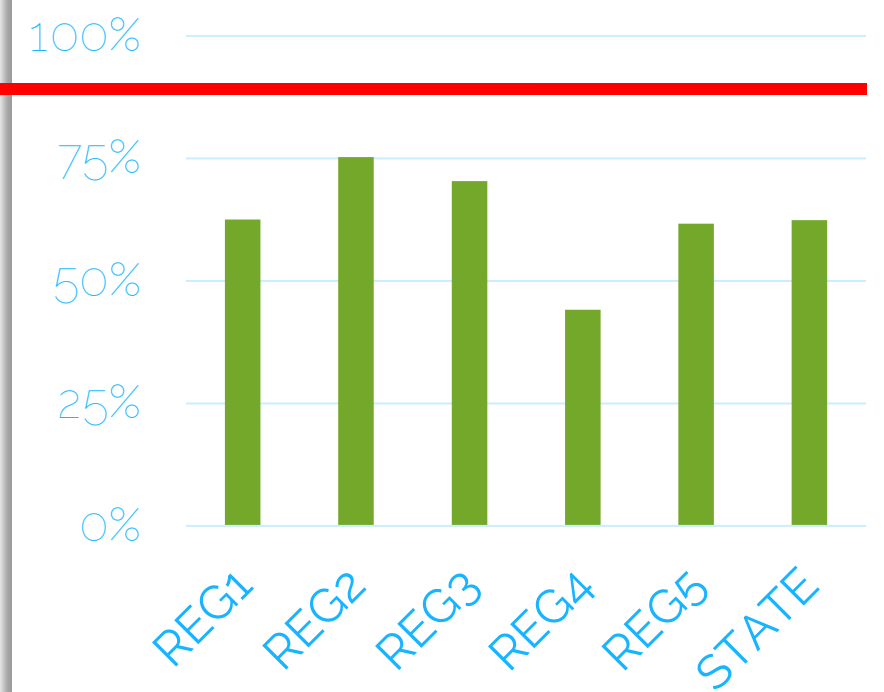
FY24Q4 % of Individuals with Outcomes in Employment Life Domain (looking for work)



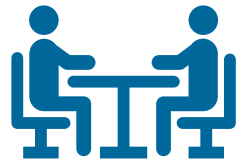
The target for both of these measures is 86%



FY24Q4 % of Individuals with Outcomes in ICI Life Domain



RQC2  
QII WG



RQC3  
QII WG



CMSC  
QII WG



Arc of  
NOVA

NOVA PC

OWSN

CSBs

OPNS

OCQI

E1AG

OCQM



Focus  
Groups

CEAG



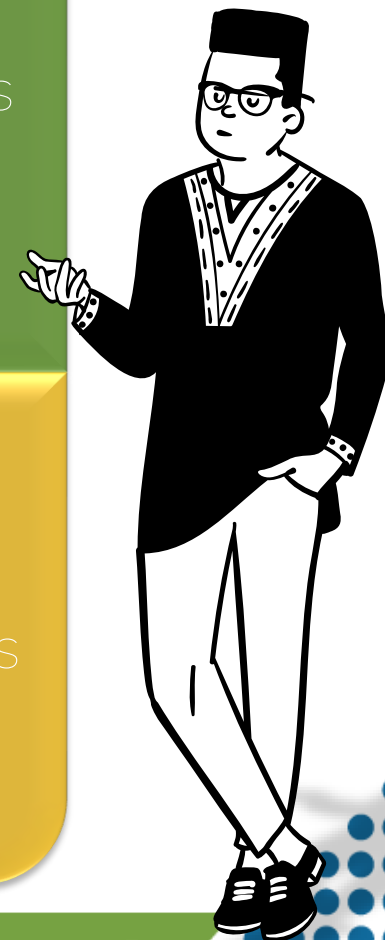
No specific service is required for the employment and Integrated Community Involvement life areas to be used!

All services tied to an ICI outcome do not have to meet the 1:3 ratio as long as at least one does!

### DID YOU KNOW?

Outcomes written for routine supports can be related to these life areas!

DBHDS has published several fact sheets and materials regarding this topic online!



*"I am always advocating for individuals to be an integral part of their community, what more do you need from me?"*



Give  
yourself  
credit!

Input the  
data!

Make the  
revisions!

Be a  
creative  
team!

Use the  
DBHDS  
Resources!

<https://www.dbhds.virginia.gov/>

**Department of Behavioral Health and Developmental Services**  
An official website of the Commonwealth of Virginia [Here's how you know](#) ▾

**DBHDS**  
Virginia Department of Behavioral Health and Developmental Services

Home Getting Help ▾ Offices ▾ About DBHDS

**DIVISIONS**

- Architectural & Engineering
- Office of Behavioral Health Wellness (OBHW)
- Child and Family Services
- Office of Management Services
- Developmental Services**
- Office of Budget and Financial Reporting
- Office of Forensic Services
- Office of SVP Services
- Health Equity

Human Resources

- Background Investigations Unit
- Office of Integrated Health
- Human Rights
- Office of Licensing
- Procurement
- Clinical and Quality Management
- Office of Recovery Services
- Substance Use Disorders
- Division of Crisis

**SERVICES**

- Licensing

**Employment**

**Office of Provider Network Supports**

The Office of Provider Network Supports focuses on developing people <https://dbhds.virginia.gov/developmental-services/provider-network-supports/> that meet their needs. On this page, you will find resources from the Centered ISP, who to contact for technical assistance, and various other resources.

**Quality Service Reviews**

*\*You can also find many resources at this location related to Developmental Services which are not included in this presentation*

## Videos

- [Understanding PC ISP v4.0 Parts I-IV](#)
- [Completing PC ISP v4.0 Part V](#)
- [Therapeutic Behavioral Consultation – WaMS ISP element recording](#)

## Documents

- [ISP v4.0 What's New](#)
- [ISP Parts I-IV – Maria \(sample plan\)](#)
- [ISP Part V – Maria \(sample plan\)](#)
- [Part V Template with Support Instructions ISP v4.0](#)
- [Quarterly Person Centered Review \(PCR\) Word Template ISP v4.0](#)
- [Personal Preferences Tool for use with DMAS 97 A/B ISP v4.0](#)
- [WaMS ISP Parts I-IV Notes Version for Offline Use](#) (updated 10.8.24)

