Use of Technology to Support People

Tech-Enabled Services

701 Series: Community Services Policies & Procedures
Home

POLICY

EPI will create and maintain procedures for technology enabled supports to afford individuals with varying abilities and diagnoses options to enhance their quality of life and/or services. Technology enabled supports will promote safety while empowering greater independence, self-direction, and privacy.

Written procedures will specifically address, but are not limited to, the following:

Service Description
Service Model and System Design
Virtual Response Staff
Backup Support
Service Plan
Utilization of Technology
Definitions

PROCEDURES

SERVICE DESCRIPTION

- Tech-Enabled Services is a delivery option for Supported Community Living or Home-Based Habilitation services and is provided in place of, or supplemental to, in-person support. It is Exceptional Persons Inc.'s belief using technology enhances people's lives, encourages independence, and promotes cost effective service. Tech-Enabled Services are an appropriate and inevitable part of services for individuals who are vulnerable. Support technology must be used in a manner which upholds individual rights, preserves dignity, anticipates the limits of equipment, and plans for the potential failure of technology. Individuals and their representatives have a right to know and choose when technology is used as part of the services Exceptional Persons, Inc. provides.
- Tech-Enabled Services technology includes any device used for service-delivery purposes to support persons served by means desired and established by persons served, their Interdisciplinary Team (IDT), needs assessments, and their Individual Service Plan (ISP). Remote support technology comes in many forms and functionalities ranging from notifications to staff or natural supports, to reminders or prompts for persons served to carry out activities of daily living. Devices may include but are not limited to door/window sensors, or alarms to remind, two-way audio monitors, visual monitors, special smoke detectors, and more.
- Under the Tech-Enabled Services umbrella we have remote supports, telehealth, wearables/smart devices, and others (automations, adaptive technology, communication systems, apps).
    - Telehealth is an available service delivery option for SCL, Home-Based Habilitation, and/or Supported Employment Services, where persons served choose to receive their services via telehealth and is clinically appropriate to the persons served assessed needs. Telehealth service is delivered via real-time audio and video using a secure audio/video software program. Telehealth services will be delivered in a setting/location that protects the persons served privacy. Telehealth will not replace in-person supports for persons served who require in-person supports during service delivery.

SERVICE MODEL AND SYSTEM DESIGN

- Remote support is provided in real time by virtual staff separate from persons served homes.

Applicability:

- Applies To: All Community Service Staff
- Assigned Series Owner: Executive Operations Director

Effective Dates:

- Board approved: September 2023
- Policy updates: September 2023
- Procedure updates: March 2026

Latest Change:

- Tech-Enabled Services Update
- Telehealth

Regulation:

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Related:

- Person Centered Planning Policy
- Risk Management Plan/Electronic Health Record
- Service Documentation Policy
- Privacy Practices

- Continuous service delivery and HIPAA are of utmost importance. All service locations and person served plans, utilizing remote supports will have an avenue for backup support and a plan for equipment failure. Backup procedure plans for system failure (for example, prolonged power outage), fire/weather emergency, medical issue or personal emergency should be in place and detailed in writing. Plans will include the staff person or persons to be contacted by virtual response staff who will be responsible for responding to these situations and traveling to the person served home, including any previously identified paid or unpaid backup support responder.
- The remote monitoring system will be routinely tested and have two way communication between staff and person served. Some sites will have video oversight in addition to two way audio communication, as deemed necessary by their IDT.
- For daily services, person served are made aware of the operating hours of the equipment through the Person Centered Planning process. Persons served are made aware of their ability to request real-time adjustments to camera utilization based on their individual needs or risks. Person served indicating they no longer want to receive their service through the remote supports system, will notify EPI to request an IDT meeting to discuss and identify appropriate alternatives.
- Ongoing education and training are provided to persons served during quarterly technology drills.

VIRTUAL CONNECTION STAFF

- At the time of service delivery, the staff will be awake and will not have duties other than the oversight and support of person served receiving remote support.
- Staff will assess any urgent situation at an individual's home and call 911 emergency personnel first, if it is deemed necessary, and then call the backup staff person. The staff will stay engaged with the individuals at the home during an urgent situation until the backup staff or emergency personnel arrive.
- If video is used, oversight of an individual's home must be done in real time by an awake staff.
- EPI's Virtual Connection Center (VCC) will have access to each person served ISP being monitored including a current photo of each person served and their crisis plan which would aid in ensuring safety. Photos will be updated if significant physical changes occur, and at least annually accordingly as part of the Person Centered Planning Policy.

BACKUP SUPPORT

- Where daily remote support services are provided:
    - The backup support person will respond and arrive at the person served home within the timeframe identified in their ISP.
    - The service must be provided by one backup support for on-site response. The number of persons served by the backup support is to be determined by EPI.
    - Backup support will assist the person served in the home as needed to ensure the urgent need/issue that generated an intervention response has been resolved. Relief of backup support, if necessary, must be provided by EPI.

SERVICE PLAN

- Where remote services are provided, the technology will be identified in the person served ISP and discussed with the IDT. The use of remote support to minimize risks for a person served will be documented in the ISP and reviewed with the person served and legal representatives. The following will also be documented in the ISP:
    - Person served and legal representatives informed consent.
    - Person served assessed needs and identified goals that can be met using remote support.
    - How remote support will support the person served to live and work in the most integrated community settings and what supports must be met with in-person support.
    - The plan for providing in-person and remote support based on the person served needs to ensure health and safety.
    - Whether the person served and legal representative agrees to the use of remote monitoring for service delivery and has provided informed consent for the use of remote monitoring or cameras.
    - The amount, frequency, and duration of remote support use.

