



Attestation for Provider of Individual Supports

As a provider of Individual Supports through the Division of Developmental Disabilities' Community Care Program, I am obligated to adhere to the requirements outlined below related to licensure and personal guidance.

Need for Licensure

It is the policy of the Division of Developmental Disabilities (DDD) that settings with the characteristics below be licensed under [N.J.A.C. 10:44A – Standards for Community Residences for Individuals with Developmental Disabilities](#). If a service provider is unsure whether a setting meets the criteria to require licensure, they must contact DDD.PPMU@dhs.nj.gov for direction.

- All individual(s) living in the setting are enrolled in the Community Care Program (CCP)
- All residential services in the setting are coordinated and managed by a *single* service provider (also referred to as provider managed) where the staff are employees of that provider
- One or more of the individuals living in the setting, as documented in the Individualized Service Plan (ISP), requires *Personal Guidance* as defined N.J.A.C. 10:44A:

“The assistance provided to an individual with intellectual/developmental disabilities on a daily basis in activities of daily living because he or she requires help completing such activities of daily living and/or cannot direct someone to complete such activities when physical disabilities prevent self-completion; or there is a documented health or mental health problem requiring supervision of the person for the protection of the individual or others. In the absence of a court determination, the Planning Team determines the need for personal guidance for each individual, in accordance with N.J.A.C. 10:44A-4.3(c).”

In recognition of an individual's right to choose independent living, if none of the individuals with intellectual and developmental disabilities at a particular place of residence require personal guidance, as determined by the planning team, licensing shall be available on a strictly voluntary basis.

Failure to license settings that meet the above factors will result in negative action(s) including, but not limited to, denial of claims submitted for Individual Supports rendered in the setting. The Division reserves the right to license a setting if the Division determines that licensing is in its best interest.

Licensed settings must comport with all applicable laws and regulations, including:

- [Home and Community-Based Services Settings Final Rule](#), issued by the federal Centers for Medicare & Medicaid Services (CMS)
- NJ Department of Human Services Office of Licensing Standards, [10:44A Standards for Community Residences for Individuals with Developmental Disabilities](#) and [10:44C Standards for Community Residences for Persons with Head Injuries](#)
- DDD's [Community Care Program \(CCP\)](#) -
- Providers must comply with all rules and regulations for any DDD program element of service proposed by the applicant. Additionally, please take note of [N.J.A.C. 10:40 Division of](#)

[Developmental Disabilities Organizational Rules](#), which apply to all developmental disability services.

My signature below attests to the agency's expected compliance with the criteria outlined in this document:

Failure to license settings that require it will result in negative action(s), including but not limited to denial of claims submitted for Individual Supports rendered in the setting. **It is the sole responsibility of the provider to ensure compliance.** If a provider is unsure whether a specific setting requires licensing, they must consult with their assigned liaison through the Provider Performance and Monitoring Unit at DDD.PPMU@dhs.nj.gov.

Provider Agency Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone: _____

Executive Director Name: _____

Executive Director Signature: _____

Date: _____