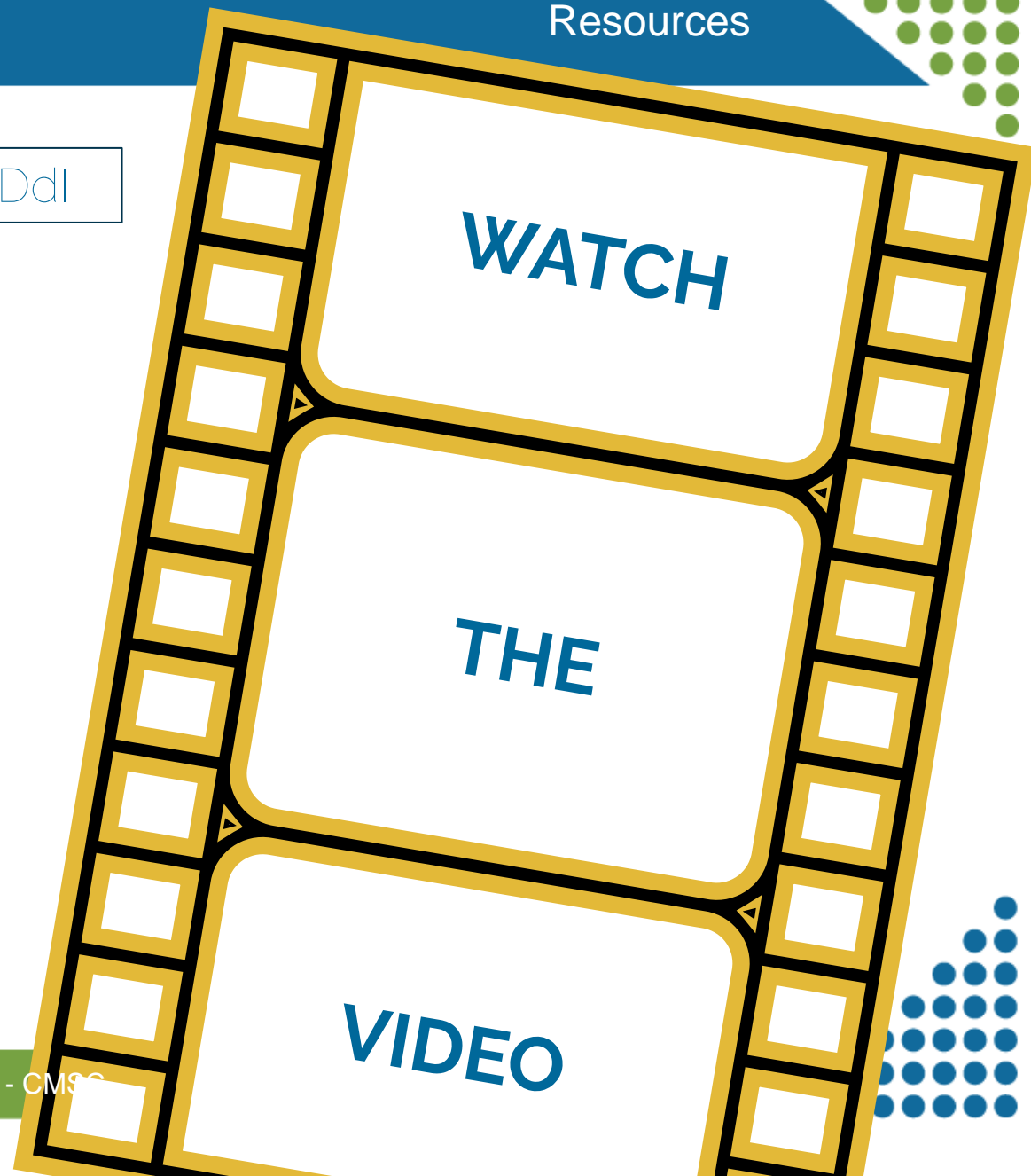
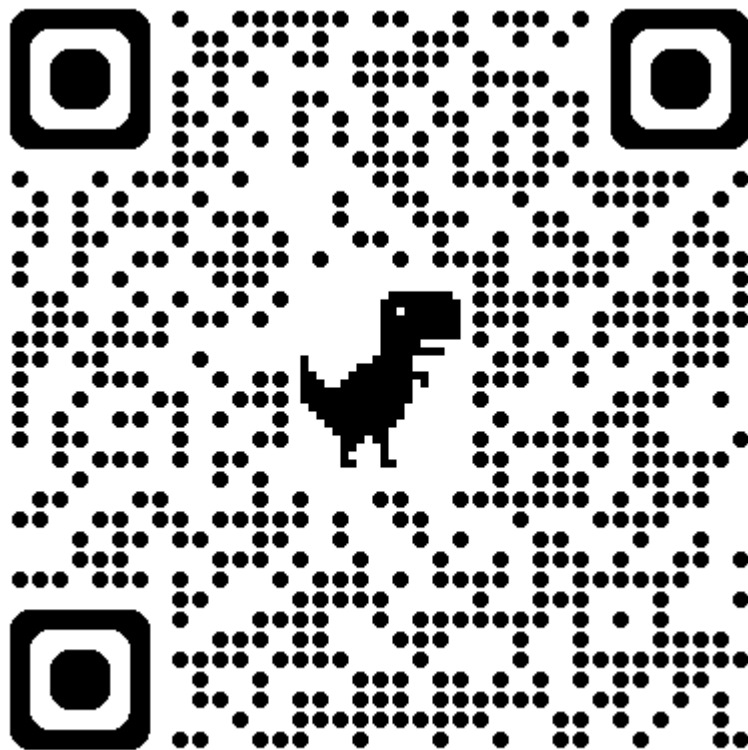
## Additional ISP Resources

- [Person Centered ISP Guidance Document 2021](#)
- [ISP v3.3 Q&A \(includes ISP updates for Employment and Integrated Community Involvement\)](#)
- [ISP Training Resources](#)
- [Allowable Activities and Considerations for Developing Skill Building Activities](#)
- [Personal Assistance, Respite, and Companion- Modified Use of Part V in WaMS](#)
- [ISP Fact Sheet: Integrated Community Involvement](#)
- [ISP Life Area Cheat Sheet](#)
- [Employment Outcomes Fact Sheet](#)
- [Employment and ICI Life Area Video](#)
- [Employment and ICI Life Area Slides January 2025](#)
- [Electronic Home-based Services \(EHRCS\) Optional Assessment Form](#)
- [Employment & Community Transportation Monthly Trip Log](#)





<https://www.youtube.com/watch?v=7uCSBmmuDdl>



## Service Authorizations

- Services Authorization Consultant reviewing the request

## How to Use Life Areas

- Posted Materials
- Community Resource Consultant

## General Questions

- Case Management Steering Committee
- CMSC@DBHDS.Virginia.Gov

# Office of Human Rights

Provider Roundtable Updates  
January 2025

# VOLUNTEERS NEEDED

## URGENT NEEDS:

### ➤ Staunton-Area LHRC

- Quarterly Meetings in April, July, Aug, Oct.
- 10:30A at Western State Hospital
- some virtual attendance options

### ➤ Williamsburg-Area LHRC

- Quarterly Meetings in March, June, Sept, Dec.
- 9A at Eastern State Hospital
- some virtual attendance options

If you or someone you know can serve on one of these Committees email: **Brandon Charles** at [brandon.charles@dbhds.virginia.gov](mailto:brandon.charles@dbhds.virginia.gov)

Access the Membership information and Application directly from the OHR web page!

**LHRC** | Local Human Rights Committee Information

**Functions of the Local Human Rights Committee:**

- Review any dignity or freedom restriction on the rights of an individual that lasts longer than seven days or is imposed three or more times
- Conduct interviews for Next Friends as process
- Conduct fact finding hearings and make complaints not resolved at the provider level
- Review behavioral treatment plans that include seclusion and time out
- Receive, review and act on application for disciplinary regulations
- Focus on providing due process for individuals
- Review and approve provider program rules
- Identify violations of applicable rights or regulations along with any policies, practices or conditions

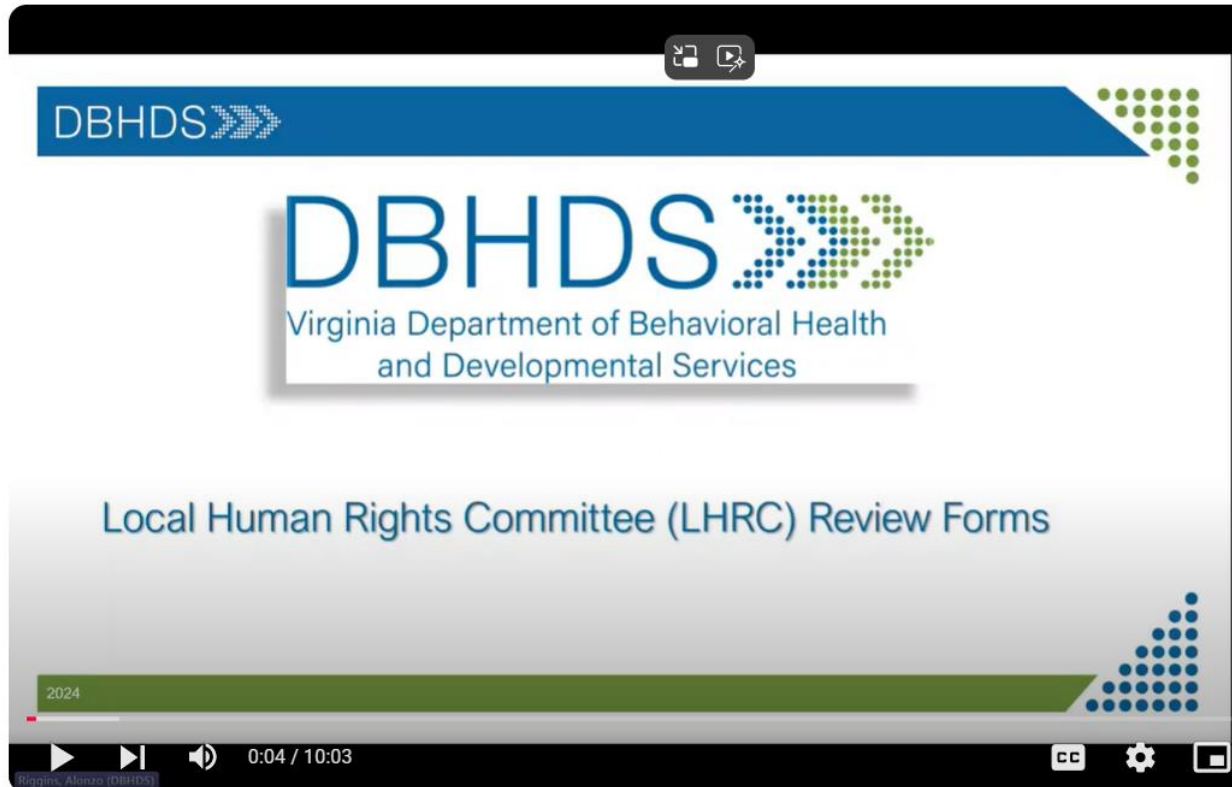
**The State Human Rights Committee (SHRC)** consists of a representative of various professional and consumer organizations in Virginia. SHRC members are appointed by the Governor. The independent body to oversee the implementation of the SHRC is to:

