

**DEVELOPMENTAL DISABILITIES RESOURCE BOARD
OF CLAY COUNTY MISSOURI**

FUNDING POLICY AND PROCEDURE MANUAL

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DEVELOPMENTAL DISABILITIES RESOURCE BOARD OF CLAY COUNTY MISSOURI

FUNDING POLICY AND PROCEDURE MANUAL

AVAILABILITY OF FUNDS

In 1969 the Missouri Legislature passed legislation (Senate Bill 40) to allow Missouri Counties and cities not a part of counties to approve local property taxes to generate locally controlled funds for the delivery of services to persons who are intellectually/developmentally disabled.

The Developmental Disabilities Resource Board (hereafter referred to as the "Board") has the responsibility for the administration and management of special tax revenues generated from a county-wide property mill tax currently set at 12 cents per \$100 assessed valuation.

The Board's fiscal year is from January 1 through December 31. The Board adopts an annual budget in November/December of each year which establishes an allocation plan by which funds are budgeted by administrative and service areas in accordance with priorities set by the Board's goals and objectives.

Agencies seeking funds from the Board should be aware that its funds are limited, and the competition for them is great.

STATEMENT OF BASIC PRINCIPLES OF FUNDING

The following are basic principle statements of the Board concerning the funding of services:

1. The Board desires to enhance, initiate and/or expand services utilizing its funds, without the possible commensurate loss of other sources of funding.
2. The Board recognizes that persons with developmental disabilities of all ages are in need of some type of service. Within the service delivery system there are defined areas of responsibilities pursuant to Local, State and Federal statutory mandates. The Board believes that for the service delivery system to be truly comprehensive in meeting the needs of the developmentally disabled, funding responsibilities must be shared. No one funding source can be expected to effectively meet all the needs of the developmentally disabled. The Board's funding policy concentrates on services that are not provided or the focus of other major public funding sources.
3. The Board may, at its discretion, expend its funds through contractual agreement with not-for-profit agencies, provide direct provision of services or utilize a combination of either method. This includes additional, forfeited or unused funds during each fiscal year.

STATEMENT OF BASIC PRINCIPLES OF FUNDING

4. Clay County mill levy funds shall be used to supplement, not to supplant, all other public and private expenditures. Where possible the Board prefers to provide match (FMAP) to leverage federal dollars rather than supplementing the agency directly.
5. With respect to funding requests for the establishment of new or substantially expanded services, all applicants must demonstrate the need/demand for the proposed service by means of a waiting list verified by the referring or sponsoring entity (i.e., Department of Mental Health, Division of Vocational Rehabilitation) and, if applicable, a needs survey should be conducted within Clay County.
6. In the case of projects for which the applicant is requesting partial funding, applicants must demonstrate the availability and source of other funds other than those requested from the Board for the development and/or continued operation of the proposed service.
7. In order to serve the maximum number of persons with developmental disabilities, the Board desires to use its available funds to leverage other funding sources. To this end, the Board may, at its discretion, request that agencies seeking Board funds consider using their own financial resources and/or other resources in partnership with Board funds.
8. The Board will not utilize funds to assist agencies in retiring their long-term debts. To be considered for funding, the debt must be incurred within the last twelve (12) months.
9. The Board will not, except under special circumstances, approve funds for services rendered/expenses incurred by an Agency prior to the date of Board approval of the Agency's application.
10. The Board reserves the right to establish the conditions and requirements of the funding agreement between the Agency and the Board for approved applications.
11. An Agency that has failed to perform in accordance with the contractual agreement with the Board, on any one project, shall therefore be considered by the Board to be in default on all other projects, and no further funds shall be disbursed until the problem has been resolved to the satisfaction of the Board.
12. The Agency must demonstrate an on-going effort toward publicizing its programs, functions and location to all segments of the community utilizing all feasible media. It is expected that public education materials and media information state that funding is being received from the Developmental Disabilities Resource Board of Clay County.

STATEMENT OF BASIC PRINCIPLES OF FUNDING

13. Agencies are required to submit a Board of Directors membership list showing names, addresses, telephone numbers, term of office including identification of officers. Agencies shall notify the Board of changes in membership in order to ensure the accuracy of Board records.
14. Agencies are required to submit in writing the agency's policies in regard to Travel/Entertainment Expenses. This will include but is not limited to reimbursement for mileage, per diem costs, travel in state, travel out of state, and travel out of the continental United States, policy regarding use of company vehicle for personal use, policy on the purchase of food and alcoholic beverages for business/entertainment meetings and the policy as to the person or persons that review and approve any and all agency travel and entertainment expenses.
15. Agencies requesting funds from the Board shall comply with all requirements as stated in the Board's Funding Policy & Procedure Manual.

