

**VERMONT
HOUSING
SAFETY AND ACCESSIBILITY
REVIEW PROCESS**

PROTOCOL

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Department of Disabilities, Aging and Independent Living

Developmental Disabilities Services Division

Adult Services Division

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Housing Safety and Accessibility Inspection Process

INTRODUCTION

The housing safety and accessibility inspections for the Department of Disabilities, Aging, and Independent Living (DAIL) are conducted by a contracted Housing Safety and Accessibility Consultant (hereafter referred to as the Consultant). All relevant 24 hour residential homes are reviewed for safety, access and accessibility.

A safety and accessibility inspection is conducted in all homes that are not required to be licensed or inspected by the Division of Fire Safety, Division of Licensing and Protection, a local housing authority, Vermont Department of Labor and Industry, Vermont State Housing Authority, or by Section 8 Housing. It is expected that the inspection occurs prior to an individual moving into a home. There is an exception for crisis or emergency placement of an individual into a home where the inspection should happen within 30 but no later than 60 days of the individual moving into the home.

HOME PROVIDERS

A home provider, or residential provider, may be anyone 18 or older that passes a background check. Additional information about the requirements for a home provider in Vermont can be found in the Vermont Medicaid Manual.

SAFETY INSPECTION

The Designated Agency (DA) or Specialized Service Agency (SSA) will schedule a safety and accessibility inspection with the Consultant for any home that falls within the category listed above. When an inspection is needed, the agency representative responsible for the Housing Safety & Accessibility Inspections will ensure the service coordinator for the individual completes the first section of the electronic form and that it is e-mailed to the Consultant. This will serve as notification to the Consultant that an inspection is needed and the normal process will be followed to schedule the actual review.

The DA/SSA and the home provider agree to maintain all the items on the review checklist. (See Attachments A & B).

Routine safety inspections of the homes will occur on a five (5) year schedule to ensure ongoing safety of the home. These will be scheduled with the Consultant by the provider agency.

An additional inspection will occur if there have been significant alterations to the home that would impact on the safety of the individual. It is the responsibility of the designated agency to notify DAIL about any home, funded by the department, that needs a safety and accessibility inspection.

Review Report

It is important that the agency service coordinator, who works with the individual, and the home provider are present during the inspection. The Consultant will complete the inspection using the electronic form on a tablet or lap top and send the agency representative and the home provider a signed copy of the report. A signed copy of the report will be sent to DAIL on an agreed upon schedule.

Deficiencies

The inspection report will detail any deficiencies and provide the standard for any corrections. All corrections noted on the housing/safety inspection report need to be completed within thirty (30) days from the date of the inspection.

When the corrections are completed, the provider agency will contact the Consultant for a follow-up inspection. If all standards are met, the Consultant and the DA/SSA will sign the report indicating the corrections have been made and provide an updated copy to DAIL.

If the provider agency has not verified the corrections were completed within the above timeframe, the provider is sent a written notice and are monitored by DAIL staff to ensure compliance. If after a minimum of sixty (60) days from the date of the initial inspection the completed report has not been received, a second letter is sent to the agency reminding them that the corrections need to be made and a completed copy of the report sent to DAIL. If after a minimum of ninety (90) days from the date of the inspection the corrections have been completed, a third and final letter will be sent to the agency giving them notice that the funding for that home may be suspended until the corrections have been completed.

ACCESSIBILITY INSPECTIONS

All individuals have a right to utilize all appropriate spaces in the home they own, rent, or share with another individual/family, to maximize their independence. Accessibility standards are designed to maximize all individuals' independence and level of safety and are designed to provide workable and safe environments for caregivers as well.

Whenever an individual uses a wheelchair, walker, or has other mobility impairments receives home supports funded by the state and federal government, an accessibility inspection is **required**. This applies primarily to individuals who live in private developmental or shared living home situations.

State and federal funds used for accessibility renovations are maximized if the renovations meet the Americans with Disabilities Act (ADA) standards. With this in mind, accessibility will be reviewed taking the individual's needs into consideration.

It is the responsibility of the identified person at the agency or the Service Coordinator to notify the Consultant that the individual requires physical environmental modifications, and to notify other relevant individuals (e.g. individual with a disability, developmental home/shared living provider, etc.) that an accessibility inspection will be completed.

The accessibility inspection is typically done at the same time as the safety inspection visit and the combined visits take approximately 1½ hours. All areas of accessibility are evaluated, including doorway widths, bathroom(s), and entrance and egress from the home. The individual receiving services is required to be present during the inspection unless a previous assessment of the individual's accessibility needs has been completed by a physical therapist.

The agency Service Coordinator is responsible for providing an accessibility rehabilitation plan within thirty (30) days of the date of inspection. This plan should respond to all areas of the accessibility inspection.

All accessibility renovations are to be completed within ninety (90) days of the initial inspection, unless a waiver of specific renovations is requested.

VARIANCE PROCESS

Due to the nature of the Housing Safety and Accessibility Inspections, variances of the standards will be considered for specific situations and circumstances but the granting of them will be done rarely.

If the provider agency disagrees with any of the findings on the Housing Safety Inspection report form or believes items on the checklist should be waived via a variance, the agency may submit a written request to the Quality Management Team Reviewer for the agency at DAIL. A request for the variance of specific standards must include a specific rationale for the request (e.g., "the basement doorway does not need to be widened because the basement is only used for storage..."), a statement from the individual's guardian acknowledging and supporting the request and documentation to support the rationale for the request. A written decision will be made by the Quality Management Reviewer in consultation with the Quality Management Team Leader and forwarded to the requesting agency service coordinator within twenty (20) days of the request.

For identified areas in the Accessibility Inspection form, the agency will need to obtain a review and plan to address these areas by a licensed PT or OT that specifically addresses the identified areas. The agency will send a signed copy of the assessment/plan to the Consultant along with a copy of the original inspection report form. The Consultant will review the plan to make sure it adequately addresses the identified areas. If it does, the Consultant will sign the report form accepting the plan and completing the report as final. Copies of the final signed report will be sent to the agency and DAIL/DDSD, with the Consultant retaining a copy for their records.

If a solution cannot be reached between the agency and the Quality Management staff at DAIL for Safety Inspections, or the Consultant for Accessibility Inspections the agency may appeal, in writing, to the DAIL Legal Department on behalf of the DAIL Commissioner's office. All appeals must be submitted within thirty (30) days of receiving written notice from the Quality Management or Consultant staff. At this appeal, the agency may present any evidence they feel is appropriate.

The Commissioner or Deputy Commissioner's decision will be forwarded to the service coordinator within fifteen (15) days of the receipt of the appeal and shall be final.