- Receive, coordinate and make recommendations
- Review the scope and content of training, implementation and enforcement of the regulations
- Hear and render decisions on appeals from the LHRC level
- Review and approve requests for variances from LHRC bylaws and appoint LHRC members

**Human Rights Advocates** represent consumers whose rights are alleged to have been violated and perform other duties for the purpose of preventing rights violations. Each state facility has at least one advocate assigned, as well as advocates who oversee community programs, with regional advocates located throughout the State who oversee the work of the advocates. Their duties include investigating complaints, examining conditions that impact

Select a Section for More Information

- Resources for Individuals
- Resources for Licensed Providers
- Resources for State Operated Facilities
- LHRC & SHRC**
- Data & Statistics
- Contact Information



### LHRC Review Forms Overview for Providers

Unlisted

- The OHR LHRC Review Forms have been updated to include opportunities to document required actions involved in that specific process.
- To assist providers in using these updated Forms an overview video is available via link to YouTube on the OHR webpage

# 2025 Community Provider Training Schedule

## ❖ Reporting in CHRIS

The learner will increase their understanding of the Computerized Human Rights Information System (CHRIS) and the Human Rights Regulations regarding human rights complaints and reporting.

Please register for the course by selecting the link for the corresponding date and time, and completing the registration. Please do not share links received from your registration. Each participant must register individually and attend on the link provided following their registration.

Jan. 9 <sup>th</sup> @ 9a – 12p	March 13 <sup>th</sup> @ 9a – 12p	May 1 <sup>st</sup> @ 9a – 12p	July 10 <sup>th</sup> @ 9a – 12p	Sept. 4 <sup>th</sup> @ 9a – 12p	Nov. 6 <sup>th</sup> @ 9a – 12p
<a href="#">CHRIS 1.9.25</a>	<a href="#">CHRIS 3.13.25</a>	<a href="#">CHRIS 5.1.25</a>	<a href="#">CHRIS 7.10.25</a>	<a href="#">CHRIS 9.4.25</a>	<a href="#">CHRIS 11.6.25</a>

## ❖ Investigating Abuse, Neglect, & Exploitation

This training is designed to provide an overview of the regulatory and investigative process, specific to the investigation of abuse and neglect.

Please register for the course by selecting the link for the corresponding date and time, and completing the registration. Please do not share links received from your registration. Each participant must register individually and attend on the link provided following their registration.

Jan. 23 <sup>rd</sup> @ 9a – 12p	March 27 <sup>th</sup> @ 9a – 12p	May 8 <sup>th</sup> @ 9a – 12p	July 24 <sup>th</sup> @ 9a – 12p	Sept. 18 <sup>th</sup> @ 9a – 12p	Dec. 11 <sup>th</sup> @ 9a – 12p
<a href="#">ANE 1.23.25</a>	<a href="#">ANE 3.27.25</a>	<a href="#">ANE 5.8.25</a>	<a href="#">ANE 7.24.25</a>	<a href="#">ANE 9.18.25</a>	<a href="#">ANE 12.11.25</a>

## ❖ Overview of the Human Rights Regulations

This training is designed to provide the learner an in-depth review of the Human Rights Regulations. Providers will increase their understanding of the Office of Human Rights processes, and the responsibilities as mandated by the Human Rights Regulations.

Please register for the course by selecting the link for the corresponding date and time, and completing the registration. Please do not share links received from your registration. Each participant must register individually and attend on the link provided following their registration.

Feb. 6 <sup>th</sup> @ 9a – 12p	May 22 <sup>nd</sup> @ 9a – 12p	Aug. 7 <sup>th</sup> @ 9a – 12p	Nov. 13 <sup>th</sup> @ 9a – 12p
<a href="#">HRRs 2.6.25</a>	<a href="#">HRRs 5.22.25</a>	<a href="#">HRRs 8.7.25</a>	<a href="#">HRRs 11.13.25</a>

## ❖ Restrictions, Behavioral Treatment Plans, & Restraints

This training is designed to educate providers on regulatory requirements related to the use of restrictions, behavioral treatment plans, and restraints.

Please register for the course by selecting the link for the corresponding date and time, and completing the registration. Please do not share links received from your registration. Each participant must register individually and attend on the link provided following their registration.

Feb. 20 <sup>th</sup> @ 9a – 11:30a	May 29 <sup>th</sup> @ 9a – 11:30a	Aug. 21 <sup>st</sup> @ 9a – 11:30a	Nov. 20 <sup>th</sup> @ 9a – 11:30a
<a href="#">RBTPR 2.20.25</a>	<a href="#">RBTPR 5.29.25</a>	<a href="#">RBTPR 8.21.25</a>	<a href="#">RBTPR 11.20.25</a>



OHR is **launching** a New-Provider Orientation designed for provider applicants and newly licensed or newly funded providers, as an introduction to OHR processes and expectations for compliance. Virtual sessions occur every 4<sup>th</sup> Wednesday 10A

**In April and October 2025 OHR will offer TWO NEW Specialty seminars.**

**Overview for Professionals** designed specifically for consultive professionals outside of the DBHDS system who are working with individuals receiving services from DBHDS-licensed providers. The training will provide information about the rights of individuals, and how to report potential human rights violations, work with providers to implement restrictions and operate within other LHRC/OHR processes.

**Dignity of Risk** workshops designed for a more hands-on and collaborative learning experience about the regulatory principals and practices pertaining to an individuals right to make choices, including an overview of the terms *Dignity of Risk* and *Duty to Care*

Registration links available on the "2025 Provider Training Calendar" located on the OHR Webpage.



The SHRC is excited to offer an in-person “Provider Roundtable” opportunity during the lunch-hour at each of their scheduled meetings in 2025.

**Providers should:**

- Pre-register at least 2 weeks prior to the meeting to [delisa.turner@dbhds.virginia.gov](mailto:delisa.turner@dbhds.virginia.gov)
- *Indicate the name of your agency, the number of guests attending with names and job titles and a point of contact's email address.*
- Be prepared to discuss the services they provide; an initiative they are most proud of and any challenges the SHRC can assist with.
- Bring a lunch because lunch
- NOT prepare a presentation. This is intended to be an informal dialogue with the SHRC and other providers.

2025 Meeting Schedule

SHRC Meeting	Location / Virtual Refer to Commonwealth Calendar for Details
Jan 16	Central Office – Region 4
March 6	Region 2
Apr 10	Region 4
May 22	Lexington – Region 1
June 26	Marion – Region 3
Aug 14	Va Beach - Region 5
Sept 25	Region 2
Oct 23	Winchester – Region 1
Dec 11	Williamsburg – Region 5



Additional revisions have been made to the Human Right Regulations based on feedback from public comments and to better align with the Health Care Decisions Act. This REVISED DRAFT Noncontroversial Regulatory Reductions to Chapter 115 will go out for public comment before going to the State Board in April 2025 for consideration as fast track actions.

The 30-Day Comment Forum will begin on 1/27/2025 and end at midnight on 2/26/2025. Please remember that it is appropriate for individuals receiving services to make a public comment if they wish and can be referred to the assigned Human Rights Advocate for help.

#### High-Level Revisions:

- Expand and clarify existing definitions
- Consistently label and define timeframes
- Eliminate legal terminology related to appeals
- Reestablish Advocate ability to grant extensions
- Clarifies processes for special populations
- Refines expectations of provider investigation
- Defines expectations for corrective action and communication of these actions to involved individuals

The REVISED DRAFT of the Human Rights Regulations has been posted to the OHR webpage.