BOARD-OWNED REAL ESTATE

1. Buildings constructed or purchased by the Board shall remain the property of the Board unless specific Board action designates otherwise. Buildings may be leased for specific purposes, by written agreement formally agreed to by the Board, with program intentions and maintenance provisions identified therein.
2. The amount of the lease shall be determined on an annual basis unless specific Board action designates otherwise.
3. The Board shall maintain property and general liability insurance coverage on buildings, grounds and Board-owned equipment. The lessee organization shall be responsible for its own organizational liability and property coverage.
4. Lease agreements shall represent a contract for service and shall specify Board action in the event of lessee default or failure to operate the building or program adequately.
5. Maintenance of Board-owned property, or property maintained by the Board according to grant provision, shall be specified and outlined by contract.

ELIGIBILITY REQUIREMENTS

The following policies describe who is eligible to apply for and receive funding from the Board.

I. AGENCY ELIGIBILITY

1. The Agency must be registered as a not-for-profit corporation in the State of Missouri. In the case of not-for-profit corporations in existence for a period exceeding one year,

ELIGIBILITY REQUIREMENTS

I. AGENCY ELIGIBILITY (continued)

- the corporation must be recognized as being in "Good Standing" with the State of Missouri.
2. The Agency shall not discriminate in the hiring or employment of staff on the basis of race, color, national origin, sex, religion, family status or disability.
 3. The Agency shall establish and maintain a system of client rights as provided by Chapter 630, Sections 630.110 through 630.200, RSMo., and the Department of Mental Health's rules and regulations.
 4. The Agency services shall be available to persons without regard to sex, religion, race, color, national origin, family status or disability.
 5. The Agency shall have a Conflict of Interest policy consistent with the Missouri Ethics Commission Chapter 105, RSMo. If a conflict of interest should be identified, a statement of full disclosure should be on record with the Agency.
 6. The Agency's Board of Directors should have representation from the consumer group for whom it provides services.
 7. The Agency should demonstrate that they have a sound financial management system with fiscal management controls and record keeping in accordance with generally accepted accounting principles as promulgated by the American Institute of Certified Public Accountants.
 8. The Agency must demonstrate that they have the programmatic, technical expertise and facilities to accomplish the Agency's stated goals.
 9. The Agency shall meet at a minimum, those mandatory standards promulgated pursuant to Local, State and Federal statutes. Agencies are encouraged to strive to a level of excellence in service beyond that viewed as minimum/mandatory. Agencies which are accreditable by CARF or other applicable accrediting organizations approved by the Board must obtain and maintain that accreditation to receive funding. No funding requests will be honored during the period of non-accreditation. Recertification must occur within six (6) months of the loss of accreditation. Upon completion of the accreditation, an agency may back bill for services rendered only for a period not to exceed six (6) months.
 10. The Agency and/or its services must be located within Clay County. Consideration will be given to those agencies or services located within the Department of Mental Health's Region IV (Platte, Jackson, Ray, Lafayette, Johnson and Cass Counties) when there is reasonable evidence that the service is not readily available in Clay County.

ELIGIBILITY REQUIREMENTS

II. PROJECT ELIGIBILITY

The Board reserves the right to establish the conditions of the funding agreement when funding is provided for a project and/or service.

III. CLIENT ELIGIBILITY

Persons proposed to be served must be **Developmentally Disabled** as defined and outlined below. For the purposes of *Sections 205.968* to , the term

1. "Developmental disability" shall mean either or both paragraph (a) or (b) of this subsection:

A. A disability which is attributable to intellectual disability, cerebral palsy, autism, epilepsy, a learning disability related to a brain dysfunction or a similar condition found by comprehensive evaluation to be closely related to such conditions, or to require habilitation similar to that required for intellectually disabled persons; and

- a. Which originated before age eighteen; and
- b. Which can be expected to continue indefinitely;

B. A developmental disability as defined in section 630.005"Person with a disability" shall mean a person who is lower-range educable or upper-range trainable intellectually disabled or a person who has a developmental disability.1.

2. "Person with a disability" shall mean a person who is lower-range educable or upper-range trainable intellectually disabled or a person who has a developmental disability.

