



SERVING, EMPOWERING AND
SUPPORTING MISSOURIANS
TO LIVE THEIR BEST LIVES.

Individual Rights Consultation Procedure and REDCap Demo

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Agenda

- 👤 Purpose of the Individual Rights Consultation (IRC)
- 👤 IRC Procedure
- 👤 How to make an IRC referral
 - 👤 Demo of REDCap

Purpose



To ensure people receiving Home and Community Based Services (HCBS), and their Person-Centered Care Planning (PCCP) team are given the opportunity to receive consultation, training, and/or technical assistance regarding individual rights and due process components.

Referrals

- 👤 Referrals can be made when:
 - 👤 Interventions are proposed that limit an individual's rights and the PCCP team needs assistance or consultation,
 - 👤 The Due Process Committee identifies concerns of incomplete requests, prohibited practices, or the request lacks justification of components with the plan preventing it from moving forward, or
 - 👤 Rights restrictions are discovered without due process through monitoring or other regulatory actions.

Who Is Able to Make A Referral?

 Individual,

 Any member of their PCCP team,

 Support Coordinators,

 Division staff, or

 Due Process Review Committee
Chair (DPRC).

Consultation

- 👤 The QPS Lead will review the referral information and assign a QPS within 3 business days.
- 👤 The QPS will review the referral information and contact the requester via email or phone, within 5 business days from the date of the assignment.
 - 👤 The QPS will attempt contact by phone and/or email, with an alternative communication method tried if the attempts are unsuccessful.
 - 👤 If there is no response made within 14 business days of the initial referral, the referral will be closed out and the QPS will send notification to the requestor of referral closed due to non-contact.

Consultation


- 👤 The QPS provides consultation, training, and/or technical assistance as requested to the person making the referral and other members of the PCCP team as applicable.

Consultation

The QPS will:


 Respond to request

 Encourage the use of positive behavior supports and least restrictive interventions

 Be the point of contact for the individual, guardian (if applicable), PCCP team, and subject matter experts (SME) when requested

Consultation

The QPS will:

-  Assist the planning team to enhance the ISP when the team is having difficulty with a specific component, there is uncertainty about documentation requested, or when a due process request is declined by the DPRC due to lack of information or justification

Consultation

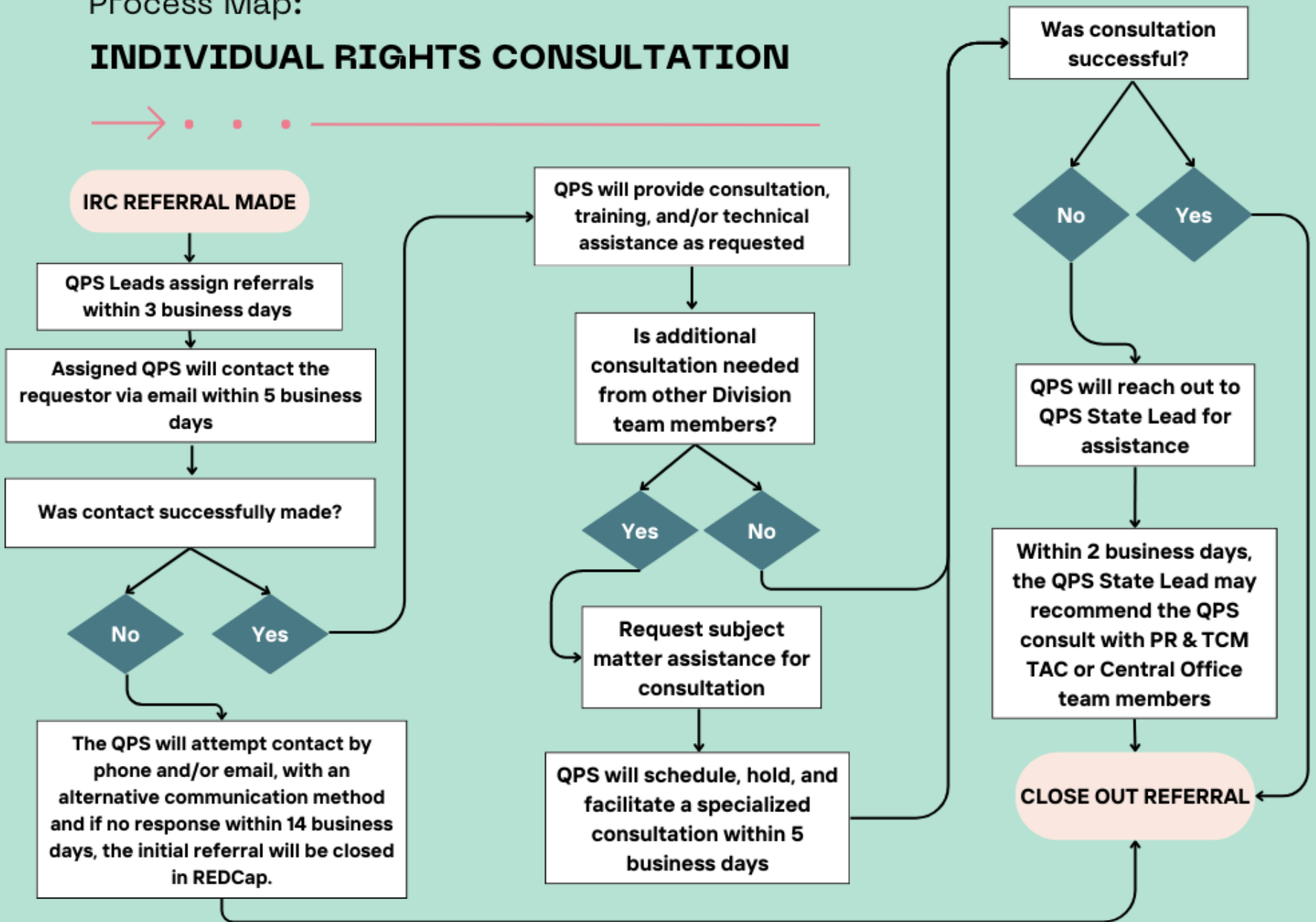
- 👤 In scenarios where additional consultation is needed from other Division team members, the QPS will consult with the QPS State Lead, if applicable, then request subject matter assistance for consultation
- 👤 The QPS will schedule, hold, and facilitate a specialized consultation with the SME and applicable PCCP team members within 5 business days.