### Key

- |                       |                   |
|-----------------------|-------------------|
| 1 Alexandria          | 21 Lynchburg      |
| 2 Bristol             | 22 Manassass      |
| 3 Buena Vista         | 23 Manassass Park |
| 4 Charles City County | 24 Martinsville   |
| 5 Charlottesville     | 25 Newport News   |
| 6 Chesapeake          | 26 Norfolk        |
| 7 Colonial Heights    | 27 Norton         |
| 8 Covington           | 28 Petersburg     |
| 9 Danville            | 29 Poquoson       |
| 10 Emporia            | 30 Portsmouth     |
| 11 Fairfax City       | 31 Radford        |
| 12 Falls Church       | 32 Richmond       |
| 13 Franklin           | 33 Roanoke        |
| 14 Fredericksburg     | 34 Salem          |
| 15 Galax              | 35 Staunton       |
| 16 Hampton            | 36 Suffolk        |
| 17 Harrisonburg       | 37 Virginia Beach |
| 18 Hopewell           | 38 Waynesboro     |
| 19 James City County  | 39 Williamsburg   |
| 20 Lexington          | 40 Winchester     |

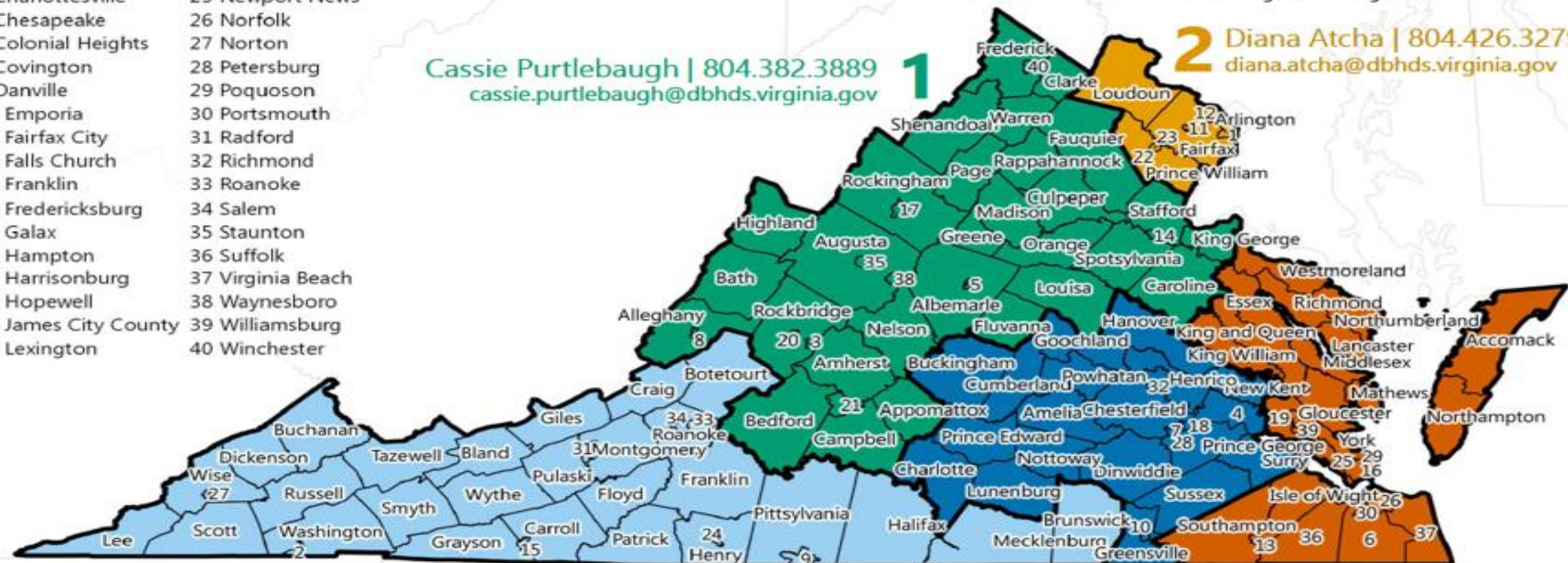
### State Facilities:

Central State Hospital/Western State Hospital/Eastern State Hospital/Catawba Hospital/Piedmont Geriatric Hospital  
Southern VA Mental Health Institute/Northern VA Mental Health Institute/Southwest VA Mental Health Institute  
Hiram Davis Medical Center/Commonwealth Center for Children & Adolescents/VA Center for Behavioral Rehabilitation  
Southeastern Virginia Training Center

**Brandon Charles | 804.486.0085**  
[brandon.charles@dbhds.virginia.gov](mailto:brandon.charles@dbhds.virginia.gov)

**Cassie Purtlebaugh | 804.382.3889**  
[cassie.purtlebaugh@dbhds.virginia.gov](mailto:cassie.purtlebaugh@dbhds.virginia.gov)

**Diana Atcha | 804.426.3279**  
[diana.atcha@dbhds.virginia.gov](mailto:diana.atcha@dbhds.virginia.gov)



**Mandy Crowder | 434.713.1621**  
[mandy.crowder@dbhds.virginia.gov](mailto:mandy.crowder@dbhds.virginia.gov)

**3**

**Andrea Milhouse | 434.390.0116**  
[andrea.milhouse@dbhds.virginia.gov](mailto:andrea.milhouse@dbhds.virginia.gov)

**4**

**Latoya Wilborne | 757.508.2523**  
[latoya.wilborne@dbhds.virginia.gov](mailto:latoya.wilborne@dbhds.virginia.gov)

To receive important emails/memos from the Office of Human Rights, click on the following link and select the Licensing check box to sign up <https://bit.ly/2ZpumCx>

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### [OHR Web Page](#)

- Resources for
  - Individuals
  - Licensed Providers
  - State-Operated Facilities
- Memos, Correspondence, Guidance & Training
- Data & Statistics
- OHR Contact information

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### [Human Rights Regulations](#)

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Taneika Goldman, State Human Rights Director

[taneika.goldman@dbhds.virginia.gov](mailto:taneika.goldman@dbhds.virginia.gov)



# Supported Decision-Making

Sara Thompson, DBHDS



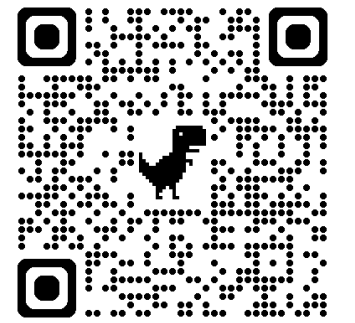


## 2025 Virtual Training Registration is Open!

Rotation of 3 trainings on a quarterly basis:

- *Supported Decision-Making in Virginia: An Overview for CSBs and Providers*
- *Supported Decision-Making in Virginia: An Overview for People with DD and Their Families*
- *The Spectrum of Decision-Making Options in Virginia: Supported Decision-Making to Guardianship & Everything In Between*

More information and registration → <https://dbhds.virginia.gov/wp-content/uploads/2024/12/2025-Training-Schedule.pdf>





# **Provider Roundtable: Office of Licensing Reminders and Updates**

**January 29, 2025**

**Presented by: Mackenzie Glassco,  
Associate Director of Quality & Compliance**

**DOJ Settlement Agreement**

**2025 Annual Inspections for Providers of Developmental Services Memo**

**Risk Management Attestation**

**Emergency Medical Toolkit**

**Onsite Reviews**

**Corrective Action Plans**

**Issuance of License**




## DOJ Settlement Agreement

**The Commonwealth of Virginia continues to be tasked with showing progress towards coming into compliance with the Commonwealth's Settlement Agreement with the United States Department of Justice as well as complying with inspection requirements pursuant to Virginia Code and DBHDS Licensing Regulations. Providers of developmental services will receive an annual unannounced inspection each calendar year.**



# 2025 Annual Inspections for Providers of Developmental Services Memo (December 2024)





**COMMONWEALTH of VIRGINIA**  
DEPARTMENT OF  
BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES  
Post Office Box 1797  
Richmond, Virginia 23218-1797

NELSON SMITH  
COMMISSIONER

Telephone (804) 786-3921  
Fax (804) 371-6618  
www.dbhds.virginia.gov

**MEMORANDUM**

**To:** DBHDS Licensed Providers of Developmental Services  
**From:** Jae Benz, Director, Office of Licensing  
**Cc:** Veronica Davis, Associate Director for State Licensure Operations  
 Mackenzie Glassco, Associate Director of Quality & Compliance  
 Angelica Howard, Associate Director of Administrative & Specialized Units  
**Date:** December 11, 2024  
**Re:** 2025 Annual Inspections for Providers of Developmental Services

**Purpose:** The purpose of this memo is to remind providers of developmental services that, as is customary, the annual unannounced inspections begin again at the start of each calendar year. In January 2020, the Office of Licensing began sharing a chart of the minimum requirements licensing specialists (LS) review during a provider's annual inspection as well as what document the LS will look at to determine compliance.

In accordance with V.G.3 of the Settlement Agreement, the Commonwealth is tasked with ensuring the licensing process assesses the adequacy of supports and services provided to individuals with developmental disabilities receiving services licensed by DBHDS. The Office of Licensing is also tasked with monitoring providers' compliance with the Rules and Regulations for Licensing Providers. This involves monitoring the adequacy of individualized supports delivered by each provider. The Office of Licensing developed a crosswalk that ties the eight domains outlined in the Settlement Agreement to specific Licensing Regulations. All of the regulations listed in the chart are checked during the annual inspection. In addition, the licensing specialist will be reviewing any regulations cited since the last annual inspection to ensure implementation of the corrective action plans in accordance with 12VAC35-105-170.G, 12VAC35-105-170.H and 12VAC35-105-620.C.4.

