



Disability Law Center's Self-Advocacy Materials

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DDS Services

This document is designed for people with disabilities. The information is about your legal rights and how to advocate for yourself as a resident in Massachusetts.

Contact us to request this information in an alternative format.

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Funding

DLC receives funding from government grants, private foundations, and individual contributions. For details about our funding and programs, please visit:

<http://www.dlc-ma.org/about/funding/>

Individual Support Planning Through The Department of Developmental Services (DDS)

You Will Learn About:

- Individual Support Plans (ISP)
- Changing or Appealing Your ISP

This document includes general information about legal issues and is intended to be used for informational purposes only. These informational materials should not be taken as legal advice, and do not create an attorney-client relationship. The outcome of any particular matter will depend on a variety of factors. For specific legal problems you would need to contact an attorney.

Individual Support Plans (ISP)

What Is An Individual Support Plan (ISP)?

An **Individual Support Plan (ISP)** is a written plan that includes, among other things, a statement of your vision, your goals, objectives for achieving your goals, and the services and supports you receive. The ISP planning process should identify the supports and strategies that will promote the achievement of your goals. It should also identify areas where you have a need for supports but no supports are currently available. The ISP also has to identify the provider agency or state-operated program that will provide you the services and supports in the ISP.

The ISP planning process is an ongoing process. You should **meet every year to review and update your ISP**. There may be times that you do not want to wait until the annual meeting. In that case, you should ask your DDS Service Coordinator to schedule a meeting sooner.

Who Gets An ISP?

The Department of Developmental Services (DDS) provides an ISP to the following adults who are eligible for services through DDS:

- People who have **special eligibility**. This applies to people who live or have lived in certain state institutions.
- People who receive **residential, day or employment supports** that DDS provides or funds.
- People who receive day habilitation or adult day health services **only if** DDS funds all or part of the service. It may be that MassHealth is fully funding this service, not DDS.
- People who do not receive any of the above supports and who **receive minimal supports** from DDS **may or may not** receive an ISP. DDS makes this decision.

Who Develops The ISP?

You and other ISP “team” members work together to develop the ISP. The people who should be involved in developing your ISP are:

- You
- Your guardian, if you have one
- Members of your family who you choose to have involved
- Your DDS Service Coordinator
- Providers of the supports and services that you receive
- Anyone else who you think could be helpful

Does The ISP Process Include Assessments?

Yes. DDS and your service providers have to complete **assessments** as part of the ISP planning and development process. These assessments help inform you and the rest of the ISP team about your abilities, progress in certain areas, and areas where you still need some help. There are assessments of the general types of support you need and of your ability to make informed choices about money and personal well-being issues. Your service providers also should do assessments in the areas in which they provide you services and supports.

Sometimes you may think there is a need for additional assessments. Some examples are assessments of daily living skills or whether you need assistive technology to help you. If you think

additional assessments should be done, you should speak with your DDS Service Coordinator and others on your ISP team.

What Outcomes Or Results Must My ISP Try To Achieve?

The goals, objectives and any supports or strategies in the ISP “**must be consistent with and promote the following outcomes**” or results:

- **Rights and Dignity:** Your rights are respected and protected. Your dignity is recognized. You receive support to exercise your rights.
- **Individual Control:** You control your life and make your own choices. You have access to education and other supports to increase self-determination.
- **Community Membership:** You are a member of your community and participate in your community through work and integrated social activities.
- **Relationships:** You have opportunities and support to develop, keep, and strengthen relationships with family, friends, neighbors and co-workers.
- **Personal Growth and Accomplishments:** You have supports to help you contribute to your community, increase independence, develop your talents, and achieve your personal goals.
- **Health, Safety, and Financial Security:** You receive health care and related services that are appropriate to improve your health and well-being. You live and work in places that are safe and secure. You have enough money and financial resources to meet your needs.

Why Do I Have An ISP And A Plan Of Care?

If you receive services through one of the DDS **Home and Community Based Services (HCBS) Waivers**, you will get a document called a **Plan of Care**. DDS offers three (3) HCBS Adult Waivers: Adult Supports Waiver, Community Living Waiver, and Intensive Supports Waiver. The purpose of HCBS Waivers is to allow people to receive services in the community and not at an institution. The federal government helps with some of the cost of services one gets through HCBS waivers. Some services available through DDS are through HCBS waivers and some services are not. For example, DDS Service Coordination is typically not a service through an HCBS waiver.

Typically, people who have some services through an HCBS waiver and a Plan of Care will also have an ISP. The Plan of Care contains important information about the services and supports you get through the HCBS waiver. It includes information about the HCBS waiver services you receive, the amount or frequency of those services and who provides the services to you. If you disagree with the information in your Plan of Care, you have the **right to appeal**. For more information about DDS Adult HCBS waivers and your Plan of Care, contact your DDS Service Coordinator or Area Office Director.

Changing Or Appealing Your ISP

Can I Change My ISP?

Yes. You have a meeting every year to review and update your ISP. You can also ask for a change to your ISP at any time. The process is called requesting an **ISP modification**. You might ask for a modification to your ISP if your goals or needs have changed. You might request a modification if you want to make a change to your supports or services.

You should **contact your DDS Service Coordinator to request the modification**. Your DDS Service Coordinator has to schedule a meeting to discuss your request. This meeting is supposed to take place within 30 days of your request. The members of your ISP team usually attend the meeting along with you and your Service Coordinator. If DDS will not agree to the changes, or modifications, you requested, **you have the right to appeal**. There is more information about your appeal rights in the “Department of Developmental Services (DDS) Appeals” document on DLC’s website.

Can I Appeal My ISP If I Do Not Agree With What Is In It?

Yes. You have the right to appeal your ISP. You might disagree with what is written in your ISP. You might also feel that your ISP does not include the goals or supports and services you think you need. If you want to appeal your ISP, you have to complete paperwork saying that you want to appeal your ISP. DDS sends this appeal paperwork to you at the same time it sends you your ISP. There is more information about appealing your ISP in the “Department of Developmental Services (DDS) Appeals” document on DLC’s website.

What Can I Do If My Program Or Staff Do Not Follow My ISP?

Sometimes you agree with the goals, objectives and supports discussed in your ISP, but your program and staff are not following the ISP. In these situations, you may want to talk to your program staff or management staff who work for the provider agency providing your services. You can also speak with your DDS Service Coordinator or the Area Office Director. You also have the **right to appeal your ISP anytime that your program and staff are not following your ISP**. There is more information about appealing your ISP in the “Department of Developmental Services (DDS) Appeals” document on DLC’s website.