

V.F.2 Case Management monitoring provision has remained in non-compliance throughout the implementation of the settlement agreement.

[1st Independent Reviewer Report to Court](#) December 2012, page 10

Steps that must be taken to make progress toward compliance:

- monitor implementation of the ISP to ensure timely additional referrals for medical professionals (e.g. dental examination, nutritional assessment), day services, and communication; to ensure that all individuals were receiving the supports identified in the ISP; and to ensure that staff are aware of and monitor the major side effects of psychotropic medications, including for tardive dyskinesia;
- ensure that all ISPs include objectives that are measurable and focused on the development of skills for increased independence; and
- ensure that all providers and staff provide sufficient habilitation to teach individuals skills and competencies that increase self-sufficiency and independence.

[2nd Independent Reviewer Report to Court](#) June 2013, page 31

It continues to be the Reviewer's opinion that significant improvements are necessary to accomplish both the Agreement's required performance standards for case management and the long-term goals of the Agreement. Needed improvements include, but are not limited to, developing and discussing employment goals and supports and offering supported employment, offering integrated day opportunities, providing assistance to access services, convening the individual service planning team to address changes in status, and monitoring the ISP to make referrals, service changes, and amendments as needed. Note: see pages 56 and 57 for more information about case management.

Progress in complying with these requirements and the case management provisions in Section V of the Agreement will be prioritized for monitoring during the third review period.

[3rd Independent Reviewer Report to Court](#) December 2013, page 25

The objective to measure the content of the face-to-face visits is scheduled for accomplishment in March of 2014. The Draft ECM (Enhanced Case Management) onsite report appears a good first step to address this requirement. The Draft ECM currently addresses twenty-three items to be assessed in face-to-face visits with the individual. It is "optional" to CSBs at this time.

[4th Independent Reviewer Report to Court](#) June 2014, page 21

The individual study this review period found that 7 (64%) of 11 individuals did not have an individual support plan modified as necessary, and 8 (100%) individuals with maladaptive behaviors with significant negative consequences did not have needed behavioral support services.

[5th Independent Reviewer Report to the Court](#) December 2014, page 26

Of individuals studied during the prior two periods: 12 (64%) of 18 individuals did not have an individual support plan modified as necessary. During the fourth review period 8 (100%) individuals with maladaptive behaviors with significant negative consequences did not have needed behavioral support services. DBHDS plans to implement changes in the ISP, case management review and training of case management supervisors during the next review period.

[6th Independent Reviewer Report to Court](#) June 2015, page 31

The IR determined that of the individuals studied during the fourth and fifth review periods: 12 (64%) of 18 individuals did not have an individual support plan modified as necessary. DBHDS has described several changes in initial implementation: changes in the ISP, monitoring changes, and training of case management supervisors. The Commonwealth expects that meaningful changes in the ISP will be evident after the next review period.

[7th Independent Reviewer Report to Court](#) December 2015, page 29

DBHDS is making substantive changes to the ISP process, ISP monitoring, the training provided to ID case managers, and the changes related to the DD case management through the HCBS waiver restructure. The Commonwealth expects that meaningful changes in the ISP will be evident at the end of the next review period.

[8th Independent Reviewer Report to Court](#) June 2016, page 33

The case management study found that 19 (83%) of 23 individuals reviewed were recommended for day support programs. They were not offered services in integrated settings appropriate to their needs. Of these 19, 3(15.8%) were not offered services consistent with the individuals' strengths and preferences.

[9th Independent Reviewer Report to Court](#) December 2016, not studied

[10th and 11th Independent Reviewer Reports to Court](#) December 2017, page 29

The study of case management confirmed a high percent of discrepancies between the services individuals are receiving and those described in his/her ISP. All essential supports were not listed in the ISP. The behavioral supports study found that inadequacies in implementation of BSPs had not been identified, or corrective actions steps had not been taken.

[12th Independent Reviewer Report to Court](#) June 2018, not studied

[13th Independent Reviewer Report to Court](#) December 2018, not studied

[14th Independent Reviewer Report to Court](#) June 2019, pages 28 and 7

The Case Management study of thirty-five individuals found that the DBHDS initiatives have improved case management functioning. In the next review period, the Commonwealth will collect data and maintain records to determine the extent to which it is fulfilling the requirements of the newly agreed compliance indicators for case management services.

[15th Independent Reviewer Report to Court](#) December 2020, not studied

DRAFT - 16th Independent Reviewer Report to Court –

The Commonwealth has not provided sufficient data, analysis and documentation that aligns with compliance indicators and cannot demonstrate that the indicator requirements and the measures have been achieved.