

REMOTE SUPPORT SERVICES

I. APPLICABILITY

A. This policy applies to

1. People receiving Developmental Disabilities Administration funded services through its Traditional or Self-Directed Services Delivery Model;
2. Their families and/or legal representatives; and
3. Coordinators of Community Services; Self-Directed staff, vendors, Support Brokers; Financial Management and Counseling Services agencies; DDA providers; and DDA staff.

II. IMPLEMENTATION DATE

- A. This policy begins 30 days after posting and overrides all other policies or guidance related to Remote Support Services.
- B. In the event of a public health or state of emergency, this policy can be overruled by any and all federal authorities.

III. PURPOSE

- A. This policy describes the requirements and guidance for Remote Support Services funded through a DDA operated Medicaid Waiver program or State funds.

IV. DEFINITIONS

- A. "Coordination of Community Services" are targeted case management services to help people receiving and or requesting services funded by the DDA. Targeted case management services are provided in accordance with [COMAR 10.09.48](#).
- B. "Coordinator of Community Services" or "CCS" is an individual who provides Coordination of Community Services. They can be either an employee or a contractor of a DDA provider.

- C. "DDA Medicaid Waiver Program" is one of three Medicaid Home and Community-Based Waiver programs, operated by the Developmental Disabilities Administration, that serve eligible children and adults with intellectual and developmental disabilities. These programs are approved by the Centers for Medicare & Medicaid Services and include the:
1. Family Supports Waiver;
 2. Community Pathways Waiver; and
 3. Community Supports Waiver.
- D. "DDA Provider" is an individual or entity that is licensed or certified and/or approved by the Maryland Department of Health to provide DDA-funded services to people in accordance with the DDA's requirements.
- E. "Direct Support Services" are services provided directly to a person that help them keep, learn, or improve skills and daily functioning. These include support for skills development, community integration and engagement, and addressing personal, behavioral, communication, or other needs.
- F. "Direct Support Staff" or "Direct Support Professionals" or "DSP" a person who is paid to provide direct support services to a person.
- G. "Electronic Support System" is a device or system used to remotely monitor a person.
- H. "Financial Management and Counseling Services" or "FMCS" [formerly called Fiscal Management Services or FMS] are services provided to support a person in the DDA Self-Directed Services Delivery Model in using their budget authority and, if applicable, employer authority. FMCS services include, but are not limited to:
1. Processing claims for payment for Waiver Program Services in accordance with the person's self-directed budget allocation; and

2. Verifying that the DDA provider, vendor, or direct support staff meet all qualifications to provide the Waiver Program Service.
- I. "First Responder" is someone who is designated or trained to respond to an emergency.
 - J. "Legal guardian" is either:
 1. A natural or adoptive parent of a person under the age of 18; or
 1. An individual who has been appointed by a court order as guardian of the person.
 - K. "Legally responsible individual" is an individual who has a legal obligation under the provisions of Maryland law to care for another individual. This includes:
 1. A parent of a minor (either natural or adoptive);
 2. Legal guardian; or
 3. An individual otherwise legally responsible for the care of a minor (such as, a foster parent or relative appointed by court).
 - L. "LTSS*Maryland*" is an electronic information system, developed and supported by the Maryland Department of Health. It is used by Developmental Disabilities Administration (DDA), the CCS, and DDA Providers to create, review, and maintain records about:
 1. A person's eligibility status for DDA-funded services; and
 2. The person's Person-Centered Plan, and services and funding authorized by the DDA.
 - M. "Person" is an individual who receives DDA-funded services.
 - N. "Person-Centered Plan" or "PCP" is a written plan developed through a planning process driven by the person with a developmental disability in order to:

1. Identify their goals and preferences;
 2. Identify services to support them in pursuing their personally defined outcomes in the most integrated community setting;
 3. Direct the delivery of services that reflect their personal preferences and choice; and
 4. Identify their specific needs that must be addressed to ensure their health and welfare.
- O. "Primary residence" is the place where the person lives and sleeps more than any other place. It includes the home or residence where the person currently lives or anticipates living in the near future.
- P. "Relative" is a natural or adoptive parent, step-parent, child, stepchild or sibling of an applicant or person who is not also a legal guardian or legally responsible individual.
- Q. "Remote Support Services" or "RSS" are services that provide oversight and monitoring using an electronic support system in a person's home that reduces or replaces the amount of staffing a person needs.
- R. "Self-Directed Services Delivery Model" or "SDS Model" is a model of service delivery that the DDA provides through its Waiver programs. In the SDS Model the person (not the provider) has:
1. The power and responsibility for overseeing, coordinating and directing the services they have been approved to receive;
 2. Budget authority over how the Medicaid funds are spent to purchase authorized services; and
 3. Employer authority to recruit, hire, train, and supervise the staff and service providers they want to hire.

