
Date: February 27, 2015

Memo To: All DD Wavier Providers and Agencies

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Memo Through: Jennifer Thorne-Lehman, Deputy Director – DDSD

Topic: Clarification regarding Decision Consultation and Team Justification process and forms

This memo is intended to clarify information and remind all DDW Providers and team members about the process for Decision Consultation and Team Justification and the respective forms that are to be used. Please note all forms have been revised for 2015 and are intended for immediate use. Links to access these resources are listed at the end of this document.

Recipients of the New Mexico DD Waiver and their guardians or health care decision makers are supported to make informed decisions that are congruent with their personal and cultural values.

Health decisions are the sole purview of the individual or their guardian/health care decision maker. This memo serves to remind providers that these processes are established in Standards and in the 2011 Director's Release about Decision Consultation.

Decision Consultation

The Decision Consultation process is used when an individual or their guardian/health care decision maker has concerns; needs more information about health related issues or has decided to not follow all or part of an order, recommendation or suggestion. This includes:

- *Medical orders or recommendations* from the Primary Care Practitioner (PCP), Specialists or other licensed medical or healthcare practitioners such as Nurse Practitioner, Physician Assistants or Dentists:
 - Medical orders are for routine care including medications, services or treatments
 - Medical recommendations include discussion, advice or options for care such as lifestyle changes; referral for additional medical consultation, workup or opinions; advice regarding having procedures or surgery or end of life decision making.
- *Clinical recommendations* made by registered/licensed clinicians who are either members of the IDT or clinicians who have performed an evaluation such as a video-fluoroscopy.
- *Health related recommendations or suggestions* from oversight activities such as the Jackson Community Practice Review or other DOH review or oversight activities.

Since the individual or guardian/health care decision maker has the sole responsibility for health related decisions, it is critical that any issues of concern are communicated in a timely manner. The Decision Consultation Process assures that questions are answered by the IDT members, additional clinical resources are provided if desired and that informed decisions are made, documented and honored.

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The Case Manager has ultimate responsibility for the Decision Consultation Process and assuring its completion. The Case manager is responsible for convening a meeting to address the issues and facilitate accessing resources if needed. The Case Manager is also responsible for completing the Decision Consultation Form and updating the Health and Safety Action Plan page of the ISP when necessary. The Case Manager retains the Decision Consultation Form and makes it available to the individual, guardian/health care decision maker, living services providers and pertinent team members.

A variety of approaches and resources are available to support informed decision making. It is always advisable for the individual or guardian/health care decision maker to talk directly with the PCP or specialist. This allows the opportunity to ask questions, clarify information and discuss any risks or benefits of the medical orders or recommendations. Obtaining a referral for consultation or a second opinion from another physician or specialist may be appropriate.

The DDSO offers resources and consultation from our partners at the Transdisciplinary Evaluation and Support Clinic (TEASC) and the Continuum of Care Project (COC) which includes the Health Decisions Resource team. The DDSO Regional Office Nurses; the Bureau of Behavioral Supports and the Clinical Services Bureau are also available for consultation.

After the Decision Consultation Meeting, the Clinical members of the Team are responsible for updating all relevant plans and training staff as needed in a timely manner.

Team Justification

Individuals served through the DD Waiver at times receive evaluations or reviews conducted by a variety of professionals. These evaluations or reviews typically include recommendations or suggestions for the individual/guardian or the team to consider. Discussion and decisions about *non-health related recommendations* should be documented on the Team Justification form.

Although the processes are similar, the Team Justification form provides a way to document that the individual/guardian or team has given due consideration to the recommendations and either decided to 1) implement the recommendation 2) create an action plan and revise the ISP to implement the recommendation if necessary or 3) made a thoughtful determination that the recommendation should not be implemented.

If the individual/guardian or team chooses not to implement a recommendation, the Team Justification form must be completed and filed along with the report in which the recommendation(s) were made. This will be retained in the Case Management file and other pertinent provider files.

For current forms and resources please refer to the following links:

DDSD: <http://archive.nmhealth.org/ddsd/programswaiversandstatefunding/CaseManagement.htm>

DDSD - ACT: <http://www.actnewmexico.org/case-managers.html>

Continuum of Care: <http://coc.unm.edu/common/pdf/ddsddecform.pdf> and <http://coc.unm.edu/common/pdf/teamjustform.pdf>