At each annual inspection, the licensing specialist reviews a sample of individual records to ensure individuals being served are receiving services consistent with their assessed needs and their agreed upon service plan. If a review uncovers a provider is not meeting an individual's needs, the appropriate regulation is cited. A provider is required to submit and implement a corrective action plan for each violation cited including a detailed description of the corrective actions to be taken to correct the specific deficiencies identified for individuals whose records were reviewed; that will minimize the possibility the violation will occur again and will correct any systemic deficiencies.

The [2025 OL Annual Compliance Determination Charts](#) include annual inspection information for all developmental services. These service specific charts incorporate feedback from providers

https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fdbhds.virginia.gov%2Fwp-content%2Fuploads%2F2024%2F12%2F2025-OL-Annual-Compliance-...

2025-OL-Annual-Compliance-Determination-Charts\_12.11.24-2 - View-only

A16 12VAC35-105-520.A

	A	B	C	D	E	F	G	H
1	Regulation Number	Regulation Text	Documents Used to Determine Compliance	Submit via CONNECT or Review On-Site	Helpful Link	Helpful Link	Helpful Link	Helpful Link
16	12VAC35-105-520.A	The provider shall designate a person responsible for the risk management function who has completed department approved training, which shall include training related to risk management, understanding of individual risk screening, conducting investigations, root cause analysis, and the use of data to identify risk patterns and trends.	<p>Name of the person responsible for the risk management function.</p> <p>Job description for this employee must reflect that all or part their responsibilities include those of the risk management function.</p> <p>A completed (signed and dated) DBHDS Risk Management Attestation.</p> <p><a href="#">Updated Crosswalk of DBHDS Approved Attestation Trainings (November 2024)</a></p> <p>The Attestation should include the date the risk manager participated in a webinar or reviewed the presentation on the Office of Licensing webpage.</p> <p>Only training outlined in the DBHDS Crosswalk of Approved Training meets these requirements.</p> <p><a href="#">Updated Risk Management Attestation Form (November 2024)</a></p>	Submit via CONNECT portal	<a href="#">Updated Crosswalk of DBHDS Approved Attestation Trainings (November 2024)</a>	<a href="#">Updated Risk Management Attestation Form (November 2024)</a>	<a href="#">Clarification Related to the DBHDS Risk Management Requirements Specific to "Conducting Investigations and Required OHR Investigator Training (October 2024)"</a>	<a href="#">LIC 21: Guidance for Risk Management (August 2020)</a>

< > ≡ 16-002 01-001 01-005 01-011 01-036 and 01-037 02-004 02-006 and 02-007 02-008 and 02-009 03-011 08-011 and +

WOW! There's a compliance chart for ALL developmental services!

view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fdbhds.virginia.gov%2Fwp-content%2Fuploads%2F2024%2F12%2F2025-OL-Annual-Compliance-Determination-Charts\_12.11....

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Search for tools, help, and more (Alt + Q)

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Comments Viewing Edit a copy

Comment Changes and History Spelling and Statistics Accessibility Protection Notes

C2 Last two quarterly reviews of all serious incidents including Level I, Level II and Level III incidents.

- Must include an analysis of trends, potential systemic issues or causes, indicated remediation, and documentation of steps taken to mitigate the potential for future incidents.
- If the provider does not have any Level I, II, or III serious incidents to review during the last two quarters, the provider must look back to 1/1/2024 to see if they had any serious incidents and provide the quarterly review for those.
- If there were no serious incidents within the past year, the provider will be cited for non-compliance if there is no documentation to reflect why a quarterly review was not completed.
- If there were no serious incidents within the past year, the provider will be cited for non-compliance if the provider does not have a form to show what the provider would use to document serious incidents if they were to occur.

It is recommended that the provider use the risk tracking tools, located on the OL website, to track serious incidents.

	A	B	C	D	E	F	G	H	I	J	
1	Regulation Number	Regulation Text	Documents Used to Determine Compliance	Submit via CONNECT or Review On-Site	Helpful Link	Helpful Link	Helpful Link	Helpful Link	Helpful Link	Helpful Link	Helpful Link
	*12VAC35-105-160.C	The provider shall collect, maintain, and review at least quarterly <u>all serious incidents</u> , including Level I serious incidents, as part of the quality improvement program in accordance with 12VAC35-105-620 to include an analysis of trends, potential systemic issues or causes, indicated remediation, and documentation of steps taken to mitigate the potential for future incidents.	<p>Last <b>two</b> quarterly reviews of all serious incidents including Level I, Level II and Level III incidents.</p> <ul style="list-style-type: none"> <li>Must include an analysis of trends, potential systemic issues or causes, indicated remediation, and documentation of steps taken to mitigate the potential for future incidents.</li> <li>If the provider does not have any Level I, II, or III serious incidents to review during the last two quarters, the provider must look back to 1/1/2024</li> </ul>	Review on-site	<a href="#">Individual Risk Tracking Tool (November 2024)</a>	<a href="#">Monthly Risk Tracking Tool (November 2024)</a>	<a href="#">Instructional Video-Risk Tracking Tool (November 2024)</a>	<a href="#">LIC 17: Guidance for Serious Incident Reporting (November 2020)</a>	<a href="#">Expectations Regarding Provider Reporting Measures for Residential and Day Support Providers of Developmental Services</a>		

16-002 01-001 01-005 01-011 01-036 and 01-037 02-004 02-006 and 02-007 02-008 and 02-009 03-011 08-011 and +


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## UPDATED ATTESTATION FORM- NOVEMBER 2024

### Updated Crosswalk of DBHDS Approved Attestation Trainings

### Updated Risk Management Attestation Form

### Clarification Related to the DBHDS Risk Management Requirements Specific to “Conducting Investigations and Required OHR Investigator Training

  
COMMONWEALTH of VIRGINIA

DEPARTMENT OF  
BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES  
Post Office Box 1797  
Richmond, Virginia 23218-1797

NELSON SMITH  
COMMISSIONER

Telephone (804) 786-3921  
Fax (804) 371-6638  
www.dbhds.virginia.gov

**MEMORANDUM**

To: DBHDS Licensed Providers

From: Joe Benz, Director, DBHDS Office of Licensing

Date: November 22, 2024

Re: Updated Risk Management Attestation Form (November 2024)

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**Risk Management Attestation Form**

Licensing Regulation 12VAC38-106-520.A. - The provider shall designate a person responsible for the risk management function who has completed department approved training, which shall include training related to risk management, understanding of individual risk screening, conducting investigation, root cause analysis, and the use of data to identify risk patterns and trends.

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	<input type="checkbox"/> "Risk Management & Quality Improvement" Training by the Center for Developmental Disabilities Evaluation and Research (CDDER) - Handout (Dec 2020) <a href="http://www.dbhds.virginia.gov/assets/docs/OMDEVOL/va-dhds-risk-management-webinar-final-13-10-2020-handout-with-pages-1.pdf">http://www.dbhds.virginia.gov/assets/docs/OMDEVOL/va-dhds-risk-management-webinar-final-13-10-2020-handout-with-pages-1.pdf</a>	

  
COMMONWEALTH of VIRGINIA

DEPARTMENT OF  
BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES  
Post Office Box 1797  
Richmond, Virginia 23218-1797

NELSON SMITH  
COMMISSIONER

Telephone (804) 786-3921  
Fax (804) 371-6638  
www.dbhds.virginia.gov

**MEMORANDUM**

To: DBHDS Licensed Providers

From: Joe Benz, Director, DBHDS Office of Licensing

Date: November 22, 2024

Re: Updated Risk Management Attestation Form (November 2024)

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**Risk Management Attestation Form**

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**Take advantage of these Risk Tracking tools,  
designed to guide you towards success!**

- [Individual Risk Tracking Tool \(November 2024\)](#)
- [Monthly Risk Tracking Tool \(November 2024\)](#)
- [Instructional Video-Risk Tracking Tool \(November 2024\)](#)



- 911 Scenarios & FAQ (October 2024)
- Emergency Preparedness   
PowerPoint SIU/OIH (October 2024)
- Sample Emergency Medical Drill Form (October 2024) 



## Onsite Reviews 12VAC35-105-70

A. The department shall conduct an announced or unannounced onsite review of all new providers and services to determine compliance with this chapter.