- S. "Team" is a group of people, chosen by a person or their legal guardian, who participate in the development of their Person-Centered Plan along with the person and the CCS.
- T. "Traditional Services Delivery Model" is a service delivery model that the DDA provides through its Waiver programs. In the Traditional Model the person chooses a DDA Provider who is responsible for overseeing, coordinating, and providing their approved services.
- U. "Virtual Supports" are the electronic delivery of the DDA services using a live, real-time audio-visual connection to maintain or improve a person's functional abilities, enhance interactions, support meaningful relationships, and promote their ability to live independently and meaningfully participate in their community.
- V. "Waiver Program Service" is a service funded by a DDA-operated Medicaid Waiver Program.

V. POLICY

- A. Remote Support Services provide oversight and monitoring in a person's home through an offsite electronic support system in order to reduce or replace the amount of staffing a person's needs, while ensuring the person's health, safety, and well-being.
- B. Remote Support Services support the person to have greater control over their lives. It is a part of the person's overall support system and reduces the amount of staff support a person uses in their home while ensuring health and welfare.

VI. STANDARDS

A. Remote Support Services

1. Remote Support Services include:
 - a. Installation, repair, and maintenance of an electronic support system to remotely monitor the person in their primary residence;

- b. Training and technical assistance in accessing, using, and operating the electronic support system for the person and individuals supporting the person; and
 - c. Staff who:
 - i. Monitor the person through the electronic support system; and
 - ii. Are available and intervene by notifying first responders and/or the person's direct support staff in an emergency.
2. Remote Support Services are provided in real-time by off-site system monitoring staff, who observe and provide prompts to the person through an electronic support system;
3. Remote Support Services are based on a person's assessed need and written in their PCP, and may include:
- a. Live two-way communication, with the person being monitored;
 - b. Motion sensing systems;
 - c. Radio frequency identification;
 - d. Web-based monitoring systems;
 - e. Live-feeds;
 - f. Sensors, including infrared, motion, doors, windows, stove, water, and pressure pads;
 - g. Cameras;
 - h. Help pendants;
 - i. Call buttons; and
 - j. Other devices for remote monitoring.
 - k. Before a person may request Remote Support Services, their team must conduct an assessment for

usefulness in ensuring the health and welfare of the people receiving DDA funded services in the residence.

- I. The initial assessment includes review of the:
 - (i) Person's goals, level of support needs, behavioral challenges, health risk,
 - (ii) Benefits of Remote Support Services to the person; and
 - (iii) Risk to the person; and
 - (iv) Other residents in the home.
- m. The CCS must document the assessment in the person's PCP.

4. On delivery to the person, an electronic support system must be in good operating condition and repair in accordance with applicable specifications. This includes installation, or maintenance performed.

B. Exclusions

1. Remote Support Services do not include Electronic audio-visual conferencing software applications that require the person to maintain the connection (*e.g.*, Facetime, Zoom, or Skype);
2. Remote Support Services are not available to people receiving support services in Community Living Enhanced Supports or Shared Living Services; and
3. Remote Support Services are not provided outside of the person's primary residence.

C. Criteria to be Eligible

1. A person may be eligible to receive funding for Remote Supports Services if they:
 - a. Are enrolled in a DDA Waiver;

- b. Have an assessed need for this service, which is written in their approved Person-Centered Plan;
 - c. Are 18 years of age or older;
 - d. Do not receive the following residential services:
 - (i) Community Living-Enhanced Supports; or
 - (ii) Shared Living; and
2. The request for funding of this Waiver Program Service meets all requirements in this policy, guidance and the DDA Medicaid Waiver Program application.

