



COMMONWEALTH of VIRGINIA

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COMMISSIONER

DEPARTMENT OF
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MEMORANDUM

To: DBHDS Licensed Providers of Developmental Services
From: Jae Benz, Director, Office of Licensing
Cc: Veronica Davis, Associate Director for State Licensure Operations
Mackenzie Glassco, Associate Director of Quality & Compliance
Angelica Howard, Associate Director of Administrative & Specialized Units
Date: December 11, 2024
Re: 2025 Annual Inspections for Providers of Developmental Services

Purpose: The purpose of this memo is to remind providers of developmental services that, as is customary, the annual unannounced inspections begin again at the start of each calendar year. In January 2020, the Office of Licensing began sharing a chart of the minimum requirements licensing specialists (LS) review during a provider's annual inspection as well as what document the LS will look at to determine compliance.

In accordance with V.G.3 of the Settlement Agreement, the Commonwealth is tasked with ensuring the licensing process assesses the adequacy of supports and services provided to individuals with developmental disabilities receiving services licensed by DBHDS. The Office of Licensing is also tasked with monitoring providers' compliance with the Rules and Regulations for Licensing Providers. This involves monitoring the adequacy of individualized supports delivered by each provider. The Office of Licensing developed a crosswalk that ties the eight domains outlined in the Settlement Agreement to specific Licensing Regulations. All of the regulations listed in the chart are checked during the annual inspection. In addition, the licensing specialist will be reviewing any regulations cited since the last annual inspection to ensure implementation of the corrective action plans in accordance with 12VAC35-105-170.G, 12VAC35-105-170.H and 12VAC35-105-620.C.4.

At each annual inspection, the licensing specialist reviews a sample of individual records to ensure individuals being served are receiving services consistent with their assessed needs and their agreed upon service plan. If a review uncovers a provider is not meeting an individual's needs, the appropriate regulation is cited. A provider is required to submit and implement a corrective action plan for each violation cited including a detailed description of the corrective actions to be taken to correct the specific deficiencies identified for individuals whose records were reviewed; that will minimize the possibility the violation will occur again and will correct any systemic deficiencies.

The [2025 OL Annual Compliance Determination Charts](#) include annual inspection information for all developmental services. These service specific charts incorporate feedback from providers

as well as the Independent Reviewer. Each chart outlines the minimum regulations that will be reviewed for each service, the documents that will be viewed to determine compliance, and whether the documents will need to be submitted via the CONNECT provider portal or viewed onsite during the inspection. Please carefully review this memo and the [2025 OL Annual Compliance Determination Charts](#), specific to your licensed service(s); and provide all information when requested by your licensing specialist. **CSBs/BHAs participating in the Multi-Agency Review Team (MART) must ensure that the documents included in the Master Document List are uploaded to the repository by January 1, 2025.**

As part of the annual inspection process, the specialist will conduct a brief 30-minute exit meeting with the provider. This meeting time will be scheduled at the beginning of the inspection to allow the provider ample time to make arrangements. The exit meeting should be attended by the person responsible for oversight of the implementation of the pledged corrective action. The specialist will outline the preliminary findings from the inspection including areas of non-compliance. The provider will be given the opportunity to ask questions and provide additional information, as appropriate. A provider may choose to decline an exit meeting. If a provider does not respond to a request for an exit meeting or declines the opportunity to participate in the meeting, the specialist will note this and proceed with closing out the inspection or issuing citations for any regulatory violations, if indicated.

In order to support providers in achieving and maintaining compliance with the [Licensing Regulations](#), the Office of Licensing has offered training opportunities over the past few years as well as posted a significant number of power points, guidance documents and samples. Please take this opportunity to visit the [Office of Licensing Webpage](#) to review these materials if you have not already done so. Additionally, [OL Website Index](#) is a tool that can be used to search for documents/resources located on the OL website. Users can download the index and filter by topic area, diagnosis group and/or date then click on the hyperlink to view each document/resource.

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 Settlement Agreement please visit the [DBHDS DOJ Settlement Agreement webpage](#).