For the purposes of *Section 630.005, RSMo* the terms: "**developmental disability**", a disability which is attributable to:

1. Intellectual disability, cerebral palsy, epilepsy, head injury or autism, or a learning disability related to a brain dysfunction; or

2. Any other mental or physical impairment or combination of mental or physical impairments; and-

A. Is manifested before the person attains age twenty-two; and

B. Is likely to continue indefinitely; and

C. Results in substantial functional limitations in two or more of the following areas of major life activities:

- a. Self-care;
- b. Receptive and expressive language development and use;
- c. Learning;
- d. Self-direction;
- e. Capacity for independent living or economic self-sufficiency;
- f. Mobility; and

ELIGIBILITY REQUIREMENTS

III. CLIENT ELIGIBILITY (continued)

D. Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, habilitation or other services which may be of lifelong or extended duration and are individually planned and coordinated;

Persons with a disability are eligible for facilities and services under ***RSMo. 205.968 - 205.972*** regardless of age; except that individuals employed in sheltered workshops must be at least sixteen (16) years of age.

Client Eligibility Determination Requirement

Persons proposed to be served must be evaluated and determined eligible for services through the Kansas City Regional Office / Department of Mental Health prior to participation in any Board-funded service.

Resident

Definition of citizens eligible for assistance from the Board, is a developmentally disabled person:

1. whose true, fixed permanent home is in Clay County; or,
2. who, if living in a facility for the disabled, public or private located in Clay County with the present intent to remain; or,
3. whose parent(s) (in the case of a minor), or legal guardian or conservator is presently residing in Clay County with the present intent to remain; or,
4. if of age, and posing "legal rights", the individual DD person of their own volition chooses to reside in Clay County.

Provided, however, that the Board may render assistance to persons with developmental disabilities who do not come within the definition of resident as set out above on a case-by-case basis, if the Board finds that such individual has a relationship to Clay County which, in the interest of justice and equal treatment, permits the Board to give such assistance.

Limitations to Services

The Board may, in its discretion, impose limitations with respect to individuals to be served and services to be provided. Such limitations shall be reasonable in the light of available funds, needs of the persons and community to be served as assessed by the Board and the appropriateness and efficiency of combining services to persons with various types of handicaps or disabilities.

FUNDING CLASSIFICATIONS AND RELATED POLICIES

The Board's primary way of impacting the service delivery system is through agencies that request funds for a variety of purposes and projects. There are three basic forms of funding resources available from the Board: (I) Purchase of Service (POS), (II) Grants and (III) Federal Medical Assistance Percentage (FMAP). The purpose of this section is to define and set forth policies regarding these areas of funding classifications.

I. PURCHASE OF SERVICE (POS)

Definition

The Board will contract with eligible agencies for specific well-defined units of service provided to individuals with developmental disabilities residing in Clay County for a mutually agreed to unit cost.

Statement of Policies

The Board will purchase services at a mutually agreed to unit cost and shall sign a Purchase of Service (POS) Contract with the Agency stating the amount of funds awarded, the effective time period of the award, the services to be delivered utilizing the funds and any additional conditions, stipulations, or contingencies attached to the award.

The Board requires an annual or project-end audit which will certify true and actual unit cost in accordance with generally accepted accounting principles as promulgated by the American Institute of Certified Public Accountants.

The Board will consider adjustment of the funds expended for services, either overpayment or underpayment due to a change in the client base. If an agency serves more persons than budgeted, the Board may grant more money than allocated in the current budget. If an agency serves fewer persons than budgeted, the Board may reduce the agency's budget and redirect the funds to another purpose.

Agencies are required to access and utilize all possible payment sources (i.e. the client, client's guardian, client's estate or persons obligated to pay for services rendered to the client, insurance, Medicaid, social security, etc.) when available prior to expenditure of Board funds.

FUNDING CLASSIFICATIONS AND RELATED POLICIES

II. GRANTS

The Board may, among other things, provide funds to eligible agencies for expenses related to the following categories:

Definitions:

Equipment/Furnishings

Those items of equipment/furnishings that have a useful life of more than one year.

Start-up/Demonstration Service Projects

Funds for the establishment of new, innovative and heretofore non-existent programs within the service system. The Board will consider the granting of funds for a period of one-year, renewable for two additional one-year periods: up to 100% first year, up to 66% second year, and up to 33% third year, or as mutually agreed to on a project-by-project basis.

