



COMMONWEALTH of VIRGINIA

ALISON G. LAND, FACHE
COMMISSIONER

DEPARTMENT OF
BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

Post Office Box 1797
Richmond, Virginia 23218-1797

Telephone (804) 786-3921
Fax (804) 371-6638
www.dbhds.virginia.gov

MEMORANDUM

To: DBHDS Licensed Providers of Developmental Services
From: Jae Benz, Director, Office of Licensing
DATE: December 2, 2021
RE: Annual Inspections for providers of developmental services

Purpose: The purpose of this memo is to inform providers of developmental services about the current plan for completing annual inspections for calendar year 2022. This plan will help to ensure the adequacy of individualized services and supports to individuals receiving services and will assist with continued efforts towards achieving compliance with [Commonwealth's settlement agreement](#) with the United States Department of Justice.

Over the past few years, there has been specific emphasis on Quality Improvement, Risk Management and Root Cause analysis regulations. The Office of Licensing (OL) has offered numerous trainings and developed guidance materials and FAQ documents to assist providers in attaining compliance. During annual unannounced inspections completed during calendar year 2021, the Office of Licensing was able to collect critical information related to providers' compliance with key regulations that are required to be monitored as part of the January 14, 2020, *Joint Filing of Complete Set of Agreed Upon Compliance Indicators*. The OL greatly appreciates the collaborative efforts made by providers to submit required information in a timely manner during this ongoing time of unprecedented challenges. While the pandemic and its many challenges continue into 2022, the Commonwealth of Virginia continues to be tasked with showing progress towards coming into compliance with the settlement agreement.

During calendar year 2022, the OL will once again prioritize inspections for providers of developmental services in order to ensure compliance with the Licensing Regulations directly tied to the settlement agreement indicators. In preparation for the 2022 inspections, the Office of Licensing will be offering a webinar on **Thursday, December 16, 2021 at 10:00 a.m.** to 1) report the compliance of providers with regulations related to Quality Improvement, Risk Management and Root Cause Analysis and to 2) highlight how providers should begin to prepare for the 2022 inspections relative to these regulatory requirements. While the data will focus on providers of developmental services, the information related to how a provider can achieve compliance applies to all providers.

The December 16 webinar will allow for 3000 participants and will be recorded. In a webinar this large, participants can only post questions in the Q&A and presenters will respond as time allows (no video or

microphones are allowed). In addition, a Frequently Asked Question document as well as the power point presentation will be posted after the webinar. Providers may register as follows:

Register in advance for this webinar:

https://dbhds-virginia.zoomgov.com/webinar/register/WN_2pXXg4_qQUS7k53fQgkzUw

Please note, in accordance with 12 VAC 35-105-160.F, providers shall make available and, when requested, submit reports and information that the department requires to establish compliance with the Licensing Regulations and applicable statutes. Your licensing specialist (LS) will be evaluating compliance with a number of regulations during annual unannounced inspections. A list of the minimum regulations that will be reviewed as well as criteria for achieving compliance will be shared over the next few weeks. In addition, your LS will review corrective action plans that have been submitted since the last inspection to determine if they have been implemented as approved.

In addition, when requested by their LS, each provider will be expected to submit the following policies, procedures and plans for review for compliance with these Licensing Regulations:

Serious Incident Reporting Policy (12VAC35-105-160)

Root Cause Analysis Policy (12VAC35-105-160)

Written Risk Management Plan (12VAC35-105-520)

Written policies and procedures for a quality improvement program (12VAC35-105-620.A)

Written and dated Quality Improvement Plan (12VAC35-105-620.C)

In order to support providers in achieving and maintaining compliance with the [Final DOJ Licensing R](#), the Office of Licensing has offered training opportunities as well as SAMPLE documents related to Quality Improvement and Risk Management. In addition, Guidance documents on the Virginia Regulatory Town Hall website and the Office of Licensing webpage provide additional explanation and examples to providers. Please take this opportunity to visit the [Office of Licensing webpage](#) to review these materials if you have not already done so.

If you have any questions related to the content of this memorandum, please do not hesitate to reach out directly to your Licensing Specialist. For additional information related to the Commonwealth's settlement agreement with the United States Department of Justice please visit the [DBHDS DOJ Settlement Agreement webpage](#). In addition, information related to DBHDS' response to COVID-19 can be found on the department's [COVID-19](#) webpage.

