

POLICY: PERSONNEL POLICIES & MANUALS

POLICY STATEMENT: It is the policy of the Bureau of Developmental Disabilities Services (BDDS) that a Provider shall adopt and maintain a written personnel policy.

DETAILED POLICY STATEMENT

1. A Provider shall:
 - a. adopt and maintain a written personnel policy;
 - b. review and update the personnel policy at minimum annually; and
 - c. distribute the personnel policy to each owner, director, officer, employee, contractor, subcontractor, or agent.
2. The written personnel policy required by 460 IAC 6-16-2 shall include at minimum the following:
 - a. A procedure for conducting reference, employment, and criminal background checks on each prospective owner, director, officer, employee, contractor, subcontractor or agent that complies with the Division of Disability and Rehabilitative Services (DDRS) policy.
 - b. A prohibition against employing or contracting with a person performing any management, administrative or direct service to an Individual on behalf of a Provider company convicted of the offenses listed in the DDRS "Employment of Persons with Convictions of Prohibited Offenses and Non-Residency Status" policy.
 - c. A process for evaluating the job performance of each owner, director, officer, employee, contractor, subcontractor or agent performing any management, administrative or direct service to an Individual on behalf of a Provider company at the end of the training period and annually thereafter, including a process for feedback from receiving services from the owner, director, officer, employee, contractor, subcontractor or agent.
 - d. A description of the work-related behavioral criteria used by the Provider to initiate substance abuse screenings with its owners, directors, officers, employees, contractors, subcontractors or agents.
 - e. Disciplinary procedures.
 - f. A process for suspension of the owner, director, officer, employee, contractor, subcontractor or agent from services to Individuals following a report of, and during an investigation of, alleged Abuse, Neglect, or Exploitation of an Individual by the owner, director, officer, employee, contractor subcontractor or agent.
 - g. A description of grounds for disciplinary action against or dismissal of an owner, director, officer, employee, contractor, subcontractor or agent including:
 - i. the dismissal of an owner, director, officer, employee, contractor, subcontractor or agent for involvement in the Abuse, Neglect, or Exploitation of an Individual.
 - h. Safeguards that ensure compliance with HIPAA and all other Federal and State privacy laws.

- i. Mandatory orientation for each new owner, director, officer, employee, contractor, subcontractor or agent performing any management, administrative or direct service to an Individual on behalf of a Provider company to assure the owner's, director's, officer's, employee's, contractor's, subcontractor's, or agent's understanding of, and compliance with:
 - i. the mission, goals, organization, and practices of the Provider; and
 - ii. the applicable requirements of this article.
 - j. A system for documenting the training for each owner, director, officer, employee, contractor, subcontractor or agent, including:
 - i. the topic of training provided;
 - ii. the name and qualifications of the trainer;
 - iii. the time of day the training started and stopped;
 - iv. the date or dates of training;
 - v. the signature of the trainer, verifying the satisfactory completion of training by the owner, director, officer, employee, contractor, subcontractor or agent; and
 - vi. the signature of the owner, director, officer, employee, contractor, subcontractor or agent receiving the training.
 - k. A system for ensuring that a trainer:
 - i. has sufficient expertise and knowledge of the training topic to achieve listed outcomes; and
 - ii. is certified or licensed when the training topic addresses services or interventions requiring certified or licensed practitioners for assessment, plan development, or monitoring.
 - l. A system for providing annual competency based in-service training to improve the competence of owners, directors, officers, employees, contractors, subcontractors or agents as described in DDRS "Requirements and Training for Direct Support Professional Staff" policy.
 - m. A system for ensuring continuous employee competence as described in the DDRS "Requirements and Training for Direct Support Professional Staff" policy.
 - n. A description of the protections granted by the Provider for whistleblowers, in compliance with DDRS "Provider Code of Ethics" policy.
3. In addition to the personnel policy referenced in this policy, a Provider shall:
- a. adopt and maintain written job descriptions for each position, including in each job description the following:
 - i. minimum qualifications for the position;
 - ii. major duties required of the position;
 - iii. responsibilities of the owner, director, officer, employee, contractor, subcontractor or agent in the position;
 - b. provide each owner, director, officer, employee, contractor, subcontractor or agent a copy of the job description for the position for which they are employed.

Operations manual

1. A Provider shall compile the written policies and procedures required by this policy into a written operations manual.
2. The operations manual shall be reviewed and revised at minimum annually.
3. Upon the request of DDRS, the Provider shall:
 - a. supply a copy of the operations manual to DDRS or other state agencies, at no cost; and
 - b. make the operations manual available to DDRS or other state agency for inspection at the offices of the Provider.

DEFINITIONS

“BDDS” means bureau of developmental disabilities services as created under IC 12-11-1.1-1.

"Competency based training" means the learning of taught concepts must be demonstrated through acceptable, observable performance (whether in role playing, or in real time settings when possible,) in addition to passing a written post-test based on the training curriculum.

Competency Based Training is measured and documented by the trainer who is responsible for teaching toward the specific consumer outcomes.

"DDRS" means the division of disability and rehabilitative services as established by IC 12-9-1-1.

“HIPAA” means the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, enacted by the 104th congress of the United States of America.

REFERENCES

IC 12-8-8-4

IC 12-9-2-3

IC 12-11-1.1-1

Employment of Persons with Convictions of Prohibited Offenses and Non-Residency Status policy
Requirements and Training for Direct Support Professional Staff policy

Approved by: Julia Holloway, DDRS Director -