Impact Projects

Funds to develop and implement activities that impact the quality of the service delivery system i.e., Staff and Board Training, Community Awareness/Public Education, Coordinating and Networking of Systems.

Technical Assistance

Funds are provided to contract with appropriate consultants to assist agencies in specific development of Board funded projects (i.e., attorneys, architects, housing consultants, etc.).

Management In-Service Training

Funds to assist agencies in the development of a coordinated, comprehensive in-service training program.

Community Awareness/Integration

Funds for activities scheduled to encourage productive use of leisure time with social and recreational activities at locations throughout the community. Programs should be designed to encourage growth in social, physical, intellectual and/or emotional areas. Activities scheduled are for those persons attending developmental pre-workshop and educational programs, work activity, sheltered workshop and residential facilities including those in community employment and training situations.

Capital Improvement

Facility purchase, construction, renovation, expansion, repair and/or building modification to the Agency's leased/owned real estate property. To be eligible to request a facility capital improvement, the costs of the project must be \$2,000 or more. If less than \$2,000 the cost should be requested under facility repair/maintenance.

Facility Repair/Maintenance

Applies to those repair and maintenance costs to the Agency's leased/owned real estate property which are less than \$2,000.

FUNDING CLASSIFICATIONS AND RELATED POLICIES

II. GRANTS

Definitions (continued):

Equipment/Furnishings

It is at the Board's discretion to approve these requests on a case-by-case basis.

Agencies must make all reasonable attempts to access other resources, such as grant writing and fund raising prior to submitting a request for Board funds for Equipment/Furnishings.

The Board requires that three quotations or three bids be obtained and submitted by the Agency when requesting funds for purchase of equipment and furnishings if the cost is over \$2,000. Written specifications are required in sufficient detail to assure consistent response to the bid request.

Equipment/Furnishings with a unit cost of less than \$2,000 for which funds are being requested require that a minimum of three prices be solicited. Formal written specifications are not required.

The Board requires that all equipment/furnishings purchased with Board funds be depreciated on the books of the Agency, per accepted accounting procedures.

The annual funding application shall include a schedule of fixed assets purchased with funds from the Board and shall include a depreciation schedule.

Agencies shall not sell, trade, reassign or otherwise dispose of equipment/furnishings purchased with Board funds without notifying the Board at least 30 days before disposal. If equipment has been in the Agency's possession for five (5) years or less, Agency must obtain Board approval before selling, trading, reassigning or otherwise disposing of equipment/furnishings purchased with Board funds.

It is at the Board's discretion to approve these requests on a case-by-case basis.

Agencies must make all reasonable attempts to access other resources, such as grant writing and fund raising prior to submitting a request for Board funds for Capital Improvement/Facility Repair & Maintenance.

Capital Improvement / Facility Repair & Maintenance

The Board requires that three quotations or three bids be obtained and submitted by the Agency when requesting funds for Capital Improvement. Written specifications are required in sufficient detail to assure consistent response to the bid request.

FUNDING CLASSIFICATIONS AND RELATED POLICIES

II. GRANTS

Statement of Policies

Capital Improvement / Facility Repair & Maintenance (continued)

Capital Improvement / Facility Repair & Maintenance (continued Facility Repair & Maintenance with a unit cost of less than **\$2,000** for which funds are being requested outside of the budget process require that a minimum of three prices be solicited. Formal written specifications are not required.

If applicable, the annual funding application shall include a schedule of Capital Improvement Facility Repair & Maintenance items purchased with funds from the Board and shall include a depreciation schedule.

The Board and/or its agents reserve the right to review and approve all contractual agreements related to proposed projects involving capital improvement and facility repair/maintenance i.e., architect, contractor, lease, purchase contract, etc.

The Board and/or its agents reserve the right to review and approve all project plans involving capital improvement and facility repair/maintenance, including but not limited to design, cost, regulatory requirements, zoning issues and proposed services when the funds for the improvement have been provided by the Board. Any variance from said project plans originally approved by the Board are subject to review and approval by the Board prior to implementation.

The Board and/or its agents reserve the right to monitor the progress of the capital improvement and facility repair/maintenance projects when the funds for the improvement have been provided by the Board, and at its discretion, to certify satisfactory percentage of completion prior to funds disbursement.

