

Name:	Region: Select	DDS#
Case Manager:	Plan Date:	

IP.13 –Documentation of Professional Judgment/Most Integrated Setting

(*Messier v. STS*, Civ. No. 3:94CV01706: “Order Re: Approval and Implementation of Settlement Agreement”, signed by Senior United States District Judge and filed on November 19, 2010)

The Framework (excerpts from pages 2 and 3 of *Messier Settlement Agreement*)

B. Policy (excerpt from page 2 of *Messier Settlement Agreement*): “For purposes of this agreement the ‘most integrated setting’ is defined as ‘a setting that enables individuals with disabilities to interact with non-disabled persons to the fullest extent possible.’ 28 C.F.R. pt. 35 app. A at page 571 (2009); *Olmstead*, 527 U.S. at 592. Parties acknowledge and accept the Court’s finding that STS is a segregated institution. *Messier v. Southbury Training School*, 562 F. Supp. 2d 294, 326 (D. Conn. 2008).”

C. Professional Judgment (excerpt from page 3 of *Messier Settlement Agreement*): “DDS will assure that professional judgment is made by each Interdisciplinary Team (IDT) as to the most integrated setting appropriate to meet the needs of each class member. When the team determines that community services and supports can reasonably meet the needs of the class member, and is the most integrated setting, this recommendation will be made in the OPS (IP) and will be discussed with the guardian and the class member at the IDT meeting and documented in the OPS (IP).

The team will determine the individualized services, supports and accommodations the class member needs to transition to an integrated community setting and how these supports can be provided in an integrated community setting.”

Benchmark 5 (excerpts from page 6 of *Messier Settlement Agreement*):

“For each class member at STS, complete and document assessment evaluation, and recommendations, in the exercise of professional judgment as to whether the individual can be supported in an integrated community setting, documented by IDTs, regarding community transition, services and support.”

“Professional judgment shall identify the most integrated setting appropriate to the needs of the class member regardless of severity of disability, in accordance with the ADA, its regulations and the Memorandum of Decision and Order of the Court in this case.”

Based upon the planning and support team’s (IDT) review of the current Level of Need assessment, all comprehensive professional assessments, evaluations and reports, and subsequent discussion of necessary services and supports, the team recommends that the needs of _____

- can be supported in a community setting.
- cannot be supported in a community setting.

Please state **specific rationale**:

The LON, assessments, evaluations, and/or reports can be found in: Case Record; or Other Location (identify)

Signature:	Title:	Date:
	Case Manager/QMRP	