



DIVISION OF DEVELOPMENTAL DISABILITIES
Olympia, Washington

TITLE: CONTRACT MANAGEMENT POLICY 7.01

Authority: Chapters 70.127, 71A and 74.15 RCW
Chapters 246-335, 388-71, 388-820 and 388-825 WAC
Federal IDEA, Part C, 34 CFR 303

PURPOSE

This policy provides guidance for contracting within the Division of Developmental Disabilities (DDD).

SCOPE

This policy applies to all DDD organizational units. This policy covers client and personal services contracts, and interlocal agreements, including Indian Nation agreements.

POLICY

A. Authorization Of Services

Before authorizing services and payments, DDD staff will verify that each provider:

1. Has a current contract;
2. Has a current license, if applicable;
3. Is contracted for the service and rate authorized;
4. Has required insurance, if applicable;
5. Is not over-authorized; and
6. Payments must not precede the contract signature date nor be dated after the end date of the contract.

B. Contracting

1. Contracting staff will follow practices and procedures set by the DSHS Central Contracts Services (CCS) office and DDD.
2. Regions have discretion in the issuance of provisional individual provider (IP) contracts when the out-of-state criminal history check is not yet received.

C. Qualifications

1. Qualifications for individual providers, respite and attendant care agency providers, and companion homes are covered in Chapter 388-825 WAC. Medicaid Personal Care (MPC) and Chore provider qualifications are detailed in Chapter 388-71 WAC. Residential certification is described in Chapter 388-820 WAC.
2. Qualifications for ITEIP are covered in IDEA, Part C, and Washington's Federally Approved Application.
3. All MPC and Chore providers must complete department-approved orientation.
4. All MPC and Chore providers of adults must comply with mandatory training requirements in Chapter 388-71 WAC.
5. See table in Attachment A for pre-approved contract qualifications.

D. Character and Suitability

As required in Chapter 74.15 RCW, DDD will review the character and suitability of contract applicants. This review will include, at a minimum, a criminal history background check and may also include licensing history, review of references, employment history, past performance, and a further review offense history. A contract will not be issued when a review indicates questionable character or suitability.

E. Need For Prospective Contractor

DDD is not required to issue contracts when the need or funding does not exist for the type of service offered by the contractor.

F. Length Of Contract

1. Individual provider contracts and professional services contracts will be issued for three (3) years.
2. Community residential, interlocal, and home care agency contracts may be issued for the current biennium. Interlocal includes both county and area agency contracts.
3. Foster parent and licensed staffed residential contracts may be issued for the length of the license.
4. Length of other contracts depends upon the availability of funding and the needs of the division.
5. New contracts may be necessary at any time federal and/or state laws or regulations are substantially changed.
6. Attendant Care contracts with Adult Family Homes (AFH) are contingent on the good standing of the licensure. There is no end date to AFH licensure.
7. Length of other contracts depends upon the availability of funding and the needs of the division.

G. Staff Training Requirements

1. Staff who sign, negotiate, or manage contracts must complete training required by the Office of Financial Management (OFM) and DSHS, within the time frames specified by OFM and DSHS policy.
2. Required training is described on the CCS website at <http://asd.dshs.wa.gov/ccs/CCS-academy.htm>.
3. OFM training information is available at www.ofm.wa.gov.

H. Terminations

1. Contract terminations are done by CCS. DDD staff will send a written request to the DDD Key Contracts Coordinator with documentation supporting the reason for termination and a copy of the complete contract to be terminated.
2. Contracts may be terminated for convenience or default. A termination for default means that the contractor has not complied with the terms of the contract. A termination for

convenience is normally initiated by either party when the needs or resources of one of the parties change during the contract term.

3. An MPC contract can be denied or terminated under conditions listed in Chapter 388-71 WAC, but the client must be given appeal rights to this denial of his/her choice of provider.
4. CCS will communicate with the provider regarding the contract termination. DDD will communicate with the client and, for MPC provider terminations, provide notice of the IP termination to the client with appeal rights.

I. Disputes

If a contract has a dispute clause, a dispute review will occur when requested by the contractor. The Division Director or designee will issue a final decision after conducting a review.

J. Client Service Procurement Method

By January 2004, DDD staff must keep a record of the method used to implement all client service contracts (competitive and non-competitive) as required by DSHS Administrative Policy 13.12, *Establishing Equal Opportunities in Competitive Procurements and Competitive Solicitations*.

K. Contract File

1. The DDD office, region or Residential Habilitation Center (RHC) issuing contracts will maintain the contract file. The contract file must contain the following documents, at a minimum:
 - a. Contractor intake form;
 - b. Application, including employment history;
 - c. References when required;
 - d. Signed debarment form;
 - e. Criminal history background check, if appropriate;
 - f. Copy of any applicable license, registration, or certification;
 - g. Copy of Social Security card, for individual providers (IP);

- h. Copy of driver's license or other picture identification, for IP;
 - i. Signed contract; and
 - j. Any notes or correspondence.
- 2. Documentation of required training will be kept in the ACD.
 - 3. Information will be kept on file for two (2) years after the completion of the contract and then will be archived for at least three (3) additional years.

SUPERSESSSION

DDD Policy 7.01
Issued July 1, 2003

Approved: /s/ Linda Rolfe
Director, Division of Developmental Disabilities

Date: 8/11/2003

Attachment A, *Pre-Approved Contract Qualifications*