Management In-Service Training

Agencies applying for funds for Management In-Service Training shall adhere to the following policies:

Annual submission of a line item entry on the budget application form, or completion in advance of the Board's funding request form outlining the reason for training, identities of those staff and their positions who will be attending the training and a statement of commitment to report back to the Board with an evaluation of the program.

Training Eligibility

Training programs for direct care staff employees who deal with the following topics: Personnel Management, Client Financial Management, Personal Management Skills and Programmatic/Client Care Skills.

The Board may also entertain requests for Board Volunteer Training, Fundraising Skills, Working within the Governmental System, Strategic Planning Skills and Financial Management Skills.

FUNDING CLASSIFICATIONS AND RELATED POLICIES

II. GRANTS

Statement of Policies

Conference Eligibility

Those conferences, local, state or national which are sponsored by one of the following professional groups may be eligible for training funds provided by the Board: AAIDD, CARF, ARC, MACDDS, Missouri Association of Sheltered Workshop Managers, plus other applicable conferences held within the State of Missouri.

The Board has the option to limit the amount of funding awarded per training program and/or per Agency.

Agency must complete the Board's funding request form which gives a brief description of the program, location, number of persons attending and estimated costs.

The Board has the option to limit the amount of funding awarded per seminar/conference.

All conference and training programs must be included in the Management in-Service Training funding request and must include a brief description of the program, location, number of persons attending and estimated costs.

CARF conference expenses must be included in the Management in-Service Training funding request.

CARF on-site surveys will be reimbursed at the actual current cost and must be included in the Management in-Service Training funding request.

III. Federal Medical Assistance Percentage (FMAP)

Definiton

The United States government allows states and political subdivisions to pay a percentage (approximately 40%) toward assistance for people qualified for Medicaid. This allows the political subdivision (DDRB) to pay approximately 40% so the agency supported is entitled to 100% reimbursement for services rendered.

Statement of Policies

Residential, day program, sheltered workshop and transportation services qualify for FMAP. Agencies desiring FMAP only must submit an annual request for continued contributions by the Board on their behalf.

FUNDING CLASSIFICATIONS AND RELATED POLICIES

III. Federal Medical Assistance Percentage (FMAP)

Statement of Policies (continued)

1. The Agency shall, on an annual basis established by its Board, approve an operating budget for its fiscal year.
2. The Agency shall establish the overall cost of general administration of the organization. These costs shall be allocated on a formula basis and spread equitably to all cost centers within the Agency. It is recommended that these administrative costs usually should not exceed 15% of the total Agency operating budget.
3. The Agency's fiscal management controls and record keeping shall be in accordance with generally accepted accounting principles as promulgated by the American Institute of Certified Public Accountants.

GENERAL FISCAL MANAGEMENT POLICIES EXPECTED OF AGENCIES REQUESTING FUNDING

Agency Accreditation

Agencies which are accreditable by CARF must obtain CARF accreditation and maintain that accreditation. If agencies are not accreditable by CARF because of the type of service they provide, they are to follow the same timelines with a comparable appropriate monitoring Agency where available.

Any Agency newly accepted for funding must apply for CARF or other applicable accreditation and have that accreditation in place at the time of their application in order to be considered for future funding.

Inventory Control

The Agency shall identify and maintain accurate inventory control procedures of equipment/furnishings purchased with Board funds.

1. The Agency shall complete the Board's "Equipment and Furnishings Inventory Control Record" on an annual basis and furnish one copy to the Board office. All non-consumable furnishings and equipment items purchased with Board funds having a useful life of more than one year and an acquisition unit cost of \$2,000 or more, must be listed on this record.
2. The Agency shall maintain a control system to insure adequate safeguards to prevent loss, damage or theft of the property. Any loss, damage or theft of non-consumable property purchased with Board funds shall be investigated by the Agency with written documentation of the investigation findings submitted to the Board office in writing, including a statement as to how the Agency intends to replace the item.

GENERAL FISCAL MANAGEMENT POLICIES EXPECTED OF AGENCIES REQUESTING FUNDING

Record Retention

The Agency shall maintain copies of client service records which specify the name of the client, legal address, client age, the number of units of service rendered, the dates service was rendered and the per-client cost. Said records shall be maintained by the Agency for no fewer than seven years.

Audit

Agencies shall furnish the Board with an annual and/or project end full scope audit by an independent firm or individual licensed by the Missouri Board of Accountants. This audit shall provide a complete accounting for the Board funds expended by the Agency for the project. This audit report shall be examined in accordance with generally accepted accounting principles as promulgated by the American Institute of Certified Public Accountants.

