

Health Care Policy/Community Supports & Services

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Rules of Conduct for Case Managers Serving People With Developmental Disabilities

Purpose

The purpose of this document is to guide and inform case managers supporting people with developmental disabilities, and the people they support, as to the expectations and principles which will be the norm for case management practice and which may be helpful to developmental disability system participants to address specific circumstances.

Principles of Practice

These principles are based upon core values of case management. They set forth standards for all case managers in the practice of their profession.

1. Value: Service

The primary goal of Case Managers is to support people with developmental disabilities, in conjunction with their chosen support network, to identify, select, obtain, coordinate and utilize both paid services and natural supports that may be available to enhance the person's independence, productivity and integration, consistent with their lifestyle preferences and needs. Case Managers make extraordinary efforts to ensure the highest level of access to and responsiveness to valid, informed choice-making by the people they serve.

2. Value: Individual Rights and Dignity

Case Managers understand, promote and support the people they serve in understanding, receiving education about, and exercising all of their individual rights; they recognize at all times and in all settings that people with developmental disabilities are entitled to the same dignity and respect as all other persons, regardless of their individual disabilities or support needs. Case Managers make extraordinary efforts to ensure that the people they serve are not treated as a commodity or resource to be purchased or sold.

3. Value: Importance of Interdependent Relationships

Case Managers understand, promote and support the people they serve in understanding and cultivating interdependent, mutually valued human relationships with others; they assist people they serve in understanding and accessing enriching friendships, intimate relationships and natural supports. Case Managers make extraordinary efforts to ensure that the people they serve are supported in increasing their independence and decreasing their dependence upon paid supports.

4. Value: Importance of Collaboration

Case Managers understand and promote collaboration between all participants in the developmental disabilities service system, and in related systems or communities. Case Managers make extraordinary efforts to ensure that times of transition for the people they serve are marked by extensive, mutually agreed upon, and enhancing information sharing, and that every necessary decision is made by the person in a free, voluntary and fully informed manner.

5. Value: Resource Stewardship

Case Managers understand and support the people they serve to understand that public resources for paid supports are limited and in some situations limiting; they actively research and support the people they serve in obtaining and utilizing generic and natural supports; they recognize their role in the service system as being in part responsible to manage limited public resources in efficient ways; they deliver and bill for services in accordance with the rules and practices which govern reimbursement. Case Managers make extraordinary efforts to ensure that the people they serve are empowered to explore and access supports they need to lead enriched, interdependent, healthy, safe and choice-driven lives with an effective combination of paid and unpaid supports.

6. Value: Integrity

Case Managers conduct all of their professional work in a trustworthy manner; they maintain awareness of the standards, rules, regulations and reimbursement structures which govern their profession, and follow them. Case Managers make extraordinary efforts to act honestly, responsibly, responsively and promote ethical practices on the part of themselves individually and the organizations with which they are affiliated.

7. Value: Competence

Case Managers prepare themselves to meet their professional standards and obligations, and actively attend to developing and enhancing their professional expertise; they get whatever preparation and supervisor support they need to ensure competence as they build their own skills. Case Managers make extraordinary efforts to ensure that they understand their duties, know how to carry out those duties, and provide their services in an effective and efficient manner.

Interactions With People Accessing Services

Please note: When applicable, references such as “the person” or “individuals accessing services” also include the person and his/her substitute decision-maker. “Guardian” also includes other recognized substitute decision makers when applicable.

Commitment to Individuals: Case managers have a responsibility first and foremost to the interests and well being of individuals accessing services.

Empowerment for Individuals: Case managers have a responsibility to help empower people to explore options that promote a richness of experiences which support living quality lifestyles as defined by the person receiving services and their supporters.

Cultural Competence and Social Diversity: Case managers will respect, support, consider and be sensitive to cultural differences as services are developed and implemented. Case managers will become knowledgeable about each individual's culture and respect strengths in all cultures.

Sexual Relationships: Case managers shall not engage in any sexual activity or sexual contact with individuals accessing services. Any consent to sexual activity or sexual contact by an individual accessing services does not change the prohibition against such sexual activity or sexual contact. Interactions between case managers and individuals accessing services must be in a manner that ensures individuals are shielded from any appearance or possibility of sexual abuse or exploitation.

Respect: Case managers have a responsibility to assure that all verbal or written communications with or about an individual are guided by sensitivity and the understanding that all individuals have the right to be treated with dignity and respect.

