

DEVELOPMENTAL DISABILITIES ADMINISTRATION
Olympia, Washington

TITLE: COMMUNITY PROTECTION STANDARDS FOR EMPLOYMENT 15.03
PROGRAM SERVICES

Authority: [Title 71A RCW](#) *Developmental Disabilities*
[Chapter 71A.12 RCW](#) *Developmental Disabilities: State Services*
[Chapter 388-825 WAC](#) *Developmental Disabilities Services*
[Chapter 388-831 WAC](#) *Community Protection Program*
[Chapter 388-850 WAC](#) *County Plan for Developmental Disabilities*

Reference: [DDA Policy 15.01](#), *Community Protection Program Identification and Eligibility*
[DDA Policy 15.02](#), *Community Protection Program Services*
[DDA Policy 15.04](#), *Standards for Community Protection Residential Services*
[DDA Policy 15.05](#), *Community Protection Program Reductions and Exit Criteria*

PURPOSE

This policy establishes guidelines for supporting CPP participants who receive employment services.

SCOPE

This policy applies to Developmental Disabilities Administration (DDA) Field Services staff and the following contracted providers serving CPP participants:

- Community residential service providers; and
- Employment service providers.

DEFINITIONS

Community protection employment program means employment services specifically designed to support CPP Participants.

Community protection program (CPP) participant means a client receiving CPP services under [Chapter 388-101D WAC](#) and [DDA Policy 15.01](#), *Community Protection Program Identification and Eligibility*:

CRM means the DDA Case Resource Manager.

Disclosure means notification of parties responsible for supervision of current risk and issues related to community protection for the purpose of receiving supports. This will include the CPP participant self-disclosing. It may also include sharing copies of professional assessments, incident reports, legal documents, and other verbal or written information pertaining to community protection issues as determined in coordination with therapist. Typically, polygraph and plethysmograph reports are excluded from disclosure.

Qualified professional means a person with at least three years of experience working with people with developmental disabilities and:

- (a) If the person being assessed has demonstrated sexually aggressive or sexually violent behavior, the qualified professional must be a Certified Sex Offender Treatment Provider (C-SOTP), or an Affiliate SOTP (A-SOTP) working under the supervision of a C-SOTP; or
- (b) If the person being assessed has demonstrated violent, dangerous, or aggressive behavior, the qualified professional must be a licensed psychologist or psychiatrist who has received specialized training in the treatment of violence, or has at least three years of experience treating people with violent or aggressive behaviors.

Specialized environment means a place where the program participant has agreed to supervision in a safe, structured manner specifying rules, requirements, restrictions, and expectations for personal responsibility in order to maximize community safety.

Specialized support means supervision in a structured manner specifying rules, requirements, restrictions, and expectations for personal responsibility in order to maximize community safety.

Supervision level means the level of supervision that is defined in the participant's treatment plan, and may be specific to the setting (home, work, community). Supervision level includes specific recommendations such as line-of-sight (within direct field of vision), arm's length (within close physical proximity), auditory (within earshot), and use of alarms to alert staff to movement.

Treatment plan means an individualized plan written by a qualified professional or therapist for a participant that includes the following, at a minimum:

- Specific time-limited goals and objectives based upon evaluation data;
- Specific therapeutic services proposed, include frequency and duration of services and methods to be used;
- Recommendations for supervision and any other restrictions or restrictive procedures;
- A description of how participant progress will be assessed; and
- Treatment discharge criteria.

Treatment team means the program participant and the group of people responsible for the development, implementation, and monitoring of the participant’s individualized supports and services. This group may include the case resource manager, therapist, residential provider, employment program provider, Community Corrections Officer, Mental Health Case Manager and the participant’s legal representative or family.

POLICY

- A. A CPP participant receiving employment services must comply with any:
 - 1. Specialized supports and restrictions in their person-centered service plan, treatment plan, and positive behavior support plan; and
 - 2. Recommendations in psychosexual and risk assessment evaluations.
- B. Employment program services must include:
 - 1. An opportunity for the CPP participant to work in the community;
 - 2. Environmental and programmatic safeguards and structures that protect against behaviors that endanger people or property or interfere with the rights of others; and
 - 3. Specialized supports that enable a CPP participant to make positive choices to reduce the behaviors that require intensive intervention and supervision.
- C. When segregation of CPP participants and restrictions to their freedom of movement, association, communication, and access to goods or services are necessary to enhance public safety, the least restrictive interventions that effectively meet the goal of public safety must be used. Any restrictions must meet all requirements of [DDA Policy 5.15](#), *Restrictive Procedures: Community*.

