

## ***Support Broker Application Process***

### **Support Broker Job Description**

Support Brokers are employed directly by participants with a developmental disability. For participants that are minor children, the employer is the parent, or legal guardian if one exists, of that child. Support Brokers help their employer develop and manage their services and supports, providing support in a way that is flexible and responsive to the needs and abilities of their employer. Support Brokers also help their employers develop a *Support and Spending Plan (SSP)*, monitor annual budget and develop back-up plans to mitigate potential risks to the health and safety of the participant. Additionally, Support Brokers assist their employers in the process of managing employees, including recruiting, hiring, and monitoring, as necessary. Support Broker services are defined by IDAPA 16.03.13.010.17 as assistance to the participant in planning, negotiating and budgeting.

Support Brokers are committed to a value system that supports each participant's fundamental right to live a life of dignity, self-determination and community inclusion. Support Brokers assure the participant's health and welfare is supported—assuring safety through a network of family members, friends and paid supports. Support Brokers help provide leadership, resources, ideas and coordination for their employers. A Support Broker has a clear focus on helping an employer identify individualized goals to increase independence and quality of life.

*For information about the Idaho Administrative Procedures Act (IDAPA), visit:*

<http://adminrules.idaho.gov/rules/current/16/0313.pdf>

IDAPA rules are the legal foundation for the Department of Health and Welfare (DHW) to ensure that Support Brokers adhere to the rules and standards of care for their employer.

### **Support Broker Responsibilities**

According to IDAPA 16.03.13.136.02, at a minimum the Support Broker must:

- Assist in facilitating the person-centered planning process as directed by the participant;
- Develop a written Support and Spending Plan (SSP) with the participant that includes the paid and unpaid supports the participant needs and wants, related risks identified with the participant's wants and preferences, and a comprehensive risk plan for each potential risk with at least three backup plans;
- Assist the participant to monitor and review his budget;
- Submit documentation regarding the participant's satisfaction with identified supports as requested by the Department;
- Participate with Department quality assurance measures, as requested;
- Assist the participant to complete the annual re-determination process as needed, including updating the support and spending plan and submitting it to the Department for authorization;
- Assist the participant, as needed, to meet the participant responsibilities and assist the participant as needed, to protect his own health and safety;

- Complete the Department approved criminal history check waiver form when a participant chooses to waive the criminal history check requirement for a community support worker. Completion of this form requires that the support broker provide education and counseling to the participant and his circle of support regarding the risks of waiving a criminal history check and assist with detailing the rationale for waiving the criminal history check and how health and safety will be protected; and
- Sign the written support and spending plan.

In addition to required duties above, IDAPA 16.03.13.136.03 requires that each Support Broker must be able to provide the following services when requested by the participant:

- Assist the participant to develop and maintain a circle of support;
- Help the participant learn and implement the skills needed to recruit, hire and monitor community supports;
- Assist the participant to negotiate rates for paid community support workers;
- Maintain documentation of supports provided by each community support worker and participant's satisfaction with the these supports;
- Assist the participant to monitor community supports;
- Assist the participant to resolve employment related problems;
- Assist the participant to identify and develop community resources to meet specific needs; and
- Assist the participant in distributing the support and spending plan to community support workers or vendors.

## **Limitations**

A child participant's Support Broker:

- Must be unpaid if they are a parent/legal guardian of the child.
- Must not be able to both influence a participant's decision making and receive undue financial benefit from the participant's decisions; and
- Cannot provide or be employed by an agency that provides paid community supports to participants they serve.

An adult participant's Support Broker:

- May not be a parent, guardian, spouse, payee, or conservator; and
- Must not be able to both influence a participant's decision making and receive undue financial benefit from the participant's decisions; and
- Cannot provide or be employed by an agency that provides paid community supports to participants they serve.

## **The Qualification Process**

The Support Broker application with instructions are on the Family Directed website found at: [familydirected.dhw.idaho.gov](http://familydirected.dhw.idaho.gov). Individuals interested in becoming a Support Broker must complete and submit the Department approved application form to document compliance with the following minimum qualifications:

- Are 18 years of age, or older; and
- Have skills and knowledge typically gained by completing college courses, community classes or workshops that count toward a degree in the human services field; and
- Have at least two years of verifiable experience with the target population and knowledge of services and resources in the developmental disabilities field; and
- Receive a score of seventy percent (70%) or higher on the application exam; and
- Complete a criminal history check, including clearance in accordance with IDAPA 16.05.06.

### **Criminal History Check**

According to IDAPA 16.05.06.100.27 the Department of Health and Welfare has responsibility to ensure Support Brokers participate in the criminal history check process. As part of the Support Broker application process the Bureau of Developmental Disability Services (BDDS) ensures an applicant meets criminal history check requirements.