Resolution

- 👤 If resolution cannot be achieved, the QPS reaches out to the QPS State Lead for assistance. Within 2 business days, the QPS State Lead may recommend the QPS consult with:
 - 👤 The Division's Provider Relations and Targeted Case Management Technical Assistance team for identified trends or provider concerns, or
 - 👤 Applicable Central Office team members for additional support.

Process Map:

INDIVIDUAL RIGHTS CONSULTATION



How to Make a Referral



Demo of REDCap

[Individual Rights and Due Process | dmh.mo.gov](https://dmh.mo.gov)

Individual Rights and Due Process

There are occasions when an individual who is supported through the Department of Mental Health may require some type of intervention that limits or restricts their protected rights and/or ability to fully participate in their community and other activities. Due process is the procedure that protects individuals from *undue* restrictions and limitations of their rights.

On these occasions, the individual and their support team submit a plan to be reviewed by a Due Process Review Committee. The plan includes specific components to ensure the individual has been given the opportunity to make an informed decision and to consent to the intervention, and it establishes a clear plan is in place that specifies exactly how this individual will have their rights fully restored. If the Committee determines that due process has *not* occurred, the plan will be referred to an Individual Rights Consultant for education and/or technical assistance.

Due Process Review Committee Referral 

Rights Consultation Request 

Individual Rights Resources 



Rights Consultation Request



Individual Rights Consultants (IRCs) assist individuals and their interdisciplinary support teams in a variety of ways. The consultation that individuals and teams receive are individualized to the needs of the individual, the team, and the recommendations of the Due Process Committee (if applicable). Following are just a few examples of how IRCs can help:

- Assist teams in identifying rights restrictions and determining if a proposed intervention is the least restrictive and least intrusive for the individual;
- Explore ways to ensure that the individual and/or guardian are part of the planning process;
- Explore possible support strategies that could be helpful to assist the individual in developing the skills necessary to restore their rights and make referrals when appropriate;
- Identify appropriate monitoring and data collection methods to determine the efficacy of the intervention;
- Assist in the development of specific, observable, and measurable restoration criteria;
- Set an appropriate schedule for the review of data to determine if the restriction continues to be necessary; and
- Explore ways to ensure that the individual and/or guardian are provided the information necessary to make a decision about providing their consent, as well as what to do if they do not agree with the restrictions or interventions proposed by the planning team.

