

NJ Department of Human Services
Division of Developmental Disabilities

Information Bulletin

To: DDD/Medicaid-approved Providers of DDD-funded Services

From: Jonathan Seifried, Assistant Commissioner
Division of Developmental Disabilities

Date: June 11, 2024

Subject: DDD Requirements for Agency-Employed Direct Support Professionals

The Department of Human Services' (DHS) Division of Developmental Disabilities (DDD)/Medicaid-approved provider agencies are reminded that it is their responsibility to ensure agency staff are and remain in compliance with all applicable staff requirements in the Supports Program and/or Community Care Program [policy manuals](#). Direct Support Professional (DSP) requirements apply equally to every DSP employed by a provider agency, regardless of a DSP's relationship to the person served or the service location.

Provider agencies are advised to review *Section 15: Quality Assurance, Technical Assistance, and Auditing* in the policy manuals to ensure all requirements are being met. DSP requirements include, but are not limited to, the following:

- Background and Exclusion Checks
- Training and Development
- Incident Reporting
- Risk Management

Provider agencies also should review the definition and requirements for any service in Section 17 of the policy manuals that the agency provides. In submitting a service claim for payment, the submitting agency is verifying that all service requirements have been met. In general, service requirements include, but are not limited to, the following:

- Service Limits
- Provider Qualifications
- Need for Service and Process for Choice of Provider
- Minimum Staff Qualifications
- Mandated Staff Training and Personal Development
- Documentation and Reporting
- Medication Standards
- Quality Assurance and Monitoring

It is incumbent on provider agencies to ensure responsible and reasonable deployment of DSPs, regardless of a DSP's relationship to the person served or the service location. DSP hours worked in a 24-hour period must continue to be evaluated to ensure fatigue is not impacting DSP ability to effectively complete their job duties (DSPs may not to be regularly scheduled to work more than 16 consecutive hours in a 24-hour period¹). Providers are reminded that a DSP's relationship to the person served and/or service location does not alter this requirement, and claiming for a service cannot occur when a DSP working alone is sleeping.

While all requirements are important, specific attention is drawn to adherence with requirements pertaining to service documentation and the submission of incident reports (including those related to reports of abuse, neglect, and/or exploitation; unsafe living conditions; etc.). Further and dependent on the circumstance, prompt notification of DDD, law enforcement and/or adult protective services of serious incidents/circumstances related to health and safety must occur as they would in a DHS licensed or certified setting.

Providers found to be out of compliance with the above requirements and parameters are subject to Division sanctions, up to and including loss of Medicaid provider status.

Questions may be sent to DDD.FeeForService@dhs.nj.gov.

¹ "A Direct Support Professional and/or Self-Directed Employee may not to be regularly scheduled to work more than 16 consecutive hours in a 24-hour period;" Section 17, Supports Program and Community Care Program [policy manuals](#).