

# INFORMATION FOR COMPLETING A STATE PLAN UPDATE OR AMENDMENT

Information to assist staff of State/Territory Councils on Developmental Disabilities

Updated October 2019



*ITACC is a project of NACDD, in collaboration with OIDD, to strengthen and support the national network of DD Councils*

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## Introduction:

Annually, Councils on Developmental Disabilities must either amend or update their 5-Year State Plan. Substantive amendments are due August 15th of each year for the following federal fiscal year, and non-substantive amendments are due January 1 of each year for the current federal fiscal year. The information in this document reviews the sections of the State plan template and provides basic information for amending or updating the plan.

This document is not a substitute for knowing the federal reporting requirements set forth by the Developmental Disabilities Assistance and Bill of Rights Act of 2000 and any additional requirements from the Administration for Community Living, Administration on Disability, Office of Intellectual and Developmental Disabilities. If you have specific content questions, please contact a DD Council Program Specialist at ACL.

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## Background:

A “[Dear Colleague](#)” letter was issued by Commissioner Sharon Lewis on June 5, 2013. The letter indicated Councils would simultaneously submit their annual Program Performance Report (PPR) and non-substantive State plan amendments (currently referred to as State Plan Updates). State plan updates (non-substantive) and Annual Program Performance Reports are due January 1<sup>st</sup> of each year.

The purpose of this change is to allow councils to draw conclusions from their work capture successes and further evaluate areas where additional progress can be made and make needed adjustments to the 5-year Council state plan.

*Note: If a Council submitted substantive changes to their State Plan on August 15<sup>th</sup>, there is no need to submit non-substantive changes on January 1<sup>st</sup>.*

## What is a State plan update?

*(formerly referred to as a non-substantive change?)*

Slight revision to a goal that does not change the overall intent of a goal;

Revision(s) to objectives that do not change the overall intent of a goal;

Revision(s) to activities that do not change the overall intent of a goal;

Revision(s) to outputs, outcomes, evaluation methods, and performance measures that do not change the overall intent of a goal.

***State Plan Updates are due January 1 of the current federal fiscal year.***

## What is a state plan amendment?

*(formerly referred to as a Substantive change?)*

Complete revision of a goal to change the intent of the goal;

Addition of a goal to the state plan;

Deletion of a goal.

Note: If a substantive change is made, the Council is obligated to post and receive comments for a minimum 45-day public comment period (45 C.F.R. 1386.31).

***State Plan amendments are due August 15 for the upcoming federal fiscal year.***

## ***Guidance for individual sections***

### **Council identification**

There are four areas for information:

- 1) Identification
- 2) Council Establishment
- 3) Council Membership
- 4) Council Staff

**Identification:** Provide contact information for the staff member responsible for State plan questions; provide contact information for the Executive Director and other information as requested.

**Council Establishment:** Provide the date the Council was established, include the method of authorization (law, executive order, or something else), provide citation information (statute number, Executive Order number).

**Council membership:** Provide a summary of the membership rotation plan. Include information about term limits, number of years a member can serve, how the Council informs the Governor of vacancies, and other relevant information.

Update the membership roster: Add new Council member(s), delete replaced Council members. Indicate the appointment date; expiration date or alternate agency representative name; category code, geographical code, race/ethnicity code, and gender. For existing members, the appointment date should reflect the ***initial*** appointment date. If there are vacant positions, insert the word “vacant” in the name columns, “O” for gender, D8 for race, E1 or E2 (as appropriate), the category code for the vacant member, the initial date of the vacancy, and an end date for the term.

When identifying council members geographical area (urban or rural), the US Census Bureau defines urbanized areas, as those which contain 50,000 or more people; and urban clusters as those which have at least 2,500 people but fewer than 50,000 residents; anyone not living in an urbanized area or cluster would be considered rural.

**Council Staff:** Add or delete staff person(s); enter the percentage of employment time for each position, the working title of the position, race/ethnicity, and disability status (note: race/ethnicity and disability status include codes to indicate “do/does not wish to answer”).