Audit reports or financial statements shall be submitted to the Board within 180 days of the project ending date, or Agency fiscal year-end.

Agencies shall make available to the Board upon request, copies of audit reports including management reports conducted by other funding sources or in accordance with other funding/regulating authorities' requirements.

Insurance

It is required that agencies obtain appropriate insurance to protect the organization from acts of theft from staff, acts of omission of the Directors and Officers and/or acts of negligence/liability by Agency agents. It is also required that the Agency will have and maintain all necessary comprehensive property insurance to assure replacement of the Agency's capital assets. Both comprehensive and liability insurance must have the Board named as an additional insured.

APPLICATION FOR FUNDING PROCESS

The following outline provides an overview of the steps that occur from the time the Board announces requests for applications to the time of Board action concerning the applications.

I. APPLICATION ANNOUNCEMENT

The Board announces Requests for Applications:

Applicants contact the Board office for a copy of the Funding Policy and Procedure Manual, blank application forms and appropriate instruction. The Board accepts funding applications based upon the following schedule, or as announced on an annual basis:

1. Applications available from Board office - August/September
2. Applicants must complete all applicable forms.
3. Submit completed Applications for Funding (10 copies) and make a brief Agency presentation to full Board - September/October Board Meeting
4. Finance Committee review of Application for Funding Month of October/November
5. Committee recommendations to full Board and contracts approved November/December Board Meetings.

II. APPLICATION REVIEW BY BOARD COMMITTEE

The Finance Committee of the Board will meet to discuss the application and to formulate its recommendation to the full Board. The applicant's attendance at the committee meeting may be requested by the committee for the purpose of obtaining additional information/clarification. The committee may, after consideration of the application, wish to propose modifications to the application. The committee will submit its recommendation regarding the application to the Board.

III. BOARD ACTION ON APPLICATION

The full Board votes on the motion, taking one of the following actions:

1. Approve application as recommended by committee.
2. Disapprove application as recommended by committee.
3. Approve or disapprove application contrary to recommendation of committee.
4. Table the motion and refer back to committee for further review, clarification and/or obtaining additional information from applicant and return to the Board with recommendation for Board action. The applicant is notified in writing of the Board's decision. The decision of the Board is final unless the Agency exercises its rights under the Board's Grievance Procedure.

GRIEVANCE PROCEDURE

1. If an Agency feels the Board has:
 - a. taken action which was not in keeping with stated policies or
 - b. action was taken without the full facts available;
2. then said Agency may submit a written Grievance request to the Board's Executive Committee. The Agency should submit a written explanation of the specified issues being appealed to the Chairman of the Board.
3. Upon receipt of the appeal, a copy will be sent to the Board's office personnel and the Chairperson of the appropriate Board committee.
4. The Committee Chairperson, with assistance from the Board's office personnel, shall provide the Board Chairman a written report of the Committee's action and rationale for the recommendation of the Agency's application in question. This report shall be submitted to the Board Chairman within ten (10) working days. Within ten (10) working days after receipt of the Committee's report, the full Executive Committee shall meet to discuss the question. Representatives of the Agency may be asked to present their case.
5. The Executive Committee shall make its recommendation known to the Agency and the full Board at the next regularly scheduled Board meeting.
6. The decision of the Board on all grievances is final.

CONTRACTUAL AGREEMENTS

General Information

Award of Funds

Immediately following approval of an Application for Funds, written notification will be given to the Agency, specifying the Board approved motion, the date of the motion and any conditions of the motion. Funds approved pursuant to the Board motion are reserved as an encumbrance for each approved project.

Execution of Contractual Agreement

A contractual agreement will be drafted stating the amount of funds awarded, the effective time period of the award, services to be delivered utilizing the funds and any conditions, stipulations or contingencies attached to the award.

1. A draft contract will be submitted to the Board for review and approval.
2. The Board Chairman will sign an original and one copy of the contractual agreement.

CONTRACTUAL AGREEMENTS

Execution of Contractual Agreement (continued)

3. The original and copy will be forwarded to the Agency for review and signature of the Agency's Board Chairman. The Agency shall return the original to the Board office within thirty (30) days of the date of receipt and maintain the other copy for their files.
4. Funds encumbered will not be disbursed until such time as the signed contractual agreement is on file in the Board office and all conditions set forth as contingencies of receiving funds have been met to the satisfaction of the Board.

