

ENVIRONMENTAL ASSESSMENTS AND ENVIRONMENTAL MODIFICATIONS

I. APPLICABILITY

A. This policy applies to:

1. People receiving Developmental Disabilities Administration (DDA) funded services through its traditional or self-directed services delivery model;
2. Their families and/or legal representatives; and
3. Coordinators of Community Services (CCS); Self-Directed staff, vendors, Support Brokers; Financial Management and Counseling Services Providers; DDA providers; and DDA staff.

II. IMPLEMENTATION DATE

- A. This policy begins 30 days after posting and overrides any other policies or guidance related to Environmental Assessments and Environmental Modifications.
- 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

The purpose of this policy is to set forth applicable requirements and guidance for Environmental Assessments and Environmental Modifications, funded through DDA's Medicaid Waiver programs. (i.e. Community Pathways Waiver, Community Supports Waiver, Family Supports DDA Medicaid Waiver programs) or State funds.

IV. DEFINITIONS

- A. "Assistive Technology" or "AT" is an item, piece of equipment, or product system that maintains or improves a participant's functional ability and promotes the participant's ability to live independently and meaningfully participate in their community setting.
- B. "Behavior Plan" means a written plan designed to modify behavior through the use of clinically accepted techniques that:
1. Is person-centered and trauma-informed;
 2. Is based upon positive behavior supports and the results of a Functional Behavioral Assessment (FBA); and
 3. Includes a description of the problem behavior, along with a specific reason as to why the problem behavior occurs.

- C. “Coordination of Community Services” are targeted case management services to help participants receiving and or requesting services funded by the DDA. Targeted case management services are provided in accordance with, [COMAR 10.09.48](#)
- D. “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.
- E. “DDA Medicaid Waiver program” refers to the three Medicaid Home and Community-Based Waiver programs operated by the Developmental Disabilities Administration (DDA) 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. Community Pathways Waiver;
 - 2. Community Supports Waiver; and
 - 3. Family Supports Waiver.
- F. “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 participant(s) in accordance with the DDA’s requirements.
- G. “Department” is the Maryland Department of Health .
- H. “Direct Support Services” are services provided directly to a participant that help them keep, learn, or improve skills and daily functioning. These services include support for skills development, community integration and engagement, and addressing personal, behavioral, communication, or other needs.
- I. “Direct Support Staff” or “Direct Support Professional” (DSP) are people who are paid to provide direct support services to a participant.
- J. “Environmental Assessment ” is an on-site evaluation of the participant at their home to determine if environmental modifications or assistive technology may be necessary to improve their independence.
- K. “Environmental Modifications” are changes made to a participant’s home, based on an assessment, that are designed to support the participant to be more independent.
- L. “Financial Management and Counseling Services” or “FMCS” [formerly called Fiscal Management Services or FMS] are services provided to support a participant using 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 participant'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.

M. "Legal guardian" is either:

1. A natural or adoptive parent of a person under the age of 18; or
2. A person who has been appointed by a court order as guardian of the person or property of another person.

N. "Legally Responsible Person" is an individual who has a legal obligation under the provisions of Maryland law to care for another individual. This includes:

1. A parent (either natural or adoptive), legal guardian; or
2. An individual otherwise legally responsible for the care of a minor (e.g., foster parent or relative appointed by court).

O. "LTSS*Maryland*" is an electronic information system, developed and supported by the Department. It is used by the DDA, CCSs, and DDA Providers to create, review, and maintain records regarding;

1. an individual's eligibility status for DDA-funded services, and
2. the individual's person-centered plan, services, and funding authorized by the DDA.

P. "Occupational Therapist" is a medical professional licensed by the Board of Occupational Therapy to practice occupational therapy, in accordance with the Health Occupations Article of the Maryland Annotated Code and the Code of Maryland Regulations.