### **Designated State Agency**

There are five areas for information:

- 1) DSA Contact information
- 2) Direct Services
- 3) DSA Roles and Responsibilities related to the Council

- 4) Memorandum of Understanding
- 5) Calendar year the DSA was designated

**DSA contact information:** Provide the requested information (items marked with an asterisk (\*) are required).

**Direct Services:** Indicate whether the DSA provides or pays for direct services to persons with developmental disabilities.

**DSA Roles and Responsibilities related to the Council:** Describe how the DSA supports the Council. Include information about the types of supports the DSA provides to the Council.

**Memorandum of Understanding:** Indicate whether the Council has a Memorandum of Understanding with the DSA.

**Calendar year the DSA was designated:** Provide the year.

### Comprehensive Review and Analysis (CRA)

During the course of the 5-year plan, changes to the CRA are not typical. However, if substantive changes are made to the plan, the data in the CRA should support the change(s); if there is new data to support a substantive change to the plan, an update to the CRA may be needed.

There are six areas for information in this section and include:

#### State Information

- ✓ Introduction
- ✓ Description of how the DSA supports the Council
- ✓ Poverty rate percentage
- ✓ Racial and Ethnic Diversity of the State population

#### State Disability Characteristics

- ✓ Prevalence (**reflect as a percentage**) with an explanation of the prevalence rate used.
- ✓ Residential settings information

#### Demographic Information

- ✓ About people in the State with disabilities (American Community Survey data).

#### Portrait of State Services [Section 124(c)(3)(A)(B)]

- ✓ Health and Healthcare
- ✓ Employment
- ✓ Informal and Formal Services and Supports
- ✓ Interagency Initiatives

- ✓ Quality Assurance
- ✓ Education and Early Intervention
- ✓ Housing
- ✓ Transportation
- ✓ Child Care
- ✓ Recreation

#### Analysis of State Issues and Challenges [Section 124(c)(3)(C)]

- ✓ Criteria for Eligibility for Services
- ✓ Analysis of the barriers to full participation of unserved and underserved groups of individuals with developmental disabilities and their families
- ✓ Availability of assistive technology

#### Residential Data

##### Wait Lists

- a. Entity who maintains wait-list data for residential services
- b. Indicate if there is a statewide standardized data collection system in place for residential services
- c. Indicate service level for people waiting for residential services
- d. Provide information about how the state places or prioritizes people to be on the waitlist.
- e. Describe the state's wait-list definition for residential services and include other definitions for other waitlists (as appropriate).
- f. Indicate if people on the waitlist have gone through an eligibility and needs assessment
- g. Indicate if there are structured activities for people or families waiting for services to understand their options or assistance in planning their use of supports when they become available.
- h. Specify any other data or information related to wait-lists.
- i. Provide a summary of waiting list issues or challenges.

#### **Analysis of the adequacy of current resources and projected availability of future resources to fund services.**

*Analysis of the adequacy of health care and other services, supports, and assistance that individuals with developmental disabilities who are in facilities receive*

*To the extent that information is available, the adequacy of home and community-based waivers services (authorized under Section 1916(c) of the Social Security Act (42 U.S.C. 1396n(c))).*

#### **Rationale for Goal Selection [Section 124(c)(3)]**

Provide a description of the rationale used for Goal Selection. This can include information about the need's assessment, public input, unserved and underserved population information and connectivity with the information and analysis found in the comprehensive review.

#### **Collaboration [Section 124(c)(3)(D)]**

- (i) As a Network, describe the collaborative plans of the Council, P&A, and UCEDD(s)
- (ii) With each other, describe plans the Council has to collaborate with the UCEDD(s). Describe the plans the Council has to collaborate with the P&A (anything other than the planned collaboration objective).
- (iii) With other entities, describe how the DD Network will collaborate with other entities in the State, including both disability and non-disability organizations, as well as the State agency responsible for developmental disabilities services. Identify the organizations and summarize the collaborative activities planned, such as joint meetings, joint public education events/initiatives, joint trainings, etc.