B. The department shall conduct unannounced onsite reviews of licensed providers and each service at any time and at least annually to determine compliance with these regulations. The annual unannounced onsite reviews shall be focused on preventing specific risks to individuals, including an evaluation of the physical facilities in which the services are provided.

C. The department may conduct announced and unannounced onsite reviews at any time as part of the investigations of complaints or incidents to determine if there is a violation of this chapter.

Providers need to maintain their designated office hours so that onsite reviews can be completed. Delays may result in not receiving a license.

Please make sure that the MAC (Main Authorized Contact) and other contacts in CONNECT are kept up to date in case we need to contact someone from your organization.

If the Office of Licensing arrives for an inspection and no one is present, the OL typically makes a phone call. The OL expects a return call within 30 minutes to an hour. In many cases these calls are made when the LS is onsite during the provider's designated office hours, but no one is present. As a licensed DBHDS provider, your organization is expected to maintain normal business hours of operation so that onsite reviews can occur.

Providers need to plan for an exit meeting at the end of an inspection.

Corrective  
Action Plan  
12VAC-35-170

Providers need to ensure that Corrective Action Plans are submitted by the due date.

An immediate CAP will be required if the department determines that the violations pose a danger to individuals receiving the service which would be identified as a Health & Safety CAP.

If an extension is needed, it must be requested via CONNECT PRIOR to the due date. Extensions will not be given for H&S violations

The provider must monitor implementation and effectiveness of approved corrective actions as part of its quality improvement program required by 12VAC35-105-620.

There are DBHDS licensed providers who are not submitting CAPs by the due date. Providers that do not submit or implement an adequate CAP may be subject to progressive action including reduction of license status, denial or revocation of a license in accordance with the regulation below.

In accordance with 12VAC35-105-110.7, a provider or applicant who fails to submit or implement an adequate CAP may have their license denied, revoked, or suspended.

For additional details on how to respond to a CAP, please refer to: Guidance Document LIC 19: Corrective Action Plans (CAPs) (August 2020), located on the OL website in the regulations and guidance section.



## Issuance of Licenses 12VAC35-105-50

E. A license shall continue in effect after the expiration date if the provider has submitted a renewal application before the date of expiration and there are no grounds to deny the application. The department shall issue a letter stating the provider or service license shall be effective for six additional months if the renewed license is not issued before the date of expiration.

Don't forget to submit your renewal and provide proof of SCC prior to expiration of the license. The provider will need to sign and submit the renewal using the CONNECT Provider Portal.

CONNECT sends a notification 90 days prior to the license expiring. It is strongly recommended that the renewal be submitted at least 30 days prior to the license expiring. Also, prior to submitting the renewal, please review the license addendum to determine if any services or locations need to be closed and submit an information modification with the renewal.

Once a license has been renewed, it is the expectation that the provider review their license and addendum in CONNECT to ensure the accuracy of the licensed services and locations listed. The current license should be printed and available at all times.



# Office of Community Housing

Marie Fraticelli, DBHDS

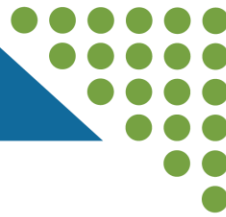


## Diversify Your Company's Service Portfolio

Putting out the call for Community Housing Guides!!

- Must be a DD Waiver Service Provider
- Easy qualifications (CHG training and Person-Centered Thinking Training)
- Not a licensed service so no need to wait on licensing
- Help individuals find, transition to, and maintain independent living by helping them learn what being a good tenant means.
- Contact your regional Provider Development CRC for more details

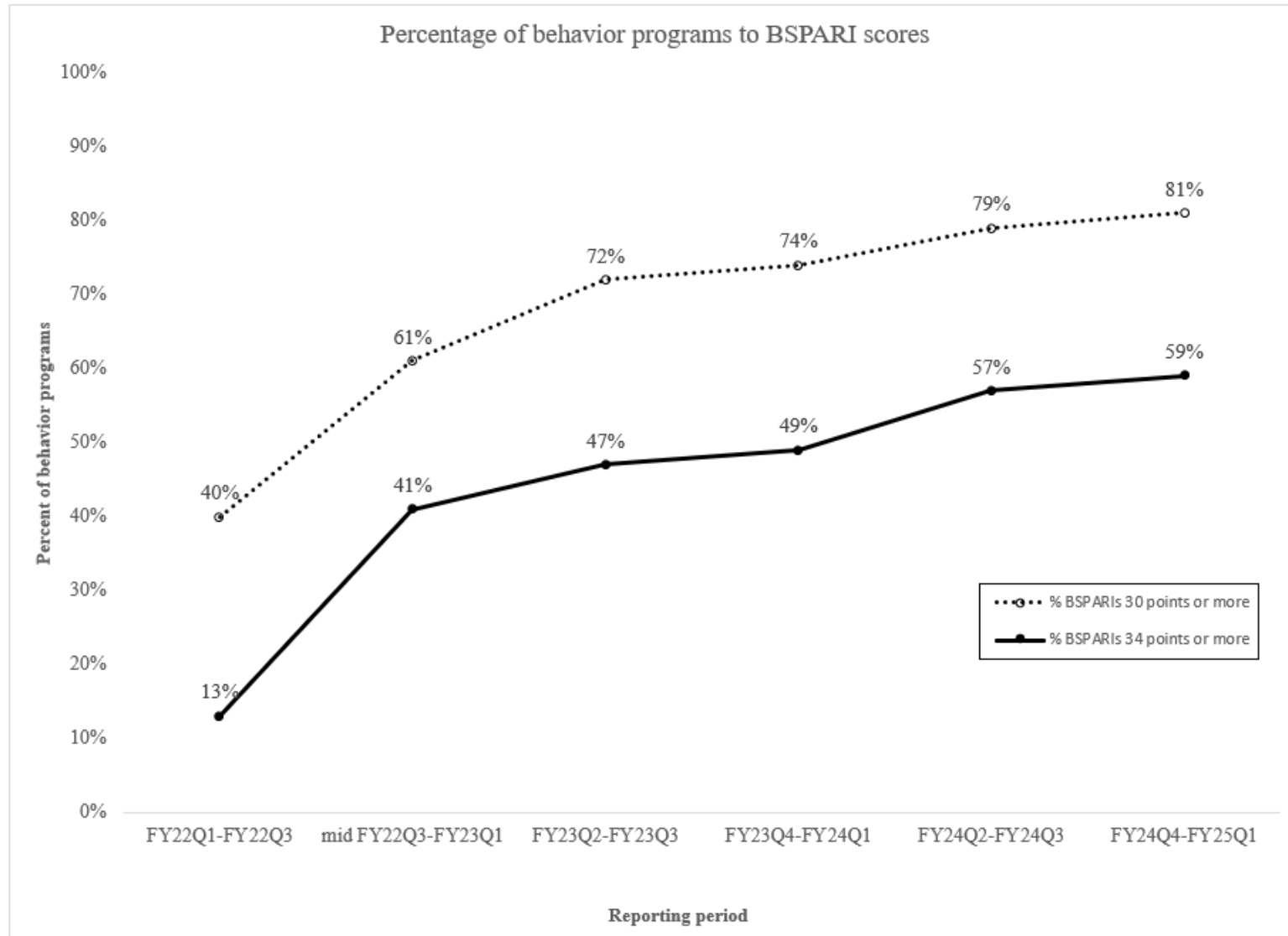




# Therapeutic Behavioral Consultation January 2025 Updates



- DBHDS continues to use the BSPARI for quality assurance reviews of behavioral programs.
- 25<sup>th</sup> study results are posted here
  - [DOJ-Commonwealth Settlement Agreement Library Record Index Reporting Page](#)
  - 6 out of 8 compliance indicators specific to behavioral services have been “Met” twice consecutively.
- BSPARI uses weighted scoring system, 0-40 possible points
  - 34 points or more = adherence to [DBHDS/DMAS Practice Guidelines for Behavior Support Plans](#), 30-33 points = adequate plan
  - Most recent data: 59% of programs reviewed in adherence with Practice Guidelines, 81% adequate plan
  - We are asking the provider community to revise and resubmit programs that are not in adherence; thank you to the behavioral provider community for their efforts!!!

