

DEVELOPMENTAL DISABILITIES ADMINISTRATION
Olympia, Washington

TITLE: REMOTE SUPPORT POLICY 4.28

Authority: [42 C.F.R. 441.301\(c\)\(2\)](#) *The Person-Centered Service Plan*
[42 C.F.R. 441.301\(c\)\(4\)](#) *Home and Community-Based Settings*
[42 C.F.R. 441.301\(c\)\(5\)](#) *Settings that are not Home and Community-Based*
[45 C.F.R. Part 164](#) *Security and Privacy*
[Chapter 388-825 WAC](#) *Developmental Disabilities Administration Service Rules*
[WAC 388-834-0040](#) *DDA Preadmission Screening and Resident Review*
[Chapter 388-845 WAC](#) *DDA Home and Community Based Services Waiver*

Reference: [DDA Policy 5.13](#) *Protection from Abuse: Mandatory Reporting*

BACKGROUND

In March 2023, the Centers for Medicare and Medicaid Services (CMS) approved Remote Support as a standalone service for clients enrolled on the Basic Plus, Core (non-residential), and Individual and Family Services (IFS) waivers.

PURPOSE

This policy establishes requirements for the delivery of Remote Support authorized under the Basic Plus, Core, or IFS waiver, the Preadmission Screening and Resident Review (PASRR) program, and the Roads to Community Living (RCL) grant.

SCOPE

This policy applies to DDA field staff and DDA-contracted Remote Support providers.

DEFINITIONS

Assistive technology means any item, piece of equipment, software program, or product system that is used to increase, maintain, or improve the functional capabilities of individuals with

disabilities, improve client safety, or increase social engagement in the community.

Case resource manager or **CRM** means the DDA case manager or PASRR assessor assigned to a client.

Client means a person who has a developmental disability as defined in RCW 71A.10.020 and has been determined DDA-eligible under [Chapter 388-823 WAC](#).

DDA assessment means the standardized assessment tool, as defined in Chapter 388-828 WAC, used by DDA to measure the support needs of persons with developmental disabilities.

Emergency contact means a person identified by the client who is responsible for responding in-person when appropriate.

Family means relatives including a spouse or registered domestic partner, natural, adoptive or stepparent, grandparent, child, stepchild, sibling, stepsibling, uncle, aunt, first cousin, niece, or nephew.

HCBS waiver means federal Home and Community-Based Services (HCBS), approved by the Centers for Medicare and Medicaid Services (CMS) under section 1915(c) of the Social Security Act as an alternative to an Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID).

Health Insurance Portability and Accountability Act or **HIPAA** means a federal law that requires protection of sensitive client health information and limits its disclosure without a client's consent or knowledge.

Informal support means unpaid caregiving and other types of support clients receive from people in their lives.

Legal representative means a person's legal guardian, a person's limited guardian when the subject matter is within the scope of the limited guardianship, a person's attorney at law, a person's attorney in fact, or any other person who is authorized by law to act for another person.

Monitoring base means the off-site location from which the contracted remote support staff provide remote support to a client.

Preadmission screening and resident review or **PASRR** means a process required by federal rule for clients who are referred to a Medicaid-certified nursing facility.

Person-centered service plan or **PCSP** means an individualized service plan that is a written plan

for service delivery and identifies ways to meet a client's needs with the most appropriate services. The plan identifies formal and informal supports to meet the client's needs as described in chapter 388-828 WAC and or a PASRR Level II or Follow-up report.

Planned action notice means a legal document indicating services for which a client has been approved or denied.

Remote Support means a stand-alone service that provides supervision, coaching, and consultation from a contracted Remote Support provider to a DDA client from a distant, HIPAA-compliant location that allows an HCBS waiver participant to increase their independence and safety in their home and community when not engaged in other HCBS services or informal supports that offer similar supports (personal care, etc.). Providers are engaged with a client through technology equipment with the capability for live two-way communication.

Remote support plan is a document that describes the client's need for remote support, devices that will be used, number of service hours, emergency contacts, and a safety plan.

Provider means an agency identified in a client's person-centered service plan as the paid, contracted provider of remote support. This provider supplies the monitoring base, the remote support staff who monitor a client from the monitoring base, and the assistive technology equipment necessary for the receipt of remote support.

Sensor refers to equipment used to notify the remote support staff or other people designated in the remote support plan of a situation that requires attention or activity which may indicate deviations from routine activity or future needs. Examples include seizure mats, door sensors, floor sensors, motion detectors, and heat detectors.

Trusted network means a network operated and maintained by the provider, which includes security controls sufficient to protect DSHS data on that network. Controls would include a firewall between any other networks, access control lists on networking devices such as routers and switches, and other such mechanisms which protect the confidentiality, integrity, and availability of the Data.

POLICY

A. Service Description

1. Remote Support is a standalone service that provides supervision, coaching, and consultation to a client by a provider at a distant, HIPAA-compliant location using assistive technology to support the need for live two-way communication.
2. Remote Support is provided through technology that helps the client increase

independence and safety in their home and community.

3. The goal of Remote Support is to increase autonomy by providing the client an opportunity to build life skills through independent learning using scheduled video calls, cueing, coaching, and on-call support.
4. The provider provides equipment as needed to deliver supervision, coaching, and consultation. Equipment may include one or more of the following components:
 - a. Motion-sensing system;
 - b. Radio frequency identification;
 - c. Video calling via assistive technology;
 - d. Live audio feed; and
 - e. Web-based monitoring systems.