#### **5-Year Goals**

Once the Council annual Program Performance Report is completed and the progress made toward goals and objectives is determined, state plan updates or amendments may be necessary. If updates or amendments are necessary, the State plan will be modified within the ACL Reporting System.

If adding or deleting a 5-year goal, this would be considered a substantive change and a state plan amendment would be submitted August 15<sup>th</sup> (Council approval and a minimum 45-day public comment period is needed).

A list of goals will appear pre-populated from the previous plan; click on each goal to make amendments (if substantive) or updates (non-substantive). Once a goal is clicked, the screen will show the goal description, the expected goal outcome statement, and objectives for the goal.

Objectives: The screen will show pre-populated objectives. If adding a new objective, deleting a current objective, or updating a current objective, these are considered to be non-substantive

and do not require a public comment period (unless the State/Territory requires a public comment period). All objective updates will be made in this section.

### Evaluation plan

The plan identified the method(s) a Council will use to determine if the goals of the plan have been achieved. Separate information about evaluation of the self-advocacy goal and/or objective and the required activities must be included. Include updated evaluation information, if appropriate.

### Logic model

Logic model updates should be included. Follow the ACL Reporting System instructions to upload an updated logic model.

### Projected Council Budget

Provide the budgeted amount for each goal; federal dollars and other funds.

A Council State plan budget is required for the fiscal year of the amendment or update and is a projection of planned spending organized by goals and includes funds anticipated to be expended for staff activities implementing the state plan as well as planned activities, general management, and designated state agency functions. Additionally, Councils will indicate the amount of non-federal funds they expect to receive directly or offered by sub-grantees to meet overall requirements for the non-federal share of project activities related to the federal fiscal year's expenditures.

The federal share of the cost of projects or activities may not be more than 75% of the cost of such activities (25% non-federal share requirement).

There are two exceptions:

- 1) In the case of projects undertaken by the Council or Council staff to implement State plan activities, the federal share of the cost of all such project may not be more than 100% of the aggregate necessary cost of such activities (e.g. no non-federal share requirement).
- 2) In the case of projects whose activities or products target individuals with developmental disabilities who live in urban or rural poverty areas, as determined by the Secretary, the Federal share of the cost of all such projects may not be more than 90% (e.g. 10% non-federal requirement); if 20% or more of an urban or rural area is living below the poverty level, the area is designated as a poverty area.

Column information:

### Subtitle B \$

This column should represent the amount of federal funds the Council has planned to use on specified goals, general management, and functions of the DSA.

### **Other(s) \$**

This column should represent the amount of other funds the Council has planned to use on specified goals, general management, and functions of the DSA.

### **Total**

This column should be the total of columns Subtitle B\$ and Other(s) \$.

### *Line item information:*

The “General management” item refers to the administrative costs for the Council.

The “Functions of the DSA” item refers to the amount of money a DSA can request for reimbursement of costs to support the Council. Subtitle B funds (federal funds cannot exceed 5% of Council grant award or \$50,000, whichever is less, up to ½ of expenses found to be necessary for the proper and efficient exercise of the functions of the Designated State Agency). Costs in this category are considered administrative costs.

The Subtitle B\$ amount for **General management and Functions of the DSA** cannot exceed 30% of the Council’s annual award.

### **Assurances**

Assurances were submitted with the initial 5-Year State plan. If there has been a change in the Designated State Agency, please check with Sara Newell-Perez ([Sara.Newell-Perez@acl.hhs.gov](mailto:Sara.Newell-Perez@acl.hhs.gov)) to determine the need for new assurances. If new assurances need to be submitted, the Council will submit to OIDD directly.

### **Public input and review**

Public Review comments (a 45-day public comment period is required for amendments to State Plan goals).

Provide a description of how the Council made the plan amendment items available for public review and comment. Include how the Council provided appropriate and sufficient notice in accessible formats of the opportunity to review and comment.

