**R539. Health and Human Services, Services for People with Disabilities.**

**R539-2. Service Coordination.**

**R539-2-1. Authority and Purpose.**

(1) Subsections 26B-6-403(2)(a) and 26B-6-403(2)(b) authorize this rule.

(2) This rule provides a standard for the division service system. The service system includes planning, developing, and managing a statewide array of services for a person with a disability and the person's family as required by Subsection 26B-6-403(2)(a).

**R539-2-2. Definitions.**

Terms used in this rule are defined in Section 26B-6-401 and Rule R539-13. Additionally:

(1) "Attrition money" means the public funds that the division uses to provide services as described in Section 26B-6-402 that revert to the division after a person receiving services ceases to receive those services as described in Subsection 26B-6-402(7)(c).

(2) "Carry-forward money" means the public funds that the division uses to provide services as described in Section 26B-6-402 that are not spent before the end of the fiscal year as described in Subsections 26B-6-402(7)(d) and 26B-6-402(7)(e).

(3) "Caseworker" means an employee of the division that provides assistance with intake, eligibility, waiting list updates, and waiting list services; and is certified by the division as a Qualified Intellectual Disability Professional (QIDP) or is supervised by a QIDP.

(4) "Quality assurance" means the family, provider, and division management role to assure accountability in areas of fiscal operations, health, safety, and contract compliance.

(5) "Quality enhancement" means the division and the team member role in supporting a person to experience personal life satisfaction in accordance with the person's preferences.

(6) "Quality improvement" means the provider role to evaluate and improve the internal delivery of services.

**R539-2-3. Waiting List.**

(1) Except as described in Section R539-2-8, the division shall determine a person's eligibility for a service and priority of service enrollment as described in Subsection 26B-6-402(3) and Rule R539-1.

(2) A person shall be placed on the waiting list for support services, if division funding is not immediately available.

(a) The caseworker shall work with the person to assess the array of services that the person may need.

(b) A person determined eligible for Medicaid may choose to wait for a division Medicaid waiver and seek other services available in a Medicaid approved facility. The Department of Workforce Services determines Medicaid eligibility.

(3) The division shall determine a person's need score and order each score to identify the waiting list critical need ranking.

(a) The caseworker shall complete the Needs Assessment Questionnaire for each person. The Needs Assessment Questionnaire measures the following four areas:

(i) caregiver support;

(ii) severity of need;

(iii) time on the waiting list; and

(iv) urgency of need.

(b) The total need score includes each measure of severity of need, caregiver support, and time on the waiting list. The division shall use the urgency of need measure to refer a person to the Emergency Service Management Committee as described in Section R539-2-8.

(c) A person's critical need ranking may change:

(i) if the person's need score changes; or

(ii) in relation to any other person's new or updated need score.

(d) The division director and the state Medicaid director may make an exception to the person's critical need ranking to preserve a Medicaid waiver and statewide service infrastructure.

(4) The division shall maintain the statewide waiting list by annually confirming each person's interest and need score.

**R539-2-4. Person-Centered Planning.**

(1) The division shall develop a person-centered support plan. A support coordinator shall:

(a) use the person-centered planning process;

(b) use any formal or informal assessment available through the division;

(c) use any other information provided by the person or a team member; and

(d) be a team member.

(2) Person-centered planning shall be led by the person to the maximum extent possible.

(a) The person shall choose each team member.

(b) The team shall provide information and support that enables the person to make an informed decision.

(c) The team shall help the person develop a goal.

(3) Person-centered planning shall be timely.

(a) The team shall meet at least once within a 12-month period that begins on the date of the planning meeting.

(b) The team may meet if the person or any other team member requests a meeting.

(4) Person-centered planning shall be conducted in a manner that is accessible to the person.

(a) A planning meeting shall occur at a time and location convenient for the person.

(b) A team member shall provide information in plain language.

(c) A team member shall provide information in a format and language that the person can understand.