Q. "Organized Health Care Delivery System (OHCDS)" is a public or private organization that delivers health services. OHCDS are approved by the Department of Health to provide Waiver program services to participants, in accordance with, COMAR 10.22.20

R. "Participant" is an individual who receives DDA-funded services.

S. "Person-Centered Plan" or "PCP" is a written plan developed through a planning process driven by the individual with a developmental disability in order to:

1. Identify the goals and preferences of the individual;

2. Identify services to support the individual in pursuing their personally defined outcomes in the most integrated community setting;
 3. Direct the delivery of services that reflect the individual's personal preferences and choice; and
 4. Identify the individual's specific needs that must be addressed to ensure their health and welfare.
- T. "Regional Office" or "RO" refers to one of the DDA's four local offices. ROs are the point of contact for applicants, participants, families and DDA providers living and working in the counties they serve. Each RO has the authority to review individual Person-Centered Plans and approve funding for services. The Regional Offices include the:
1. Central Maryland Regional Office, serving Anne Arundel, Baltimore, Howard, and Harford Counties and Baltimore City;
 2. Eastern Shore Regional Office, serving Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester Counties;
 3. Southern Maryland Regional Office, serving Calvert, Charles, Montgomery, Prince George's, and St. Mary's Counties; and
 4. Western Maryland Regional Office, serving Allegany, Carroll, Frederick, Garrett, and Washington Counties.
- U. "Relative" is a natural or adoptive parent, or sibling of an applicant or participant who is not also a legally responsible person.
- V. "Restraint" means any physical, chemical or mechanical intervention used to impede an individual's physical mobility or limit free access to the environment and /or to control acute, episodic behavior including those that are approved as part of the Person-Centered Plan or those used on an emergency basis.
1. "Chemical restraint" means the use of an injectable medication as an intervention in a behavioral emergency;
 2. "Mechanical restraint" means a mechanical device which restricts the free movement of an individual, such as a safety coat or posey mittens;
 3. "Physical restraint" means a manual method used to restrict the free movement of an individual, such as therapeutic hold; and

- W. "Restrictive technique" is a technique that is implemented to impede an individual's physical mobility or limit free access to the environment, including but not limited to physical, mechanical, or chemical restraints or medications used to modify behavior.
- X. "Self-Directed Services (SDS) Delivery Model" is a model of service delivery that the DDA provides through its Waiver programs. In the SDS Model the participant (not the provider) has the:
1. Power and responsibility for overseeing, coordinating and directing the services they have been approved to receive;
 2. Power and responsibility (budget authority) over how the Medicaid funds are spent to purchase authorized services; and
 3. Power and responsibility (employer authority) to recruit, hire, train, and supervise the staff and service providers they want to hire.
- Y. "Team" is a group of people, chosen by a participant or their legal guardian, who participate in development of the participant's person-centered plan along with the participant and the CCS.
- Z. "Traditional Services Delivery Model" is a service delivery model that the DDA provides through its Waiver programs. In the Traditional model the participant chooses a DDA Provider who is responsible for overseeing, coordinating, and providing their approved services.
- AA. "Waiver Program Service" is a service funded by a DDA Medicaid Waiver program.

V. POLICY

- A. An Environmental Assessment is an on-site evaluation of the participant in their home to determine if environmental modifications or assistive technology are necessary for them to access their home, perform activities of daily living, and other functions to be able to improve their day-to-day independence.
- B. Environmental Modifications are changes made to a participant's home that are designed to support their efforts to be more independent or to create a safer, healthier environment.
- C. All Environmental Modifications that for involving a restraint or restriction of the participation's rights, i.e. such as locked windows, doors, and fences, must be included and described in the participant's approved behavior plan, and in accordance with:

1. [COMAR 10.22.10.05](#) and [10.22.10.06](#), and
 2. The DDA's policy on Behavioral Support Services and Behavior Support Plan requirements.
- D. Environmental Assessments and Environmental Modifications are available to participants who need them, as written in their person-centered-plan.

