



Clarification on Monitoring of Chapter 2380 and 2390 Regulations for Individuals Who Reside in ICF/ID Settings

ODP Announcement 25-040

AUDIENCE:

- The Office of Developmental Programs (ODP)-licensed providers operating programs under 55 Pa. Code Chapter 2380 and Chapter 2390 who serve individuals residing in Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/ID)
- Administrative Entities
- Supports Coordination Organizations

PURPOSE:

To clarify which regulatory requirements in Chapters 2380 and 2390 will and will not be monitored during licensing inspections when applied to individuals who reside in ICF/ID settings and attend facility-based day services. This announcement replaces Info Packet 136-11 issued in 2011.

DISCUSSION:

Historically, certain requirements under Chapters 2380 and 2390 have not been monitored during licensing inspections for individuals who live in ICF/ID settings due to their overlap with ICF-specific federal regulations (42 CFR Part 483, Subpart G). This includes requirements related to assessment, individual plan development, and

implementation responsibilities that are already fulfilled through the ICF/ID Interdisciplinary Team process.

However, recent licensing inspections have revealed confusion due to outdated or incorrect regulatory citations, particularly where regulation numbers or subsections have since changed. To ensure clarity and consistency, this announcement provides an updated list of which 2380/2390 citations are not monitored, which are still applicable, and how providers should proceed.

CLARIFICATION

Effective immediately, the following regulatory requirements are considered fulfilled by the ICF/ID Interdisciplinary Team process and will not be measured during licensing inspections:

- §2380.181(b) / §2390.151(b): Program Specialist recommendation to revise service/outcome in Individual Support Plan (ISP).
- §2380.181(f) / §2390.151(f): Assessment submission to plan lead 30 days prior to ISP meeting.
- §2380.182 / §2390.152: Development, annual update, and revision of ISP.
- §2380.183 / §2390.153: (Previously related to ISP content; now refers to team membership).
- §2380.184 / §2390.154: (Previously related to team members; now refers to ISP process).
- §2380.185 / §2390.155: (Previously referred to implementation of ISP; now refers to plan content).
- §2380.186 / §2390.156: (Now addresses plan implementation; former subsections repealed).

- §2380.188(c) / §2390.158(c): Requirement to provide services as specified in ISP.
- §2380.173(7)-(9): Removed
- §2390.124(12): Removed

Please note that §2380.173(5) and §2390.124(8), which refer to invitation/signature documents for ISP meetings, continue to be considered not applicable to individuals residing in ICF/ID settings.

Provider Responsibility

Although the above requirements are not monitored under Chapters 2380 and 2390 for ICF/ID residents, providers must still demonstrate that the services delivered meet the needs of the individual as determined by the ICF/ID Interdisciplinary Team, consistent with 42 CFR §483.440(d)(3).

CONTACT:

Please contact your ODP Regional Licensing Office with questions about the application of these requirements or this announcement.