(5) The person-centered support plan shall:

(a) be written in a format and language that the person can understand;

(b) reflect the person's culture; and

(c) include:

(i) any information necessary to help the person make an informed choice;

(ii) any support necessary to help the person make an informed choice;

(iii) a strategy to resolve conflict within the team;

(iv) each conflict-of-interest guideline;

(v) each goal and support;

(vi) a choice of service and service provider;

(vii) a record of each home and community-based setting considered by the person; and

(viii) a method for the person to request a meeting to update the person-centered support plan.

(6) The team may use a person-centered support plan if it includes:

(a) each element described in Subsection (5);

(b) the person's signature;

(c) the signature of each team member named in the plan; and

(d) the signature of each provider named in the plan.

(7) The team shall implement each goal and support as written in the person-centered support plan.

(a) A team member shall participate in any goal or support in which the team member is named.

(b) A team member shall assess, plan, implement, and evaluate any goal or support in which the team member is named.

(8) Any person who believes that person-centered planning is not being implemented as outlined may contact the support coordinator to resolve the issue.

(a) The support coordinator shall notify the division of the resolution through noa@utah.gov.

(b) The division shall send a notice of agency action as described in Section R539-3-7.

(9) Any interested party who believes that person-centered planning is not being implemented as outlined may contact the support coordinator immediately to resolve the issue. If the issue cannot be resolved, a division constituent representative may be contacted to assist in resolving the issue or seeking a change in support coordinator or provider.

**R539-2-5. Entry Into and Movement Within the Service System.**

(1) The division shall approve, coordinate, or oversee any transition between:

(a) the waiting list and a division service;

(b) a non-waiver service and a waiver service; and

(c) a division home and community-based service setting and an institutional setting.

(2) Except as described in Section R539-2-7, the division shall ensure that a person entering or moving within the service system has a choice of support and provider.

(a) A support coordinator shall use the Invitation to Submit Offer to Provide Services Form ISO 1-6 process to notify a provider of a person seeking a service.

(i) A support coordinator must notify the division that a person is seeking a provider.

(ii) The division uses the Invitation to Submit Offer to Provide Services Form ISO 1-6 to notify each provider and route any response to the support coordinator.

(b) A support coordinator shall assist the person with making an informed choice.

(3) A support coordinator shall facilitate a planning meeting with the team to complete person-centered planning as described in Section R539-2-4 for:

(a) an initial person-centered support plan; and

(b) any change to a person-centered support plan.

(4) A support coordinator shall submit a request for services for any initial person-centered budget through the division's case management system. The request must be approved before finalizing the person-centered support plan.

(5) Any team member may contact the support coordinator to request a change to:

(a) a support or service;

(b) a provider; or

(c) a setting.

(6) Except for a budget neutral change, a support coordinator shall submit a request for services for a budget adjustment through the division's case management system. The request must be approved before finalizing the change in the person-centered support plan.

(7) A provider shall accept the Purchase Service Authorization Form 1056 through the division's case management system before providing a service.

(8) A support coordinator shall facilitate a discharge meeting with the team to:

(a) notify the provider or person of discharge; or

(b) identify any change to the person-centered support plan that may resolve the concern without discharge.

(9) A provider may discharge a person from a service.

(a) The provider shall notify the support coordinator in writing at least 30 days before the discharge date.

(b) The provider shall submit a discharge plan to the support coordinator no later than seven days after the date that the provider gave notice of discharge.

(c) The division director may require the provider to continue the service for 90 days after the date of discharge if necessary to:

(i) ensure the person's health and safety; and

(ii) transition the person to any other provider.

**R539-2-6. Quality Management Procedures.**

(1) The division shall participate in the three quality management roles of quality assurance, quality improvement, and quality enhancement.

(a) Each required quality assurance shall be specified in the department contract. The division may work with any other agency under the department to assure quality.