VI. STANDARDS

A. **Environmental Assessment:**

1. An Environmental Assessment is an on-site evaluation of the participant's assessed need in their home or home they are moving to, and the identification of resources to meet those needs,
2. The Environmental Assessment must be documented in writing in an Environmental Assessment Service Report, which:
 - a. Discusses the process used to evaluate the participant's home and make recommendations, including but not limited to:
 - b. Interviews with the participant and their support network (e.g. family, direct support staff, delegating nurse/nurse monitor, etc.)
 - c. An evaluation of the participant, including the participant's:
 - i. Ability to perform activities of daily living;
 - ii. Strength, range of motion, and endurance;
 - iii. Successful use of assistive technology and/or modifications;
 - iv. Support network (e.g. family, direct support staff, delegating nurse/nurse monitor etc.) and its ability to support the participant's independence.
 - v. Other environmental factors that limit a participant's ability to be independent in their home
 - d. Identification of home modification(s), including any assistive technology, based on an onsite environmental assessment of the participant's home or where they will be living;

- e. Estimated cost for the modification and/or assistive technology recommendations

1. The Environmental Assessment must be:

- a. Typed, signed, and dated;
- b. Completed within 10 business days of the assessment;
- c. Forwarded to the participant and their CCS in an accessible format; and
- d. Completed by an occupational therapist, who meets the provider qualifications in this policy.

B. Environmental Modification:

1. Environmental Modifications include the following type of items and/or activities:

- a. Installation of grab bars;
- b. Construction of access ramps and railings;
- c. Installation of detectable warnings on walking surfaces;
- d. Alerting devices for participant who has a hearing or sight impairment;
- e. Adaptations to the electrical, telephone, and lighting systems;
- f. Generator to support medical and health devices that require electricity;
- g. Widening of doorways and halls;
- h. Door openers;
- i. Installation of lifts and stair glides, such as overhead lift systems and vertical lifts;
- j. Bathroom modifications for accessibility and independence with activities of daily living;
- k. Kitchen modifications for accessibility and independence with activities of daily living and instrumental activities of daily living;

1. Modifications which are necessary for the health, welfare, and safety of the participant, such as:
 - i. Alarms or locks on windows, doors, and fences;
 - ii. Protective padding on walls, floors, or pipes;
 - iii. Plexiglass, safety glass, a protected glass coating on windows, necessary for the health, welfare, and safety of the participant;
 - iv. Outside gates and fences;
 - v. Brackets for appliances;
 - vi. Raised/lowered electrical switches and sockets; and
 - vii. Safety screen doors, which are necessary for the health, welfare, and safety of the participant.

2.Environmental Modifications must be based on assessed need, as written in the participant's PCP.

3.All Environmental Modifications that for involving a restraint or restriction of the participation's rights, i.e.such as locked windows, doors, and fences, must be included and described in the participant's approved behavior plan, and in accordance with:

- a. COMAR 10.22.10.05 and 10.22.10.06, and
- b. DDA's policy on Behavioral Support Services and Behavior Support Plan requirements.

C. Exclusions

1.Environmental modifications do not include:

- a. Improvements or adaptations to the residence that:
 - i. Are of general use utility;
 - ii. Do not provide direct medical or corrective benefit or support to the participant to otherwise meet their needs;
 - iii. Add to the home's total square footage, unless the construction is necessary, reasonable, and directly related to

the participant's access to the participant's primary home;
or

- iv. Are required by local, county, and State regulations when purchasing or licensing a home; and
- b. A generator for use, other than to support the participant's medical and health devices, that require electricity for safe operation; or
- c. An elevator.

D. Obtaining Environmental Modifications

- 1. An Environmental Assessment is required prior to Environmental Modification if the estimated cost is equal to or greater than \$2,000.
- 2. An Environmental Assessment is not required prior to Environmental Modification if the estimated cost is less than \$2,000.
- 3. A participant may request an Environmental Assessment regardless of the cost
- 4. If the cost of the requested Environmental Modifications is \$2,000 or greater, the following documentation must be submitted to the DDA prior to purchase:
 - a. The environmental Assessment Report

This report must:

be done within a reasonable amount of time before the installation of the requested Environmental Modification;
and

- i. include the requested Environmental Modification;
- b. Documentation from the landlord providing written approval, as applicable, which must be uploaded into the participant's LTSSMaryland Client Attachments.
- c. Three cost estimates,
 - i. The lowest bid must be used unless justification is provided to the DDA. The justification must be reviewed and approved by the Regional Office Director;

- ii. If three bids cannot be obtained, justification must be provided to DDA. The justification must be reviewed and approved by the Regional Office Director;
- iii. If the participant requests Environmental Modifications that are over \$2,000, and not the most cost effective option, they must provide a documented explanation of why the chosen option is the most effective;
- iv. The DDA Regional Office must review documentation to make sure:
 - i. The requested Environmental Modification addresses the participant's assessed need, as written in their person-centered plan;
 - ii. The requested Environmental Modification does not restrict the participant's rights, unless otherwise authorized in the participant's Behavior Support Plan; and
 - iii. It is the most cost effective Environmental Modification option that best meets the participant's assessed needs.