Effective Time Period

Normally, the contractual agreement will be in effect for one year. The Agency must demonstrate implementation of the approved project within three months of the effective beginning date of the agreement or shall show just cause why this cannot be accomplished. Failure to comply with this requirement will be deemed failure to perform.

Failure to Perform

In the event the Agency at any time fails or refuses to perform according to the terms of the contractual agreement, the Board will be relieved of any obligation to make payments as set forth on said contractual agreement.

1. In cases of perceived failure to perform, the Board's office personnel shall communicate to the Agency that a problem exists. The Agency will be asked to provide information and an explanation as to the causes of the problem. The Board's office personnel will report in writing to the appropriate Committee for its review and direction for further action. The Agency shall receive in writing, notice of the Committee's decision.
2. In the event failure or refusal to perform has been determined, this notification shall include a statement of the requirements of the contractual agreement with which the Agency is in non-compliance, the effective date of termination of payment and (if required) re-payment terms of disbursed Board funds.
3. In the event failure or refusal to perform has been determined, this notification shall include a statement of the requirements of the contractual agreement with which the Agency is in non-compliance, the effective date of termination of payment and (if required) re-payment terms of disbursed Board funds.
4. The Agency may submit a plan of correction to the committee within ten (10) working days of receipt of written notification of termination. The plan of correction must include specific actions of the Agency to correct or amend the areas of non-compliance, and a specific time frame for such actions. Failure to submit a plan of correction shall be considered failure/refusal to perform.
5. The appropriate Board Committee shall review and take action regarding the plan of correction at its next regularly scheduled meeting.

CONTRACTUAL AGREEMENTS

Failure to Perform (continued)

6. The Agency shall be given written notification of the Committee's decision within ten (10) working days.
7. If the Committee accepts the plan of correction, funds shall be suspended until such time as all actions specified in the plan of correction have been carried out within the prescribed time frame.
8. Committee may modify or reject the plan of correction. Agency must agree with Committee's modifications or show cause why modifications cannot be accepted. Committee may proceed with recommendation of contract termination if a plan of correction cannot be agreed to by both parties.
9. The appropriate Board Committee shall, during the above process, keep the full Board informed of its decisions. Committee must present recommendation for contract termination and/or modification to the full Board for review and approval. All decisions of the Board are final.

INVOICING AND PAYMENT PROCEDURES

General Information

A signed Contractual Agreement must be on file in the Board office and all conditions set forth as contingencies of disbursement of funds met to the satisfaction of the Board prior to authorization of expenditures.

In most circumstances, Board funds will be utilized to reimburse agencies for expenditures for approved services. The agency contract for services will reflect payment schedule details (monthly, quarterly, etc.).

Agencies requiring approved Board funds as an advance to meet project expenses must request exception to the above procedure at the time of negotiation of the Contractual Agreement. The Board reserves the right to review and authorize such requests. Requests for payment shall be made on the Board Invoice Form by approved line item category based on the Agency's projection of funds needed. Under no circumstances will funds be released as an advance for a period greater than one quarter (three months). Board funds disbursed in accordance with the Contractual Agreement but not expended by the Agency at the ending date of the Contractual Agreement or project, shall be repaid to the Board within thirty (30) days of the ending date of the agreement/project unless otherwise specified by the Board.

Funds awarded to an Agency, with the exception of Purchase of Service (POS) projects, will be designated by categorical line items. Agencies shall be limited to expenditures not to exceed the amount specified for each line item.

INVOICING AND PAYMENT PROCEDURES

General Information (continued)

Line item adjustments, although not encouraged, may be made within the following process:

1. The Agency, in writing, requests a Contract revision, giving a detailed explanation for the readjustment.

The request will be considered based upon the following:

1. There are reasonable and justifiable facts to warrant approval of the request.
2. The request does not change the overall intent of the project.
3. The adjustment requested does not change the total amount approved for the project.

Written notification of the Board's decision will be sent to the Agency.

Prior approval must be obtained from the Board for all line item transfers.

All requests for payment shall be submitted in writing with documentation as specified in the contract for services.

Invoices received by the Board between the 16th - 31st of the month will be processed by the 15th of the following month. Invoices received between the 1st - 15th of the month will be processed by the last day of the same month.

The invoice processing deadline does not apply to disbursements for capital improvement work. Those invoices will be processed upon receipt or in accordance with the disbursement agreement.

