



EQUITY AND  
PUBLIC SAFETY  
FUNDING PROCESS

# Funding Priorities

1. **Health and Safety:** Ongoing, direct supports and/or supervision are needed to prevent imminent risk to the individual's personal health or safety. [Priority is for adults ages 18 and over.]
  - a. "Imminent" is defined as presently occurring or expected to occur within 45 days.
  - b. "Risk to the individual's personal health and safety" means an individual has substantial needs in one or more areas that without paid supports put the individual at serious risk of danger, injury or harm (as determined through a needs assessment)
  
2. **Public Safety:** Ongoing, direct supports and/or supervision are needed to prevent an adult who poses a risk to public safety from endangering others. To be considered a risk to public safety, an individual must meet the Public Safety Funding Criteria. [Priority is for adults ages 18 and over.]
  
3. **Preventing Institutionalization - Nursing Facilities:** Ongoing, direct supports and/or supervision needed to prevent or end institutionalization in nursing facilities when deemed appropriate by Pre-Admission Screening and Resident Review (PASRR). Services are legally mandated. [Priority is for children and adults.]

# Funding Priorities Continued

4. **Preventing Institutionalization - Psychiatric Hospitals and ICF/DD:** Ongoing, direct supports and/or supervision needed to prevent or end stays in inpatient public or private psychiatric hospitals or end institutionalization in an ICF/DD. [Priority is for children and adults.]

5. **Employment for Transition Age Youth/Young Adults:** Ongoing, direct supports and/or supervision needed for a youth/young adult to maintain employment. [Priority for adults aged **18 through age 26 who have exited high school.**]

6. **Parenting:** Ongoing, direct supports and/or supervision needed for a parent with developmental disabilities to provide training in parenting skills to help keep a child under the age of 18 at home. Services may not substitute for regular role and expenses of parenting. [Priority is for adults age 18 and over.]

# Public Safety Funding Criteria For Existing Consumers

- Confirm Department's Public Safety Risk Assessment is completed or updated
- Proposed services that reflect offense-related specialized support needs and meet at least one of the following criteria:
  - (1) **Committed to the custody of the Commissioner under Act 248** due to being dangerous to others. Services are legally mandated.
  - (2) **Convicted of a sexual or violent crime, has completed their maximum sentence, and there is evidence that the individual still poses a substantial risk of committing a sexual or violent offense**
  - (3) **Substantiated by the Department or DCF for sexual or violent abuse, neglect, or exploitation of a vulnerable person and there is evidence that the individual still poses a substantial risk of committing a sexual or violent offense.**

## Public Safety Funding Criteria For Existing Consumers (cont)

(4) **In the custody of DCF for committing a sexual or violent act that would have been a crime if committed by an adult**, now aging out of DCF custody, and there is evidence that the individual still poses a substantial risk of committing a sexual or violent offense.

(5) Not charged with or convicted of a crime, but the **individual's risk assessment contains evidence that the individual has committed an illegal act and still poses a substantial risk of committing a sexual or violent offense.**

(6) **Convicted of a crime and under supervision of the Department of Corrections (DOC)** (e.g., probation, parole, pre-approved furlough, conditional re-entry) and DOC is actively taking responsibility for supervision of the individual for public safety. Public Safety Funding only pays for supports needed because of the individual's developmental disability. Offense-related specialized support needs, such as sex offender therapy, cannot be funded by the Department for an individual who is under the supervision of DOC.

# Designated or Specialized Services Agency's Role in Funding Process

- To only seek or authorize funding based upon the person's needs assessment
- To submit Equity and Public Safety HCBS funding request only if funding priority criteria is met
- To ensure supports requested are the most cost-effective option for needs to be met
- To ensure all funding and supports align with federal and state regulations and policies
- Before requesting additional funding from DDS:

  - To explore other available resources including Children's Personal Care Services, Economic Services, and community resources
  - To reallocate any available internal funding to fund any unmet needs
  - To discuss Unified Service Pan option with person/family when appropriate

**If DA/SSA finds all these steps are not met, the proposal should not be sent to Local Equity Committee to review.**

# Local Equity/PS Committee

- Confirms clinical and financial eligibility for DDSD funded services is met
- Confirms person's Needs Assessment is current and reflects an unmet need
- Confirms other funding resources have been explored
- Confirms Funding Priority criteria is met
- Confirms requested supports are the most cost effective
- Confirms rates for services are accurate and up to date
- Confirms funding proposal complies with DDSD System of Care and other DDSD regulations
- Makes recommendations around funding supports requested

**If Local Equity Committee finds all these steps are not met, the proposal should not be sent to State Equity Committee to review.**

# State Equity/PS Committee

## Membership expectations:

- 1 person from DDS
- 2 Representatives from a Designated and/or Specialized Services agencies
- 2 Representatives from other areas of interest including people in services, family members of people in services, Department of Corrections (PS), public safety professionals and self advocates

**Committee reviews proposals and confirms the Local Equity Committee checked for expectations outlined in previous slide and makes recommendations on services requested.**



# DDSD Director and/or Assistant Director

- Reviews proposal and recommendations from Local and State Equity Committees
- Makes final funding decision on proposal:
  - Fully funded
  - Partially funded
  - No funding is authorized for services requested.
- The final decision is sent to the agency that is serving the individual

The final step in this process is for the serving agency to notify the individual of Equity or Public Safety funding decision and includes appeal rights