E. Installation and Instruction on Use of Environmental Modification

1. Prior to installation, the Environmental Modification Provider must:

- a. Obtain any required permits or approvals from State or local governmental units;
- b. Ensure the Environmental Modification meets the needs of the participant;
- c. Ensure the Environmental Modifications is in good operating condition in accordance with applicable specifications;
- d. Provide the Environmental Modification in accordance with a written schedule that:
 - i. is provided to the participant and the CCS prior to beginning the work; and
 - ii. includes both an estimated start date and completion date;

- e. Perform all work in accordance with applicable laws and regulations, including but not limited to, the Americans with Disabilities Act, and State and local building codes;
2. The Environmental Modification Provider must
- a. Provide progress reports to the participant, the CCS, the FMCS provider, and, if applicable, the property owner; and
 - b. Obtain any final inspections and ensure that the completed work passes required State or local governmental inspections.
 - c. Ensure the Environmental Modifications are in good operating condition and repaired in accordance with the applicable specifications.
3. The Coordinator of Community Services must:
- a. Monitor service delivery, including frequency, and note this in the participant's *LTSS Maryland* Outcome form within the Outcome Progress Review section within the PCP; and
 - b. Work with the participant to ensure the final modification meets the participant's needs.

F. Maintenance of Environmental Modification

1. As written in the PCP, the DDA provider must provide:
- a. Ongoing maintenance and repair of the Environmental Modification in accordance with the applicable specifications; and
 - b. Training to the participant and individuals supporting the participant (*e.g.*, their caretaker(s) and family members) on the proper use and maintenance of the modification.
2. Environmental Modifications must be in good operating condition and repaired in accordance with the applicable specifications at all times.

G. Criteria to be Eligible

1. A participant may be eligible to receive funding for Environmental Assessment and Modification services if:

- a. The participant:
 - i. Is the the owner of the primary residence; or
 - ii. Is not the owner of the primary residence, and the property manager or owner of the primary residence provides in writing:
 - i. Approval for the requested Environmental Modification; and
 - ii. Agreement that the participant will be allowed to remain in the primary residence for at least one year; and
 - iii. Is enrolled in a DDA Medicaid waiver program; and
 - iv. Has an assessed need for this service, which is written in their approved person-centered plan; or
 - v. Is transitioning from an institution, and the DDA has authorized the services before the effective enrollment date into a DDA Medicaid Waiver program; and
 - b. All other available and appropriate funding sources have been explored, exhausted, and documented in the participant's file prior to accessing DDA funding for this service, including but not limited to:
 - i. Maryland Medicaid State Plan;
 - ii. Division of Rehabilitation Services ("DORS");
 - iii. Maryland Department of Disabilities Technology Assistance Program;
 - iv. State Department of Education; and
 - v. Department of Human Services; and
 - c. The request for funding of this Waiver program service meets the requirements of the DDA Medicaid Waiver program application.
2. If the participant requires more Environmental Modification Services than are provided by the Medicaid State Plan, a request can be made under this waiver service. However, the DDA Medicaid Waiver Program may

only pay for additional costs that are not covered and that are indicated to meet the goals in the person-centered plan.

3.Children have access to any medically necessary preventive, diagnostic, and treatment services under Medicaid’s Early and Periodic Screening, Diagnostic and Treatment (EPSDT) services to help meet children’s health and developmental needs. This includes age appropriate medical, dental, vision, and hearing screening services and diagnostic and treatment services to correct or ameliorate identified conditions. Supports provided by this waiver service is to improve and maintain the ability of the child to remain in and engage in community activities.