The Department’s criminal history and background check is a fingerprint-based check. A fingerprint appointment is scheduled at designated Department locations where the Department will collect an applicant’s fingerprints. Locations for the closest Department fingerprint collection office where an individual may submit fingerprints are listed on the Department’s website at <http://chu.dhw.idaho.gov>. The fee for the DHW criminal history background check is posted on the Criminal History Unit website. Other contact information for the Criminal History Unit is as follows:

Address: 1720 North Westgate Drive, Suite A, Boise, ID 83704  
 Phone: (208) 332-7990  
 Toll Free: 1-800-340-1246  
 FAX: (208) 332-7991

**Applicants will be required to enter an Employer Identification Number (ID) - enter 1710.**

If a Support Broker applicant has received a DHW Criminal History Unit clearance within the last three (3) years, they may request to do a Name Based Criminal Background Check through the Idaho State Police (ISP) rather than a full background check. The *Name Based Criminal Background Check Form* is available on the DHW Criminal History Unit website in the *Using a Previous Clearance folder*. In these cases the applicant must complete the top section of the *Name Based Criminal Background Check Form*, purchase a money order for \$20.00 made out to the Idaho State Police and mail the application and money order to the Children’s Developmental Disabilities Program at:

DHW—FDS  
 ATTN: Rachel Johnson  
 450 W State St – 5<sup>th</sup> Fl  
 Boise, ID 83720

The Department will then complete the portion of the form titled *To Be Completed by Company or Person Requesting Background Information* and submit it to the Idaho State Police with the money order. Only

money orders will be accepted as payment to complete the *Name Based Criminal Background Check*. All other forms of payment will not be processed.

**IMPORTANT NOTE:** If an applicant applies to be certified as a Support Broker for adults at the same time they apply to be certified as a Support Broker for children, please be aware that only one *Name Based Criminal Background Check* and money order for \$20.00 needs to be submitted with either the adult or children's application. You don't need to submit a *Name Based Criminal Background Check* and money order for \$20.00 with both the adult and children's application. The DHW staff who receive the *Name Based Criminal Background Check form* and money order as part of the Support Broker application will communicate the results received from the Idaho State Police to the other Department program.

The Department will notify the applicant when the background check process has been completed by the Criminal History Unit. All Criminal History Background Check results will be accessed by the Department through the Criminal History Unit and cannot be submitted to the Department by the applicant.

If an applicant is issued a *conditional* denial through the Department's criminal history and background check process they may request an exemption review within fourteen (14) days from the date of the issuance of a conditional denial by the Department. No applicant who has been issued a conditional denial will be able to provide services to participants accessing Consumer Directed Services unless an exemption is granted by the Criminal History Unit.

The exemption review process is not allowed for persons who have been issued an unconditional denial. Unconditional denials are issued for:

- Disqualifying crimes described in IDAPA 16.05.06.210; or
- A relevant record on the Idaho Child Abuse Central Registry with a Level 1 or Level 2 finding; or
- A relevant record on the Nurse Aide Registry; or
- A relevant record on either the state or federal sex offender registries; or
- A relevant record on the state or federal Medicaid Exclusion List.

Once a criminal history clearance has been issued to a Support Broker, any charges or investigations for abuse, neglect or exploitation of any vulnerable adult or child, criminal charges, or substantiated adult protection or child protection complaints, must be immediately reported by the Support Broker to the participant and by the participant to the Department.

Individuals applying for certification as a Support Broker are not available to provide services or receive certification until a final criminal history and background check is complete and a clearance is issued by the Department.

### **Denial of Application**

If the application does not demonstrate the minimum qualifications, knowledge, skill and/or experience required of a Support Broker, a letter denying the application will be sent. The letter of denial will contain information regarding the right to appeal the Department's decision to deny the application.

*Applications will be denied if the applicant does not clear the criminal history background check.*

## **Approval of Application**

If the application is approved, a letter will be sent with information regarding Support Broker training and the required qualification examinations. Attending the Support Broker Training is required for any applicant planning to work with children. Applicants will be tested and held responsible for knowing the information contained in the training.

## **Support Broker Qualification Examinations**

The qualification exams are based on the Consumer-Direction philosophy, rules, guidelines and procedures. The exams incorporate information from the on-line curriculum and the Support Broker Manual available on the Family Directed website, as well as the Support Broker training. There is no charge for the exams.

The exams are completed in two sections. The first portion of the exam is taken at a Department of Health and Welfare office and is a closed-book, proctored exam. Once this part is completed, the applicant can take the second part, which is a take-home case study. The take-home portion requires that the applicant develop a Support and Spending Plan (SSP) that will meet criteria for authorization.

