

7. The Case Management Agency shall develop written policies and procedures for the implementation and ongoing operation of the FSSP, which must be kept on file and made available to the Department or the public, upon request.

8.7561.B FSSP Family Support Council (FSC)

1. The Case Management Agency shall assist its defined service area to establish and maintain an FSC pursuant to Section 25.5-10-304, C.R.S.
2. The Case Management Agency shall establish an FSC roster that includes the names of Members, type of membership and identifies the chairperson. The roster shall be available to the Department or the public, upon request.
3. Composition of the FSC:
 - a. The majority of the members and the chairperson of each FSC shall be Family Members of an individual with an Intellectual and Developmental Disabilities or Developmental Delay.
 - b. New members of the FSC shall be recruited from the service area. New members shall be approved by the current FSC and the governing body of the Case Management Agency.
 - c. The members of the FSC shall receive written notice of their appointment.
 - d. The Case Management Agency shall ensure an orientation and necessary training regarding the duties and responsibilities of the FSC is available for all council members. The training and orientation shall be documented with a record of the date of the training, who provided the training, training topic, and names of attendees.
 - e. The size of the FSC shall be sufficient to meet the intent and functions of the council, but no fewer than five (5) persons, unless approved by the Department.
 - f. Each FSC shall establish the criteria for tenure of members, selection of new members, the structure of the council and, in conjunction with the Case Management Agency, a process for addressing disputes or disagreements between the FSC and the Case Management Agency. Such processes shall be documented in writing. Processes may include a request for mediation assistance from the Department.
4. The FSC duties include providing guidance and assistance to the Case Management Agency on the following:
 - a. Overall implementation of the FSSP;
 - b. Development of the written annual FSSP report for the defined service area, as defined at Section 8.7561.K;
 - c. Development of written procedures describing how families are prioritized for FSSP funding;
 - d. Development of written policy defining how an emergency fund is established, funded and implemented. The policy must include a definition of a short-term Crisis or emergency and the maximum amount of funds a Family may receive per event and/or year;

- e. Provide recommendations on defining the “other” service category within the parameters as defined in this part;
- f. Monitor the implementation of the overall services provided in the defined service area; and
- g. Provide recommendations on how to assist families who are transitioning out of the FSSP.

8.7561.C FSSP Member Eligibility

1. Any individual with an Intellectual and Developmental Disability or Developmental Delay, as determined pursuant to Section 25.5-10-211, C.R.S., living with their Family is eligible for the FSSP. Living with a Family means that the individual's place of residence is with that family.
 - a. If an individual does not reside in the primary residence because of transition into or out of the home for more than 6 months, that individual is no longer eligible for FSSP.
 - b. The Case Management Agency, in cooperation with the local FSC, shall determine what constitutes a transition.
2. The Family and eligible individual shall reside in the State of Colorado.
3. Eligibility for the FSSP does not guarantee the availability of services under this program.

8.7561.D FSSP Direct Services and Inclusions

1. Services and supports available under the FSSP may be purchased from any provider that is able to meet the individual needs of the family.
2. All services must be needed as a result of the individual's Intellectual and Developmental Disability or Developmental Delay and shall not be approved if the need is a typical age-related need. Correlation between the need and the disability must be documented in the Family Support Plan (FSP).
3. All services must be provided in the most cost-effective manner, meaning the least expensive manner to meet the need.
4. All services shall be authorized pursuant to the FSP.
5. Services provided to the Family through the FSSP shall not supplant third party funding sources available to the Family including, but not limited to, public funding, insurance, or trust funds.
6. Case Management Agencies shall not charge a separate fee for assisting individuals to access services identified on the FSP.
7. FSSP funds shall not be used for any donation to religious, political, or otherwise causes, or activities prohibited by law.