

TRUMBULL COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

Policy

Section 8.17

CONTRACTS BETWEEN COUNTY DD BOARDS AND SUPPORTED LIVING PROVIDERS AND ESTABLISHMENT OF INDIVIDUAL AS A THIRD PARTY BENEFICIARY TO THE CONTRACT

- A. A contract between a County Board of Developmental Disabilities and a provider of supported living shall be in writing and shall be based on the individual service plan developed by the individual under section 5126.41 of the Revised Code. The plan may be submitted as an addendum to the contract an individual receiving services pursuant to a contract shall be considered a third-party beneficiary to the contract.

The Board shall not contract with a provider to provide a residence to a person to whom the provider is providing other supported living services, unless one of the following applies:

1. The provider is under contract with the Board for both residence and services on July 17, 1990 and the contract is being renewed.
 2. The provider has a contract being transferred from the state to the county Board under section 5126.451 of the Revised Code and the contract is being renewed.
 3. The provider lives in the residence and provides services to not more than three persons who reside in the residence at any one time.
 4. The provider is an association of family members related to two or more of the persons who reside in the residence and provides services to not more than four persons who reside in the residence at any one time.
- B. The contract shall be negotiated between the provider and the county Board. The terms of the contract shall include at least the following:
1. The contract period and conditions for renewal;
 2. The services to be provided pursuant to the individual service plan;
 3. The rights and responsibilities of all parties to the contract;
 4. The methods that will be used to evaluate the services delivered by the provider;
 5. Procedures for contract modification that ensure all parties affected by the modification are involved and agree;

6. A process for resolving conflicts between individuals receiving services, the county Board, and the provider, as applicable;
 7. Procedures for the retention of applicable records;
 8. Provisions for contract termination by any party involved that include requirements for an appropriate notice of intent to terminate the contract;
 9. Methods to be used to document services provided;
 10. Procedures for submitting reports required by the county Board as a condition of receiving payment under the contract;
 11. The method and schedule the Board will use to make payments to the provider and whether periodic payment adjustments will be made to the provider;
 12. Provisions for conducting fiscal reconciliation's for payments made through methods other than a fee-for-service arrangement.
- C. Payments to the provider under a supported living contract must be determined by the Board to be reasonable in accordance with policies and procedures developed by the Board. Goods or services provided without charge to the provider shall not be included as expenditures of the provider.
- D. The Board shall establish procedures for reconciling expenditures and payments, other than those made under a fee-for-service arrangement, for the prior contract year when a contract is not renewed and shall reconcile expenditures and payments in accordance with these procedures.
- E. A provider or an entity with which the Board has entered into a shared funding agreement may appeal a negotiated contract or proposed shared funding rate to the county Board using the procedures established by the Board under section 5126.42 of the Revised Code.

Adopted: 10/27/97
Updated: 7/24/2012