Unless prior arrangements are made with the Board, requests for payments should be received within sixty (60) days of services performed, otherwise payment for such services will not be honored.

Conditions of all Board reporting requirements must be satisfied prior to release of any Board funds.

Upon Board review and verification that all conditions have been satisfactorily met, the request will be authorized for payment.

If direct services to Board eligible clients are rendered through contractual agreement with another vendor, Agency shall submit the vendor's signed original invoice including a listing of clients to whom the service was rendered, clients' legal address, clients' age, the date(s) service was rendered, the number of units of service, the unit cost if applicable, and written verification from the Agency that services were rendered as specified.

INVOICING AND PAYMENT PROCEDURES

Equipment/Furnishings and Facility Repair/Maintenance

Bids for these items must be done according to Board policy, and the bids must be on file with the Board before funds can be disbursed.

Agency shall submit the Board Invoice of Expenditures and the Board Equipment and Furnishings Inventory Control Form.

Agency shall submit a copy of the supplier's invoice with indication of Agency's check number and date of check written on said copy.

When requesting balance of payment on an equipment/furnishings item(s), Agency must verify that item(s) have been received, installed and are in satisfactory condition/working order.

Agency is required to submit an annual equipment inventory to the Board.

Technical Advisors/Consultant Fees

Agency shall submit the consultant's original signed invoice, a signed log provided by the consultant detailing the date(s) service was rendered, a description of the service rendered, the amount of time (hours) expended in performing services and written verification from the Agency that services were rendered as billed and in a satisfactory manner.

Project Specific Information

Capital Improvement

Disbursement of funds for capital improvement will require the following:

1. Contractors' original signed invoice, detailing work performed and cost.
2. Architect of record Certification for Payment.
3. Contractor's lien waiver(s).

The Board reserves the right to require through its staff and/or consultants/agents, verification of satisfactorily completed work prior to disbursement of funds.

Purchase of Service

Agency shall submit a listing of client names to whom the service was rendered, legal address, social security number, the date(s) service was rendered and the number of units of service provided. The Board may require detailed documentation of specific information on a monthly basis beyond that listed above.

MONITORING

General Information

All organizations performing services for the Board will enter into a contract for services.

As indicated in the Board Contractual Agreement, the Board staff and/or its designees will conduct on-site visits to the Agency for the purpose of monitoring projects receiving Board funds.

The goals of monitoring are twofold:

1. It allows the Board to measure the progress of the Agency in meeting objectives set forth in the project proposal.
2. It affords the opportunity for open communication between the Board and the Agency with respect to project evaluation, identification of service gaps and creation of services to meet client needs and technical assistance to agencies regarding enhancement of service delivery.

It is important for agencies to understand that the function of monitoring is one of a constructive nature. The primary objective of monitoring involves assurance of appropriate utilization of Board funds and provision of services in keeping with the Agency's approved proposal. Another objective of monitoring is to advocate for the delivery of quality services to persons with developmental disabilities. The Board or its staff will review the Agency's progress toward completion of identified goals and objectives and per the Contract for Services.

The staff or the designees conducting an on-site visit may conduct an exit interview with Agency/staff for the purpose of sharing the findings of the review and making suggestions for corrective action if indicated.

Where indicated, the staff of the Board may contact those agencies involved with the monitoring of clients and/or services of the Board funded projects to obtain their impressions of the projects (i.e., Department of Mental Health, Division of Vocational Rehabilitation, Department of Elementary and Secondary Education, Department of Family Services, consumer groups, etc.).

In accordance with Board Contractual Agreements, agencies shall make available copies of regulatory authorities reports/findings (i.e., MMAC, CARF, DMH, DESE, VR, etc.) to Board staff for review.

Agencies will be required to submit a quarterly project report for all projects and a quarterly (year-to-date) financial statement, which may include, but not be limited to Agency and/or project Income and Expense Statement including actual to budget comparison and a Balance Sheet.

For approved Purchase of Service (POS) and Grant Application for Funds, the Agency shall submit resident eligibility determination application with the first invoice of expenditures and thereafter when clients are added and/or deleted to the service/program.

CONFIDENTIALITY

The Board has an obligation to protect the privacy and dignity of consumers of Board-funded services by insuring that confidentiality of consumer information is maintained. The Board, in conducting its monitoring function, will not discuss a consumer or his/her information with any person who is not involved in the funding of services or care and treatment of the consumer.