PROCEDURES

A. Service Delivery Requirements

Employment service providers must:

- 1. Use security precautions reasonably available in the workplace to enhance protection of community members, children, vulnerable adults, animals, and property;
- 2. Participate in the integration of treatment goals and objectives, and therapeutic interventions to assist CPP participants to function safely in society and avoid offending or re-offending;

3. Collaborate with the CPP participant, the participant's family or legal representative, service providers, therapist, DDA staff, counties, and other agencies and individuals such as law enforcement, schools, employers, and mental health providers;
4. Include the residential service provider when identifying the participant's work location and establishing a work schedule;
5. Facilitate discussion with the therapist to develop a plan and support the CPP participant in making necessary disclosure pertaining to community protection issues to an employer or potential employer;
6. Promote habilitation and avoid punitive attitudes;
7. Consider specific offense patterns when determining appropriate work locations, taking into account the preference of the CPP participant as much as possible;
8. Participate as members of the treatment team and attend quarterly team meetings; and
9. Develop a written plan of service that indicates the client is receiving CP services and share the plan with the DDA case manager and residential service provider. The written plan of service must address:
 - a. Any treatment plan restrictions and measures applicable to employment program services;
 - b. Staff roles and responsibilities, including the entity responsible (i.e., residential service provider, employment provider) for the identified supervision needs of CPP participants at job sites or other program settings. This includes line-of-sight or arm's length distance supervision, etc., consistent with the CPP participant's treatment plan;
 - c. Treatment team recommendations and plan of service updates; and
 - d. Disclosure requirements and procedures.

Note: The nature and timing of disclosure is a treatment team decision.

B. Administrative Requirements

An employment program service provider supporting a CPP participant must:

1. Maintain commercial general liability insurance of at least \$1,000,000 per occurrence and \$3,000,000 in the aggregate; and

2. Have a written agency policy or policies that:
 - a. Describe how the provider supports CPP participants;
 - b. Describe how the provider communicates with other treatment team members, and other persons and agencies as appropriate;
 - c. Establish a procedure for managing confidentiality and release of information, and disclosing a participant's community protection enrollment;
 - d. Establish and explain a CPP participant's right to grievance procedures as they relate to specialized environments and use of any restrictive measures per [DDA Policy 5.15](#), *Restrictive Procedures: Community*;
 - e. Establishes response and contingency plans for:
 - 1) Emergency staffing in the event changes are required to protect employees and others;
 - 2) Situations that may be potentially dangerous, such as when the gender of an employee working alone with a CPP participant may cause them to be at risk or when the CPP participant obsesses about or makes threats to a specific employee;
 - 3) General emergencies; and
 - 4) Serious treatment violations, including procedures to notify the following parties within 24 hours when a CPP participant refuses to abide by restrictions, supervision requirements, or treatment recommendations:
 - a) DDA;
 - b) The residential provider;
 - c) County;
 - d) Therapist; and
 - e) Law enforcement as appropriate.

Refer to [DDA Policy 6.08](#), *Mandatory Reporting Requirements for Employment and Day Program Services Providers*, for additional guidance on incident reporting requirements.

C. Staff Training

1. In addition to training required under [DDA Policy 6.13](#), *Provider Qualifications for Employment and Day Program Services*, employment program service providers must ensure that before working with a CPP participant an employee completes the following training:
 - a. Service provider general overview training on community protection; and
 - b. Specific information about the CPP participants they are supporting, such as training on the CPP participant's functional assessment, positive behavior support plan, and other relevant plans.
2. No more than 30 days after beginning working with a CPP participant, an employment program service provider must complete the *DDA Community Protection Orientation and Training* developed by DDA.

D. Client Records

In addition to general record standards, records of CPP participants must include the following documents:

1. Psychological and psychosexual evaluations and risk assessments written by a qualified professional;
2. Current treatment plan and support recommendations;
3. Current positive behavior support plan under [DDA Policy 5.21](#), *Functional Assessments and Positive Behavior Support Plans*;
4. Copies of any exceptions to policy (ETP) for the use of restrictive procedures under [DDA Policy 5.15](#), *Restrictive Procedures: Community*;
5. Copies of any other relevant agreements with agencies or individuals who support the CPP participant, including the person's legal representative and family. These must include requirements for supervision of the person when program employees are not present (e.g., chaperone agreements);
6. Documentation of any disclosures; and
7. Documentation that the treatment team has evaluated the appropriateness of the employment site.

EXCEPTIONS

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

SUPERSESION

DDA Policy 15.03, *Community Protection Standards for Employment Program Services*
Issued July 1, 2017

Approved: /s/ Deborah Roberts Date: July 1, 2019
Deputy Assistant Secretary
Developmental Disabilities Administration