B. Limits to Remote Support

1. Remote Support requires prior approval and is subject to the limits under WAC 388-845-0955.
2. This service is available to waiver participants to foster developmentally appropriate independence and not to replace informal support.
3. The client must have the ability to initiate the service when needed and turn off the equipment when not needed. Only the client may initiate live two-way interactions, unless otherwise documented in the client's PCSP (e.g., scheduled check-ins, medication check).
4. Video cameras are not permissible in bedrooms. In an exceptional circumstance, if a client requests a camera in their bedroom, DDA will review the request to ensure the request does not compromise client privacy or other client rights.
5. No exceptions may be granted for the following for Remote Support.
 - a. Video cameras are not permissible in bathrooms.
 - b. Remote Support does not include security or alarm systems solely intended to protect the home or property.

C. Provider Qualifications for Remote Support

1. Providers of Remote Support are DDA-contracted agencies whose primary business objective is to provide supervision, coaching, and consultation to clients with developmental disabilities, using technology to facilitate the connection.
2. Providers must treat all video, audio, and other personally identifiable information according to HIPAA regulations and follow DSHS data security requirements.
 - a. The provider must use a trusted network with authentication, authorization, and encryption of data in compliance with 45 C.F.R. Part 164 to ensure that access to computer, video, audio, sensor, and written information is limited to authorized persons.
 - b. The provider must use HIPAA-compliant platform including a business associate agreement when applicable. Eligible platforms include:
 - i. Microsoft Teams;
 - ii. Updox;
 - iii. VSee;
 - iv. Zoom for Healthcare;
 - v. Doxy.me;
 - vi. Cisco Webex;
 - vii. Amazon Chime;
 - viii. GoTo Meeting;
 - ix. Spruce Health; or
 - x. Other platform verified by DSHS and accepted by data security requirements.
3. The provider must support the client with initial and ongoing training on how to use the remote support system as specified in the client's Remote Support Plan.

PROCEDURES**A. Informed Consent**

1. Before communicating with providers, the case resource manager (CRM) must ensure that there is a current, signed DSHS 14-012, *Consent*, signed by the client and their legal representative.

2. Informed consent for Remote Support means the client has agreed to the use of technology based on an understanding of the following:
 - a. The nature and character of Remote Support;
 - b. The facts involved with using technology that involve audio and video real-time experience and feedback;
 - c. The anticipated consequences, risks, and benefits of using technology in their home or community; and
 - d. Alternative options reasonably available to them, including the ability to decline the service if they wish.

3. The CRM must document informed consent by adding the following to the comments section for the service in the PCSP:

“[Client name] understands how Remote Support can meet their needs, that services will be provided through technology that involves audio and video feedback, knows they can modify or stop Remote Support at any time, and understands the risks involved with using technology for receiving Remote Support. [Client name] understands that they have the right to accept these risks and the right to deny those capabilities.”

4. When the client signs the PCSP, they agree to receive Remote Supports as identified in their PCSP and Remote Support Plan.

B. Initiating Remote Support

1. Upon referral, the provider must meet with the client and the client’s representative to identify Remote Support service needs.
2. For each client receiving Remote Support, the provider must create a Remote Support Plan and submit it to the client’s CRM.
3. The Remote Support Plan must include:
 - a. Whether the client will use Remote Support in the home, community, or both;
 - b. A brief description of what the client requests Remote Support to do for them;

- c. The technology devices necessary to help the client meet their identified needs;
 - d. Number of hours of Remote Support to be provided each month;
 - e. Family or providers the client identifies to share information with; and
 - f. A safety plan that includes:
 - i. Emergency contacts who are able to respond face-to-face if the client requires immediate physical intervention; and
 - ii. Medical Conditions, if any, that should be noted to emergency response if 911 or emergency personnel must be called by the provider.
4. The CRM must document the receipt of Remote Support Plan in a service episode record.
- C. Emergency Contact Requirements
- 1. The CRM must add the emergency contacts listed in the Remote Support Plan to the client's collateral contact page before approving remote support.
 - 2. If a known or reported emergency involving a client arises, the Remote Support specialist must immediately assess the situation and call emergency personnel first, if that is deemed necessary, and then contact the emergency contact listed in the Remote Support Plan.
 - 3. The Remote Support specialist must:
 - a. Stay engaged with the client until emergency personnel or the emergency contact arrives and confirms they are present to support the client; and
 - b. Report the incident to the client's CRM.
- D. When a client needs assistance, but the situation is not an emergency, the Remote Support specialist must address the situation as specified in the Remote Support Plan.

E. Service Notes and Reporting

1. The provider must follow service note requirements as stated in the Statement of Work portion of the Remote Support contract and submit to the CRM when requested by DDA. The provider must submit the service notes securely.
2. Any event that required contact of the Emergency Contact must be reported to the client's CRM within two business days of the event.
3. The CRM must upload any received service notes into the client file under "DDA Provider Progress Report" and document receipt in a service episode record.

EXCEPTION

Any exception to this policy must have the prior written approval of the Deputy Assistant Secretary.

SUPERSESION

None.

Approved:



Deputy Assistant Secretary
Developmental Disabilities Administration

Date: April 15, 2023