The following applies when completing the exams:

### ***Closed Book, Proctored Exam***

- The closed-book, proctored exam is taken first. Books or other written material, cell phones, backpacks, purses or hand-held electronic devices are not allowed in the area in which the closed book exam is taken.
- The date and time for taking the exam must be scheduled in advance with a regional FDS Case Coordinators. Walk-ins will not be accommodated.
- The test is offered during regular business hours and takes up to 90 minutes to complete.
- A photo identification must be presented at the time of the exam.
- The exam will be taken in a private area and must be completed in ink.
- A Department staff will be available during the time the exam is being completed.

### ***Take Home Exam***

- After the applicant has completed the closed book exam, they will be given a case study and workbook from which the applicant is responsible for completing a Support and Spending Plan (SSP).
- The applicant may reference any written resources available to them to complete the SSP but must complete the test on their own.
- The SSP must be completed and submitted back to the Department within five (5) working days of receipt of the case study.

Once the case study has been completed it should be emailed to the Department at the following email address: [CDSO@dhw.idaho.gov](mailto:CDSO@dhw.idaho.gov)

## **Exam Results**

Both the closed book and take-home exams will be scored by Department staff. An applicant must receive a score of 70% or better on the closed book exam to pass. The take-home exam is scored as pass/fail. Applicants may take the exams up to three (3) times. After the third time, the applicant will not be allowed to retest for twelve (12) months from the date of the last exam. Department staff are available for consult to identify the portions of the test that were problematic and contributed to the applicant scoring less than 70%.

An applicant will receive written *Notice of Qualification* regarding their exam results. Upon receiving the *Notice of Qualification*, a Support Broker will be qualified to work with child participants. This Notice will serve as proof of qualification. Support Brokers must present a copy of this Notice to their employer (participant) and to the Fiscal Employer Agent (FEA) when completing the Employment Packet.

## **Placement on the Support Broker list**

If an applicant is approved as a Support Broker, they may request their name be placed on a public register of approved Support Brokers maintained by the Department on the Family Directed website. Applicants who ask to be placed on the list may have their name removed at any time if they decide they no longer want to accept new participants.

## **Annual Re-Qualification as a Support Broker**

The anniversary date for the annual re-qualification is one (1) year from the qualification date on the current certificate. To be re-qualified as a Support Broker, the following must be submitted forty-five (45) days prior to the expiration of your current qualification Notice:

- An Application for Requalification. This Application is available on the Self-Direction website.
- Documentation you have completed a minimum of twelve (12) hours of training in subjects relevant to the human services field and/or working with persons with developmental disabilities. Documentation may include, but not be limited to:
  - Signed certificates of completion;
  - Continuing education units (CEUs);
  - Signed verification of course completion; and
  - Report cards from an educational institution.

A Support Broker may complete a maximum of six (6) hours a year of the required twelve (12) hours of training through self-study. Self-study can take the form of reading and/or on-line courses. The Support Broker needs to submit in writing a summary of what was learned about the specific subject through self-study, where the self-study material was obtained (e.g. website address, name of book, etc.) and how the information applies to the human services field and/or working with persons with developmental disabilities.

Support Brokers are responsible for determining what trainings meet the qualifications for ongoing education requirements. Questions regarding allowable training may be directed to the Consumer Directed Services Option email box at [CDSO@dhw.idaho.gov](mailto:CDSO@dhw.idaho.gov)

## **Approval of Application for Re-Qualification**

If the re-qualification application is approved, a Notification letter will be sent prior to the expiration of the current qualification.

## **Denial of Application**

If the re-qualification application does not clearly demonstrate at least twelve (12) hours of ongoing training has been completed related to the human services field and/or working with persons with developmental disabilities, a Notice will be sent that further documentation or additional information or training is needed.

## **Quality Assurance**

Support Broker functions are integral to the success of individuals participating in the Consumer Directed Services option. Support Brokers must be experienced in working with individuals with developmental disabilities and knowledgeable of resources and practices in the field. They must perform the functions required by IDAPA rules and additional functions as needed by their employer (the participant).

Support and Spending Plans (SSPs) are reviewed by the Department to assure that the participant's needs are met and significant risks are addressed. A monitoring review of Support Brokers and participant files may be completed to assess compliance with rules, procedures and policy. Participants and their families may be surveyed to collect information regarding satisfaction. If an issue of concern is identified during a participant survey, a review of complaints and/or SSP reviews, a Quality Assurance Specialist will follow-up with the participant, family member, Support Broker and/or others to determine if services are being provided safely, effectively and consistent with rule and program processes.

## **Terminating a Support Broker Employment Agreement**

The Department of Health and Welfare, Division of Medicaid, may terminate a Medicaid—Support Broker Agreement. The Department may terminate this agreement when the support broker:

- Is no longer able to pass a criminal history background check; or
- Puts the health or safety of the participant at risk by failing to perform job duties as outlined in the employment agreement; or
- Does not receive and document the requirement ongoing training.