(b) A provider shall develop and implement an internal quality management system, which shall:

(i) evaluate the provider's service program; and

(ii) establish a system of self-correcting feedback.

(c) Implementation of the person-centered support plan shall be designed to enhance the person's life. The person and team shall:

(i) identify and document the person's preferences;

(ii) plan how to support the person's life satisfaction; and

(iii) implement the plan with assistance from the division.

(2) The division shall evaluate the person's satisfaction and any statewide system indicator of life enhancement. The division may work with any other agency under the department to evaluate satisfaction and life enhancement.

(3) Division staff shall:

(a) promote enhancement of the person's life;

(b) support any improvement effort undertaken by a provider, a person, or a family; and

(c) assure accountability.

**R539-2-7. Request for a Support Coordinator or Support Coordination Provider.**

(1) The division shall ensure that a person entering or moving within the service system has a choice of support coordination provider.

(2) The division shall assist a person entering the service system with making an informed choice of support coordination provider. The division shall use the Invitation to Submit Offer to Provide Services Form ISO 1-6 to notify a support coordination provider of a person seeking a support coordinator.

(3) A person within the service system may request a new support coordination provider by contacting the division constituent representative.

(a) The division's constituent representative shall assist the person with making an informed choice.

(b) The division's constituent representative shall use the Invitation to Submit Offer to Provide Services Form ISO 1-6 to notify a support coordination provider of a person seeking a support coordination provider.

(4) If a person uses a support coordination provider that employs one or more support coordinators, the person may request to change the support coordinator by contacting the provider. The support coordination provider shall assist the person with making an informed choice.

(a) The support coordination provider shall inform the person that the person can contact the division constituent representative for assistance with an informed choice.

(b) The support coordination provider shall document giving the person contact information for a division constituent representative in a log note.

(5) A support coordination provider may request to transfer a person to any other support coordinator or support coordination provider.

(a) The support coordination provider shall give the person a minimum of 30-day notice before the date of transfer.

(b) The support coordination provider shall notify the division's constituent representative of a request to transfer.

(c) If the support coordination provider requests to transfer the person to any other support coordination provider, then the division's constituent representative shall assist the person with making an informed choice.

(d) If the support coordination provider requests to transfer the person to any other support coordinator employed by the provider, then the provider shall assist the person with making an informed choice.

(i) The support coordination provider shall inform the person that the person can contact the division constituent representative for assistance with informed choice.

(ii) The support coordination provider shall document giving the person contact information for a division constituent representative in a log note.

(6) If a support coordinator separates from a support coordination provider and continues employment as a support coordinator, then the division's constituent representative shall assist the person with making an informed choice.

(7) The division shall transfer a person within a 30-day period beginning on the date the division is notified of the person's informed choice.

(8) A support coordination provider shall accept the Purchase Service Authorization Form 1056 through the division's case management system before providing a service.

**R539-2-8. Emergency Services Management Committee.**

(1) The division shall create the Emergency Services Management Committee (ESMC).

(a) The division director shall appoint a committee chair.

(b) The committee chair and division leadership shall appoint any other division employee that:

(i) represents subject matter expertise in each area of the division service system; or

(ii) demonstrates expertise in behavioral health, physical health, and community resources.

(2) ESMC may approve a person's enrollment in a short-term, limited service for the waiting list if:

(a) the ESMC determines that the service is appropriate to address the person's emergency circumstance; and

(b) carry-forward money or attrition money is available to fund the service.

(3) ESMC may approve enrollment in an ongoing service if:

(a) the ESMC determines that the service is appropriate to address the person's emergency circumstance; and

(b) attrition money is available to fund the service.

(4) ESMC shall monitor the person-centered budget for the first four fiscal quarters.

**KEY: services, people with disabilities**

**Date of Last Change: July 23, 2025**

**Notice of Continuation: February 28, 2024**

**Authorizing, and Implemented or Interpreted Law: 26B-6-402; 26B-6-403**