D. Special Service Requirements and Limitations

- 1. Remote Support Services, including use of the electronic support system, may be restricted to certain hours as indicated in the person's Person-Centered Plan.
- 2. Remote Support Services are different from Virtual Supports.
- 3. Cameras and sensors are typically located in common areas. Other areas in the home will be considered based on:
 - a. The person's assessed need;
 - b. Privacy and rights considerations of all people in the home; and
 - a. Informed consent. (For example, a person living alone in their own home may choose to use a Remote Support Services method in other areas of their home to support their PCP outcomes.)
- 4. Remote Support Services must be provided in a cost neutral manner, unless otherwise authorized by the DDA.
- 5. The cost of the RSS will:

- a. Be included in the PCP of the person with the assessed need; or
 - b. Be equally divided among the persons with the assessed need if there is more than one. Each person must have an assessed need in their PCP.
6. During a person's transition to Remote Support Services, the DDA may authorize funding to provide time limited direct support services from the existing services that may duplicate Remote Services.
7. Before an RSS system can be installed, it must be authorized by the DDA.

E. Privacy and Informed Consent

1. Remote Support Services must be designed and implemented to ensure the need for independence and privacy of the person who receives services in their own home.
2. Each individual residing in the residence, their team, and their legal guardian, if applicable, must be made aware of both the benefits and risks of the Remote Support Service.
 - a. Informed consent must be obtained for all people receiving services; and
 - b. It must be documented in writing within the LTSSMaryland PCP Client Attachments for all people residing in the home.
3. The location of any Remote Support Services device that conduct visual or audio surveillance must be based on:
 - a. The person's assessed needs, written within their PCP;
 - b. The scope of the informed consent obtained from the person and individuals living in the person's primary residence; and

- c. The right to privacy of the person and individuals living in the person's primary residence.
 - (i) For example, cameras and sensors are typically located in common areas of the home. A person living alone in their own home may choose to use an electronic support system in other areas of their home (e.g. bedrooms, bathrooms, etc.) as indicated in their PCP.
- 4. A provider of Remote Support Services must develop, maintain, and enforce written policies, approved by the DDA, which address:
 - a. How the provider, and electronic support system used, will maintain the person's privacy;
 - b. How the provider will ensure the electronic support system used meets applicable information security standards; and
 - c. How the provider will ensure its provision of Remote Support Services complies with applicable laws governing individuals' right to privacy.
- 5. A provider of Remote Support Services assure that the system will be monitored by a staff trained and oriented to the specific needs of each person served as outlined in their PCP.

F. Requirements to Be Paid to Provide Services

- 1. Organized Health Care Delivery System Providers providing must:
 - a. Meet the criteria outlined in [COMAR 10.22.20](#) and the [Organized Health Care Delivery System Policy](#);
 - b. Verify the licenses, credentials, and experience of all Remote Support Services vendors with whom they contract or employ;

- c. Maintain a copy of the licenses, credentials, and documented experience of all Remote Support Services professionals;
 - d. Obtain Workers' Compensation if required by law; and
 - e. Present a copy of the licenses, credentials, and documented experience of all Remote Support Services vendors to the DDA upon request.
2. Remote Support Services providers must have documentation that all vehicles used in the provision of services have automobile insurance.
3. Staff working for or contracted with the agency, as well as volunteers utilized in providing any direct support services or spend any time alone with a person, must meet the following minimum standards:
 - a. Be at least 18 years old;
 - b. All qualifications must be met as outlined in the approved DDA Medicaid Waiver Program at the time of service delivery
 - c. Assure that back up support staff have required credentials, licenses, certifications, and training.

G. Rates/Billing

1. Rates under the Traditional Service Delivery Model are posted on the [DDA Rates and Invoices](#) webpage and [LTSSMaryland](#) webpage.
2. People in the Self-Directed Service Delivery model determine pay rates based on the reasonable and customary rates posted on the [DDA Self-Directed Forms](#) webpage.

3. Providers of Remote Support Services and FMCS agencies must follow authorization and documentation in accordance with the [DDA Guidelines for Service Authorization and Provider Billing Documentation](#).
4. Remote Support Services rendered under the Traditional Service Delivery Model are billed in accordance with the [DDA Guidelines for Service Authorization and Provider Billing Documentation](#).
5. Under the Self-Directed Services Delivery Model the person must submit invoices as per their FMCS agency's policies and practices.

H. Legally Responsible Individuals, Legal Guardians, or Relatives Requirements

A legally responsible individual, relative, or legal guardian cannot be paid by the Waiver program, either directly or indirectly, to provide this Waiver Program Service.

VII. LEGAL REFERENCES

- A. [Community Pathways Waiver](#)
- B. [Community Supports Waiver](#)
- C. [Family Supports Waiver](#)

VIII. RELATED POLICIES

- A. [Organized Health Care Delivery System](#)

IX. REFERENCE MATERIALS

- A. [DDA - Service Authorization and Provider Billing Documentation Guidelines](#)