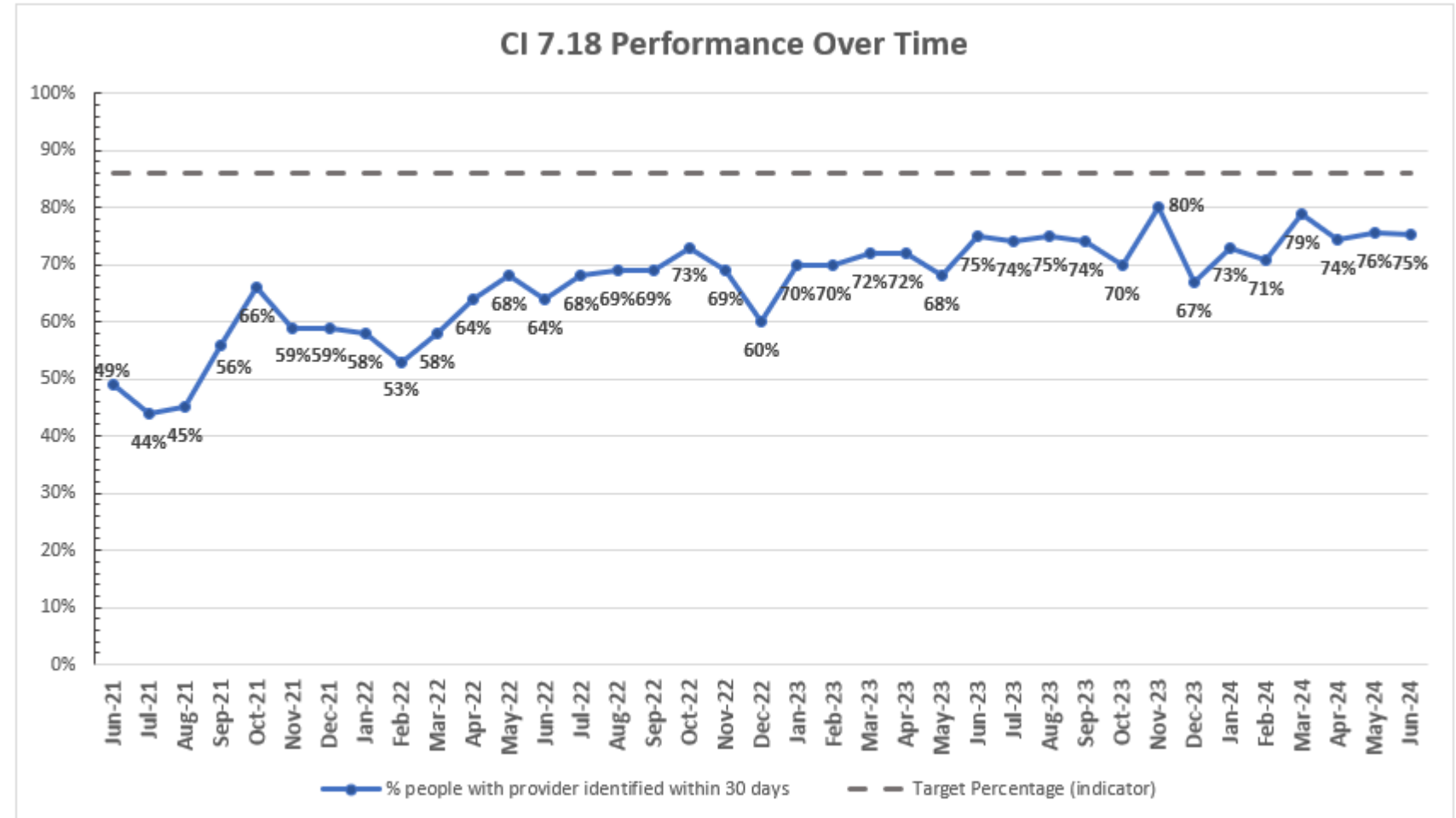


**Target:**

A service authorization for 86% of people in need within 30 days

***Continued improvement over time***

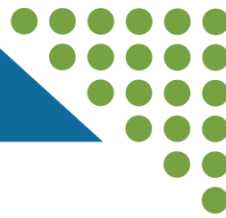
**If you need help in connecting someone in need to a provider of this service, please remember that the Search Engine is a resource that may help!!**



- DBHDS Search Engine for Therapeutic Behavior Consultation providers
  - Please use the resource--we also value your feedback to improve the search engine
- Behavioral Services website
  - Contains the search engine, Form to be listed on the search engine, resources, training videos, information on quality assurance, etc.

Questions or feedback: [Nathan.habel@dbhds.virginia.gov](mailto:Nathan.habel@dbhds.virginia.gov)





# Common Quality Management Review (QMR) Citations for Providers

Jen Kurtz, DBHDS

Please see the PRT agenda notes for the full list of the most common citations.



In order to comply with Federal Regulations and Virginia Medicaid Program policy, providers are required to ensure that Medicaid is not paying for any items or services furnished, ordered, or prescribed by individuals or entities that have been excluded from participation in any state Medicaid Program or Medicare.

A provider who employs or contracts with an excluded individual or entity for the provision of items or services reimbursable by the Virginia Medicaid Program may be subject to overpayment liability as well as civil monetary penalties.



**All providers are required to take the following three steps to meet Federal and Virginia Medicaid program integrity requirements:**

1. Screen all new and existing employees and contractors to determine whether any of them have been excluded. (Go to <https://oig.hhs.gov/exclusions/>)
2. Search the HHS-OIG List of Excluded Individuals and Entities (LEIE) website **monthly** by name for employees, contractors and/or entities
3. Immediately report to DMAS any exclusion information discovered. Such information should be sent in writing and should include the individual or business name, provider identification number (if applicable), and what, if any, action has been taken to date. The information should be e-mailed to: [providerexclusions@dmass.virginia.gov](mailto:providerexclusions@dmass.virginia.gov)

**Remember to maintain documentation of LEIE checks in case of an audit!**

**12VAC30-122-80 (K) (1):** The ISP shall also contain the identified risks and the steps for mitigating any identified risks.

All identified and potential risks noted through the Shared Planning process in Part III must be addressed by all providers in Part V, including support activities that are within the scope of their service.

**Essential Supports**

When developing "how to support," review all risk factors included in Part III Shared Planning and/or medical orders and health protocols/instructions to ensure each risk is fully addressed.

**Identified Risks\***

Identified Risks\*

How often\*

How to Support

Begin Date\*

End Date\*

**Note:** You will not be able to save the Part V Essential Supports section until ALL RISKS from the Part III have been added to the Part V.

[+ Add New](#)

Support	How often	How to support	Begin date	End date	Actions
No data available					

If risk is not typically supported in your service, you may indicate “Emergency Support only” for the frequency.

Some risk areas contain the same potential risk factors. If you know that the same risk factors occur under the same risks, and are supported in the same way, you can write the instructions once, then indicate that the instructions are the same as above.

Potential Risks				
Risks	How often	How to support	Begin date	End date
Aspiration Pneumonia	Weekly	To reduce the risk of aspiration pneumonia, follow Maria's choking protocol (attached to this plan for supports) by watching her anytime she eats food, even soft foods, or drinks liquids. Maria's protocol provides the steps needed to support Maria with eating and how to respond if she begins coughing while eating. Record Maria's meals per her protocol and choking events in a note to include your response and contact with 911 and a manager per agency policies.	09/01/2024	08/31/2025
Dehydration	Weekly	Follow aspiration pneumonia instructions above.	09/01/2024	08/31/2025
Bowel Obstruction	Weekly	Follow aspiration pneumonia instructions above.	09/01/2024	08/31/2025



# Office of Integrated Health

Tammie Williams, DBHDS

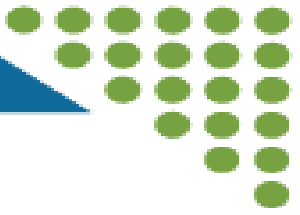






DentaQuest manages the dental network for  
individuals with Medicaid in Virginia  
and 37 million other Americans.

The DentaQuest network spans all 50 states.



## DentaQuest now has a Case Management Program

DentaQuest's Case Management Program has Outreach Coordinators and Case Managers on staff dedicated to assist individuals who have **complex care needs** which restrict or create a barrier to dental care. Although the barrier may vary from person-to-person, it may be related to:

- Severe mental, cognitive or behavioral disabilities.
- Poorly managed chronic health conditions.
- Physical anomalies or disabilities.
- Other complex care needs.