The ultimate goal of the IRCs is to build the capacity of teams and coach them to more independently navigate due process for rights limitations and restrictions for individuals.

[IRC REDcap Link](#)



www.dmh.mo.gov/dev-disabilities

MISSOURI DEPARTMENT OF MENTAL HEALTH

AAA



Individual Rights & Due Process Consultation Request

Please fill the form below to request consultation or training regarding individual rights and components of due process.

Date of Request:

12-22-2023 M-D-Y

Primary Regional Office:

* must provide value

- Date is auto populated.
- The date begins the Timelines

First Name:

enter first name

Last Name:

enter last name

Contact Email:

abc@email.com

Contact Phone:

555-555-5555

Is this request for a:

* must provide value

- Training
- Consultation
- As a result of DPRC review

[reset](#)

Document Upload (If applicable):

[Upload file](#)

Submit

- Need Most Up To Date Contact Information

- Type of Request Leads to Different Responses

- Can Upload Documents if applicable

Training

* must provide value

Training

Consultation

As a result of DPRC review

reset

Please indicate the areas of due process training that are being requested.

Components in general

CMS assurances

How to identify restrictions

How to write the referral in layman's terms

Determining when a restriction is applicable

How to have conversations with the support team about rights and the authority related to them

Examples of a successful referral

Other



Consultation

Is this request for a:

* must provide value

- Training
- Consultation
- As a result of DPRC review

res

Please indicate the potential rights limitation or restriction.

- Communication
- Community Access
- Environment
- Food
- Freedom from Search
- Freedom of Movement
- Limitation Due to Roommate
- Media
- Personal Funds
- Personal Possessions
- Privacy
- PRN Medication
- Relationships
- Restrictive/Intrusive Equipment
- Sharp Objects
- Supervision Level
- Use of Medication
- Tobacco
- Visitation
- Other

Do you wish to further select the components of due process for which the consultation is being requested?

- Yes
- No

Consultation Continued

Do you wish to further select the components of due process for which the consultation is being requested?

- Yes
 No

res

Please indicate the components of due process that consultation is being requested:

- Identifying the restriction or limitation including under what conditions it will be implemented
- Purpose and justification for the restriction or limitation
- Developing teaching strategies
- How to put supports in place
- Methods for monitoring and data collection
- How to document criteria for restoration
- Review schedule guidelines
- How to inform the individual of the right to due process



As a Result of DPRC review

Is this request for a:

* must provide value

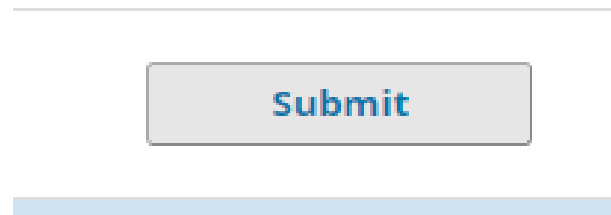
- Training
- Consultation
- As a result of DPRC review

Please indicate the potential rights limitation or restriction. Check all that apply

- Communication
- Community Access
- Environment
- Food
- Freedom from Search
- Freedom of Movement
- Limitation Due to Roommate
- Media
- Personal Funds
- Personal Possessions
- Privacy
- PRN Medication
- Relationships
- Restrictive/Intrusive Equipment
- Sharp Objects
- Supervision Level
- Use of Medication
- Tobacco
- Visitation
- Other

Don't Forget to Submit

Once the required information has been entered/selected, the person making the request will click on the Submit button at the bottom of the screen.



Thank you for the Due Process request. Below are resources to consider while waiting on a response from the Division's Quality Program team member.

1. MODD Self Registration [Portal](#) (Relias) DPC training. On the Course Library page enter "Due Process" in Search field for 5 trainings.
2. [Individual Rights](#)
3. [Due Process Guide](#)
4. [Due Process Handout for Individuals and Families](#)
5. [Due Process Handout for SCs and Providers](#)
6. [MO Family 2 Family](#)
7. [Knowing Your Rights](#)
8. [Talking Point Series](#)
9. [Support Coordinator Manual Training Series](#) section SCM-J How to Make a Due Process Referral: Required Components

Next Steps



- 👤 To submit an Individual Rights Consultation request, use the [link](#) located on the Division's [Individual Rights and Due Process webpage](#) under Rights Consultation Request.
- 👤 The Provider Portal (REDCap) will open on September 12, 2024.



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Thank You