Complete the Public Input and Review section with appropriate information to support changes. The information should include a description of how the Council considered the comments and responded.

### **Annual Work Planning**

A separate work plan must be developed for each federal fiscal year of the State plan (please see [“What is Due and When? Calendar for Federal Reports”](#) for details on what years are required), submitted, and approved by the OIDD staff.

Review the previous year work plan to determine if changes/updates need to be made. *Note: information from the annual work plan(s) is used to populate the Program Performance Report.*

The annual work plan includes the following information by goal: a description of the goal, areas of emphasis, activities to be used in achieving each goal, identification of areas the goal will address, and collaborators planned for the goal; and for each objective, a description of the objective with identification of the following:

- ✓ Key activities
- ✓ Expected outputs
- ✓ Expected objective outcomes
- ✓ Data evaluation and measurement
- ✓ Targeted, projected federal performance measures for each objective

### **Key activities**

Identify the **major** activities the Council will use to reach the objective and support progress towards the 5-year goal.

*State plan activities are derived from the unmet needs of the citizens of the State/Territory (§124(c)(4)(A)(i)).*

*General management activities should **not** be included as a key activity. General management is typically defined as any activity that is a standard part of implementing the DD Council program. Examples of general management activities are: Council meetings, RFP and contracting activities, staff and committee work activities to review the state plan, awarding grants, paying invoices.*

Additional notes on key activities: Focus on what the key activity will address. For example, “providing funding” or “fund a grant/contract” is sometimes listed as a key activity. The focus on the key activity is the funding rather than what the funding will address. Rephrase key activity statements so that the focus of the funding will support outcomes for people with DD, their families, or to address a systems change.

### **Expected Outputs**

Outputs are the measurable things a key activity produced. Examples of expected outputs are number of training curriculum developed, number of training sessions conducted, number of communities identified to increase accessibility to services, supports and other assistance.

Identify the outputs the Council expects from implementing the key activity. Reminder: the expected outputs entered in this section will be used to populate the program performance report.

### **Expected Objective Outcomes**

These are the effects a key activity produced for people with developmental disabilities and their families, and outcomes from issues the Council addressed through an activity. An outcome is the change that is expected to occur because of the key activity. Examples of

expected outcomes are: People with DD and their families in rural areas are more knowledgeable about services and access new services to meet their needs; community education efforts increased volunteerism opportunities by 10% in “ABC” community; policymaker education and information increased affordable housing options.

Identify the expected outcomes for people with developmental disabilities and their families as a result of the activities implemented. Reminder: the expected outcomes entered in this section will be used to populate the program performance report.

*Focus on the outcome(s) for a person with developmental disability, their family, or services, supports, or other assistance for people with developmental disabilities.*

#### **Data Evaluation and Measurement:**

Data evaluation is the process of collecting and analyzing data to determine if and to what extent the project, objective, and 5-year goals have been achieved. Measurement is collecting data and is typically thought about in two ways – quantitative (numbers) and qualitative (stories and experiences).

Identify the data you will measure (examples of data include program records, pre and post-tests, surveys, interviews, focus groups). *Note: Data evaluation and measurement should NOT be the same as items listed under “Expected Objective Outcomes”.*

#### **State Plan changes**

This section will show the sections that have been changed. In the field titled “Nature of Change”, Council staff should provide information to assist the AIDD reviewer with locating the change. It is not necessary to provide the rationale for why the Council is making a change. For example, if you made a grammatical change to a goal statement that did not change the overall intent of the original goal, simply indicate “grammatical change to Goal 1” (this would be classified as a non-substantive change) or in the case of adding a goal “added Goal to address Health” (this would be classified as a substantive change).

In the case of annual work plan changes, simply indicate the objective and what changed (by area, do not restate the activities or why the Council wanted to add activities). For example, Objective 2 added three key activities with outputs, outcomes, measurement and performance measures or Objective 3 updated performance measures.