- How person served wants to inform visitors of the use of remote supports in their home if remote monitoring is being utilized.
- The equipment used, the purpose of using and how/when it will be used.
- EPI staff will follow established procedures in the event of emergencies. Response time in the event of an emergency will be dependent upon person served needs and identified in the ISP.

UTILIZATION OF TECHNOLOGY

SERVICE REQUIREMENTS

- ASSESSMENT & INFORMED CONSENT
  - Through the use of an assessment, EPI will gain input from person served and their IDT in regards to the person served ability to be supported safely through remote supports and the locations of the monitors/sensors where applicable. See Person Centered Planning.
  - Informed consent by the person served using the service, and their legal representative must be obtained at least annually and clearly state the parameters in which the remote support service would be used. Person served, and their legal representative must be made aware of both the benefits and risks of the operating parameters and limitations. If the person served desires to withdraw consent, they would notify the case manager and a meeting of the IDT would be needed to discuss available options for any necessary alternate supports.

DOCUMENTATION

- Virtual Connection Staff will provide documentation for each individual during every service period when remote supports are provided. See Service Documentation Policy.

PRIVACY

- When the use of remote support technology includes cameras, two-way and/or listening audio devices, steps will be taken to protect person served privacy and rights.
  - Each Person Served and, if applicable, legal representative will receive information at the start of services or at the onset of technology use indicating what technology is in use and the information being monitored. This information will also be documented in an acknowledgement form.
  - Persons served are made aware of their ability to request real-time adjustments to camera utilization based on their individual needs and risks.
- Only working VCC staff and Service Directors will be granted access (with permission from the Community Service Director) to visual or auditory information. See Privacy Policies.
- Respect and privacy is of utmost importance. Video devices, such as cameras, will only be used in common areas of a home, unless extreme circumstances approved by the IDT to protect the privacy of persons served.
- Video will only be reviewed by authorized VCC staff when verifying events that trigger active sensors, or by authorized Director/s as part of an investigation.
- Video and/or audio recording deemed to have a significant relevance as evidence in a case of suspected maltreatment will be retained as part of the investigation record. Reasonable attempts will be made to avoid, eliminate or minimize audio and/or video information which reveals the identity of person(s) served. Storage and retention rules for other investigation evidence will apply to recorded video and audio data.
- No data is stored on site; all data is streamed to the cloud and protected with end-to-end encryption. Only authorized users (as stated above) can access the data, which is protected with secure access control using strong password requirements, multi-factor authentication, and user-role based controls. There is a dedicated security team that monitors the system and infrastructure for potential security threat or breaches, allowing for quick action on any security incidents. Any breach would be handled according to EPI privacy practices.
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- Data is only stored for 72 hours and then automatically erased. Data/information that is recorded and stored past the 72-hour window is only for purposes of an incident being investigated. All recorded data that includes any identifying information about person served will be treated as protected health information and handled in compliance with HIPAA and all data practices laws and professional standards according to Privacy Policies.

LIMITATIONS

- EPI may not bill for support delivered remotely when real-time monitoring or two-way communication does not occur (e.g., leaving a voicemail, sending a FAX, sending an email, internet outage, etc.).

THIRD PARTY/SUB-CONTRACTOR

- The utilization of technology which involves a sub-contract or third party such as a technology company may be used to assist in managing risk of person served, maximize efficiency of services and/or assist EPI in delivering the highest quality of care. In these cases, the following steps will be taken to protect individual privacy and security of information;
    - The person served and legal representatives will be informed of the third party's involvement before the service starts or upon the beginning of services.
    - Exceptional Persons, Inc. staff will secure a HIPAA Business Associate Agreement with the third party, if they might have access to any identifying information.
    - Exceptional Persons, Inc. staff will release only the personal information that is necessary for the third party to fulfill its responsibilities in assisting and supporting the person served and/or fulfilling its contractual services for Exceptional Persons, Inc.

DEFINITIONS

Remote Support - provision of Home-Based Habilitation or Supported Community Living by a trained remote support professional who is in a remote location and is engaged with a person through enabling technology that utilizes live two-way communication in place or in addition to on-site staffing. Remote support is not a service. It is an available delivery option through the Home-Based Habilitation or Supported Community Living service to meet an individual's health, safety and other support needs as needed when it:

- Is chosen and preferred as a service delivery method by the person or their guardian (if applicable)
- Appropriately meets the individual's assessed needs.
- Is provided within the scope of the service being delivered.
- Is provided as specified in the individual's support plan.

Support Technology ("Enabling Technology") - technology/device that makes the on demand remote supervision and support possible.

- Examples include live audio and video feeds, web-based monitoring systems, Global Positioning Systems, mobile applications, communication devices, smart devices or devices that otherwise meet the requirement for live, two-way communication.
- Telehealth - delivery of services through the use of real-time interactive audio and video, or other real-time interactive electronic media, regardless of where the health care professional and the covered person are each located.
- "Telehealth" does not include the delivery of health care services delivered solely through an audio-only telephone, electronic mail message, or facsimile transmission.