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### Referrals to the CM Team

Please send a secure (encrypted) email to:

**[DL-CaseManagement@greatdentalplans.com](mailto:DL-CaseManagement@greatdentalplans.com)**

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### If You Have Questions, Please Contact:

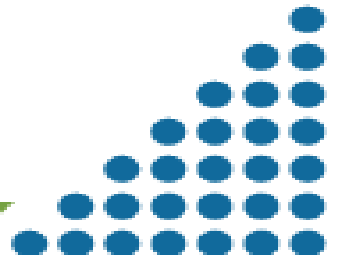
Gonzalo A. Perez

Associate Director, Case Management

Phone: 305-894-8380

**[Gonzalo.Perez@greatdentalplans.com](mailto:Gonzalo.Perez@greatdentalplans.com)**

**DentaQuest**<sup>®</sup>  
a Sun Life company



## Sample Complex Case Referral

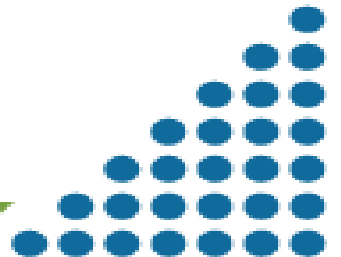
Hello, I have a member who needs to have some dental work but needs to be sedated. He is 37 years old, has Hypertensive Heart Disease and Autism. He has been seen by Comfort Care Dental, but their anesthesiologist doesn't feel comfortable sedating the member in the office. He has not seen dental for about two years, according to his mother. He needs to have two fillings, two fillings replaced and a cleaning. Mother has tried to find an INN provider and received a new list today from member services. She tried to find a provider but got "nothing matches." Is there anything that you can do to help?

- **Medicaid ID:** 01010101
- **Subscriber Name:** John Test
- **DOB:** 01/11/1999
- **What is the member's best contact information:** Mother, Jane. phone number: 555-555-555 and email address- jane@hotmail.com
- **Member's preferred Language?** English
- **What special needs or medical conditions does the member have?** Hypertensive Heart Disease and Autism.
- **What type of dental service is being requested:** He needs to have two fillings, two fillings replaced and a cleaning. Mother has tried to find an INN provider and received a new list today from member services. She tried to find a provider but got "nothing matches." Is there anything that you can do to help?
- **Does the member need a specialist?** Yes
- **Has the member been evaluated by a General Dentist?** Yes.
- **Is there a referral for services?** Yes, see attached.
- **Is it a dental emergency?** : No
- **Date of last dental visit:** 10/22/2024



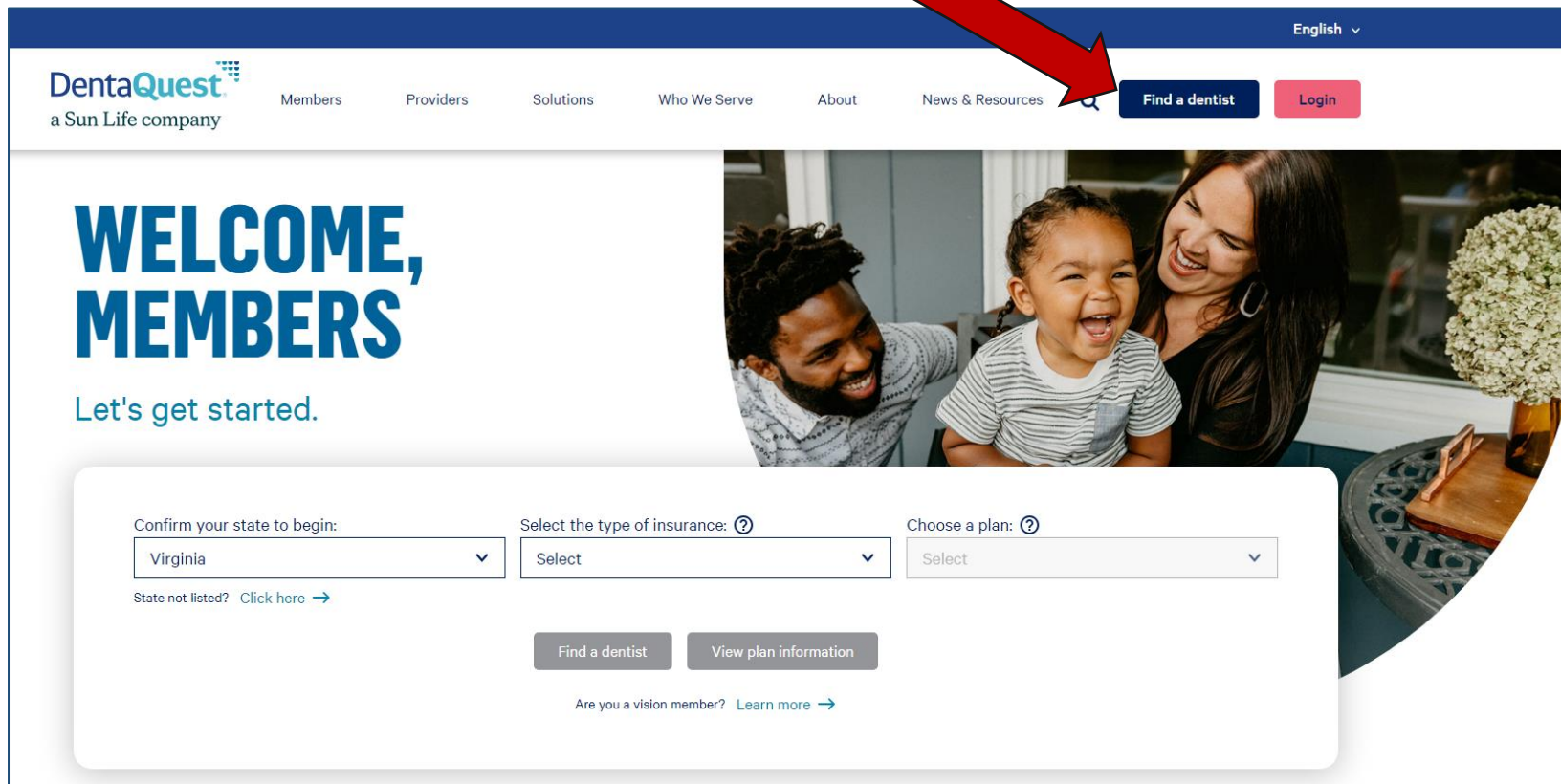
The following issues do not qualify as a Complex Care Need:

- Finding a dentist.
- Billing and enrollment issues.
- Updates to personal information
- Member (Complaints) Grievances and Appeals
- Non-Medicaid members.
- Out of Network Services.



To find a dentist in Virginia, go to:  
<https://www.dentaquest.com/>  
and click on Find a Dentist

**DentaQuest**  
a Sun Life company



The screenshot shows the DentaQuest website interface. At the top, there is a navigation bar with the DentaQuest logo and a Sun Life company tagline. The navigation menu includes links for Members, Providers, Solutions, Who We Serve, About, and News & Resources. A red arrow points to the 'Find a dentist' button in the navigation bar. Below the navigation bar, there is a large banner with the text 'WELCOME, MEMBERS' and 'Let's get started.' To the right of the banner is a photo of a smiling family. Below the banner, there is a form with three dropdown menus: 'Confirm your state to begin:' (set to Virginia), 'Select the type of insurance:' (set to Select), and 'Choose a plan:' (set to Select). Below the form are two buttons: 'Find a dentist' and 'View plan information'. At the bottom of the form, there is a link: 'Are you a vision member? Learn more →'.

English ▾

DentaQuest  
a Sun Life company

Members Providers Solutions Who We Serve About News & Resources

**Find a dentist** Login

**WELCOME, MEMBERS**

Let's get started.

Confirm your state to begin:

Virginia ▾

State not listed? [Click here →](#)

Select the type of insurance: [?](#)

Select ▾

Choose a plan: [?](#)

Select ▾

**Find a dentist** View plan information

Are you a vision member? [Learn more →](#)

For assistance with other issues such as: scheduling, after hours assistance, appeals, emergencies or complaints, please use the following contacts:

**By Mail:**

DentaQuest/Cardinal Care Smiles  
Attention: Complaints & Appeals  
PO Box 2906  
Milwaukee, WI 53201-2906

**By Phone:**

Toll-Free: (888) 912-3456  
TTY/TDD: (800) 466-7566  
Monday-Friday, 8 AM – 6 PM EST

**The DentaQuest website at:**

**[www.DentaQuest.com](http://www.DentaQuest.com)**

Appointment  
Assistance  
Scheduling

After-Hours  
Assistance

Dental Provider  
Suggestions

Requesting an  
appeal

Dental  
Emergency  
Appointment  
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Filing a  
Complaint  
(Grievance)

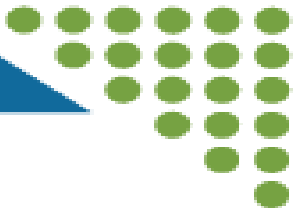


For other general questions not listed previously, please contact:

- Member Services  
1- (888) 912-3456
- Website  
[www.dentaquest.com](http://www.dentaquest.com)

**DentaQuest**<sup>®</sup>  
a Sun Life company





## Q & A on the Departmental Updates (see agenda)