H. Special Service Requirements and Limitations

- 1.Environmental Assessments and Modifications given to the participant will be the most cost-efficient option available that meets the needs of the participant, unless otherwise authorized by the DDA.
- 2.Costs of Environmental Assessments must be within reasonable and customary standards set by the DDA.
- 3.Costs of Environmental Modifications must be customary, reasonable, and may not exceed a total of \$15,000 every three (3) years.
- 4.A participant may only have one Environmental Assessment annually, unless otherwise authorized by the DDA.
- 5.If the participant does not own the home, the Environmental Modifications must be pre-approved by the property manager or owner of the home who agrees that the participant will be allowed to remain in the residence for at least one (1) year.
- 6.An Environmental Assessment and Environmental Modification cannot be provided before the effective date of the participant’s eligibility for waiver services unless authorized by the DDA for an individual that is transitioning from an institution.

I. Requirements to be Paid for Services

- 1.In order to provide Environmental Assessments and Modifications, The DDA Provider must be licensed or certified by the Department as an:
 - a. Organized Health Care Delivery Services provider; or
 - b. Environmental Assessment and Modification Professional.

2. Organized Health Care Delivery Services providers doing Environmental Assessments must:

- a. Meet the criteria outlined in [COMAR 10.22.20](#) and the Organized Health Care Delivery System Policy;
- b. Employ or contract staff licensed by the Maryland Board of Occupational Therapy Practice as a licensed Occupational Therapist in Maryland;
- c. Ensure all staff, contractors and subcontractors meet required qualifications including:
 - i. Being properly licensed or certified by the State;
 - ii. Being a licensed home contractor, or a vendor approved by the Division of Rehabilitation Services (DORS);
 - iii. Being in good standing with the Maryland Department of Assessments and Taxation to provide the service;
 - iv. Obtaining and maintain Commercial General Liability Insurance;
 - v. Obtaining and maintain worker's compensation insurance sufficient to cover all employees, if required by law; and
 - vi. Being bonded as is legally required.
- d. Verify the licenses, credentials, and experience of all Environmental Assessment and Modification professionals with whom they contract or employ, initially and at least once every three years;
- e. Maintain a copy of the licenses, credentials, and documented experience of all Environmental Assessment and Modification professionals and resent them to the DDA, upon request;
- f. Obtain and maintain worker's compensation insurance for employees, as required by law; and
- g. Obtain a Home Improvement License for projects in accordance with Department of Labor and Licensing requirements, which may be required to complete where an existing home structure is modified (such as a stair glide) as applicable.

3. An Environmental Assessment Professional must:

- a. Employ or contract staff licensed by the Maryland Board of Occupational Therapy Practice as a licensed Occupational Therapist in Maryland;
- b. Be properly licensed or certified by the State as a Division of Rehabilitation Services (DORS) as an approved vendor;
- c. Be in good standing with the Maryland Department of Assessments and Taxation to provide the service;
- d. Obtain and maintain Commercial General Liability Insurance;
- e. Obtain and maintain worker's compensation insurance sufficient to cover all employees, if any;
- f. Be bonded as is legally required; and
- g. Have Commercial General Liability Insurance.

J. Rates/Billing

1. Rates under the traditional service delivery model are posted on the DDA Rates and Invoices webpage and LTSSMaryland webpage.
2. Participants under 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. The DDA provider providing this service, whether under the traditional services delivery model or self-directed services delivery model, must maintain documentation and records regarding delivery of services in accordance with the applicable laws, regulations, policies, guidance, and DDA Medicaid Waiver program application.
4. Environmental Assessments and Modifications rendered under the traditional service delivery model are billed in accordance with the DDA Guidelines for Service Authorization and Provider Billing Documentation.
5. Environmental Assessments and Modifications rendered under the self-directed service delivery model shall be billed through the invoicing process outlined by the participant's Financial Management and Counseling Services provider.

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

1. A legally responsible person, relative, or legal guardian of the participant 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
- D. [COMAR 10.22.10.05](#)
- E. [COMAR 10.22.10.06](#)

VIII. REFERENCE MATERIALS

- A. [DDA - Service Authorization and Provider Billing Documentation Guidelines - Revised 3.29.2022](#)
- B. Maryland Department of Disabilities Home Modifications Directory For Maryland

IX. RELATED POLICIES

- C. Assistive Technology and Services
- D. Behavioral Support Services
- E. Organized Health Care Delivery System

X. ATTACHMENTS

- F. Environmental Assessments and Modifications At a Glance