Informed Consent: The case manager must protect an individual's right to participate in decision making and advocate that information be presented in the person's primary communication method. If the person is unable to make an informed decision and a guardian has been appointed, the case manager will assist the guardian in making an informed decision that supports the person's preferred lifestyle. If the person does not have access to a guardian and needs some assistance in making complex decisions, the case manager will seek input from the person's support network to help the person make the decision in a way that supports the person's preferred lifestyle. The case manager will clearly identify supports the person needs to make informed decisions, as part of the person centered support plan.

Conflicts of Interest: The case manager must respect his/her role as a paid professional advocate hired by the person or the person's guardian to protect their interests. The case manager will not use a person or his/her resources to further the case manager's personal, political or business interests. The case manager will be alert to and avoid conflicts of interest that may interfere with the exercise of professional independence and judgment. If a conflict exists, the case manager will take appropriate action to resolve the conflict in a manner that protects the person's rights and interests. When a case manager provides service to related persons, the case manager will clearly outline his/her responsibilities to each part and take appropriate action to minimize conflict. Appropriate action may include termination of services to the person and referral to another service provider.

Privacy and Confidentiality: The case manager will protect the person's right to privacy at all times. The case manager will only disclose pertinent information after consent from the person and/or guardian has been secured. The case manager must secure, transfer and dispose of records in a manner that prevents unauthorized access. The case manager will not disclose identifying

information for training purposes without consent from the person. The case manager will take steps to protect the persons' privacy when discussions take place in the presence of others. The case manager will explain to the person and guardian about circumstances that require disclosure of information without consent.

Access to Records: The case manager will promote the person's right to access his/her records and make decisions about records availability, and will advocate for access in a timely manner. If other persons accessing services are identified in the person's records, the case manager will take steps to protect that person's privacy. The case manager will make the person's records available to others are requested by the person or guardian.

Payment for Services: The case manager will establish a sliding fee scale for persons who must pay privately for their services, taking into account the person's ability to pay within the context of the person's life circumstances. Fees must be discussed and a signed financial agreement in place prior to beginning services. The collection of fees in excess of the signed financial agreement or reimbursement from other sources is prohibited. If a significant increase in fees is to occur, the case manager must explain the increase, get the person's agreement in advance, and take into account the person's ability to pay. If someone else is responsible for payment (such as a payee or conservator), the case manager should actively pursue options to remedy the situation rather than terminate services.

Termination of Services: If a person does not abide by the financial agreement, the case manager may terminate services after explaining and documenting the consequences to the person, and taking into account hardship or extenuating circumstances. The case manager may terminate services if the person no longer needs the service. The case manager must inform persons when planning to terminate services, explain other available options, explore all remedies to avoid termination for lack of payment, make appropriate referrals and assist with the transition to the receiving provider. The case manager cannot terminate services to pursue a social, financial or sexual relationship with the person. The case manager cannot terminate services when there is active, imminent danger to the person's health, safety and welfare.

Interactions With Other System Participants

Transition or Termination of Services: In the event a person is transferring between service providers or terminating services, the case manager should actively support and participate in planning meetings and other necessary activities to ensure that there is a smooth transition process, that there are no provider or other obstructions to the transition, and that there are no significant disruptions of needed services during the process. The case manager should encourage all persons involved in a service transition to address difficult service issues head on, to share realistic and fact-based evaluations of personal skills and abilities, and to voluntarily address those issues with all people/support teams involved. With the person's informed choice, the case manager should disclose all relevant information to new service providers to assist in effective service planning. The case manager should take care to ensure that the policies and procedures of the CDDO in the relevant service area about service transition or termination are honored.

Conflicts or Disputes: In the event a case manager has a conflict or dispute with an employer, a colleague, another provider agency or a member of the person's support team, the case manager should ensure that the person is not put at any disadvantage, is not brought into the dispute, and is not used to advance the case manager's position in the conflict.

Cooperation: Case managers should treat colleagues, other service providers and the person's support team members with respect and fairness. They should interact with the person's support team effectively and actively participate with the team in building supports that are meaningful and valuable to the person, using their knowledge and experience to contribute to the development of services and supports.

Marketing/New Provider Setting: Case managers should not market their services in any manner that puts people in the middle of provider disputes. In the event a case manager develops a new provider agency, or changes employment from one provider setting to another, the case manager must be vigilant to ensure that the person and any alternative decision-maker understands that the case manager does not have the option of automatically transferring services for the person from one setting to the other. Case managers must ensure that the process for transfer of services established by the CDDO in the service area is followed, and that the CDDO governs communication with the person and any alternative decision-maker about all available choices in the event of such a change. Case managers cannot use their unique relationship with and access to people to prepare in advance for such a change and make any suggestion to the person as to selecting the case manager in a new service setting.