



**STATE OF TENNESSEE**  
**DEPARTMENT OF FINANCE AND ADMINISTRATION**  
**DIVISION OF INTELLECTUAL DISABILITIES SERVICES**  
ANDREW JACKSON BUILDING, 15TH FLOOR  
500 DEADERICK STREET  
NASHVILLE, TN 37243

**TITLE:** Vehicle Protective Barrier Subsidy

**POLICY #:** P - 018

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- A. PURPOSE:** The purpose of this policy is to provide clarification about the eligibility criteria for a Vehicle Protective Barrier Subsidy that is state-funded by the Division of Intellectual Disabilities Services and the process for requesting and authorizing the subsidy.
- B. APPLICABILITY:** This policy applies to staff of the Division of Intellectual Disabilities Services who are responsible for authorizing requests for a state-funded Vehicle Protective Barrier Subsidy.
- C. DEFINITIONS:**
1. **“Class Member”** means an individual who meets:
    - a. The requirements in the definition of the class specified in:
      - (1) *People First of Tennessee, et.al. v. Clover Bottom Developmental Center*; or
      - (2) *The United States of America v. State of Tennessee, et.al. (Arlington Developmental Center)*; or
    - b. The qualifications of the “at-risk” portion of the Class Definition as defined by the 2006 Settlement Agreement approved by the West Tennessee Federal District Court on February 15, 2007.
  2. **“Division”** means the Division of Intellectual Disabilities Services (formerly known as the Division of Mental Retardation Services).
  3. **“HCBS Waiver”** means one of the following Home and Community-Based Services (HCBS) waivers:
    - a. Home and Community Based Services Waiver for the Mentally Retarded and Developmentally Disabled (#0128.90.R2A.02) and any amendments thereto; or
    - b. Home and Community Based Services Waiver for Persons with Mental Retardation (#0357.90.02) and any amendments thereto.
  4. **“Qualified HCBS Waiver Residential Service”** means one of the following HCBS waiver services:

- a. Supported Living provided in a home that has 3 or fewer service recipients;
  - b. Medical Residential Services provided in a home that has 3 or fewer service recipients; or
  - c. Residential Habilitation provided in a home that has 3 or fewer service recipients.
5. **“Vehicle Protective Barrier Subsidy”** means a state-funded subsidy provided by the Division of Intellectual Disabilities Services to a residential service provider to modify a vehicle through the addition of a barrier to protect the driver during transport of an individual having an established history of aggressive behavior that would reasonably be expected to pose a serious and imminent danger to the driver during transport or to result in an auto accident.

**D. DESCRIPTION OF POLICY**

1. **Amount of Subsidy:** A Vehicle Protective Barrier Subsidy shall be limited to a one-time subsidy of no more than \$800.00. The provider shall maintain itemized documentation of expenses to support the amount of the subsidy requested for installation of the protective barrier.
2. **Purpose of Subsidy:** A Vehicle Protective Barrier Subsidy shall only be used for labor and materials needed to install a protective barrier in a vehicle between the driver and rear seats. The vehicle in which the protective barrier is installed shall be accessible for transport of the Class Member who meets the eligibility requirements specified in Section D.3. The provider may transport other service recipients in such vehicle along with the service recipient when it is appropriate to do so, and when the vehicle is not being used to transport the Class Member, the provider may use the vehicle to transport other service recipients.
3. **Eligibility for a Vehicle Protective Barrier Subsidy:** A provider may receive a Vehicle Protective Barrier Subsidy in accordance with the following:
  - a. The service recipient for whom the protective barrier is needed to ensure safe transport must meet all of the following criteria:
    - (1) The service recipient must be a Class Member.
    - (2) The service recipient must have an established history of aggressive behavior that would reasonably be expected to pose a serious and imminent danger to the driver during transport or to result in an auto accident.
    - (3) The service recipient must be receiving a “Qualified HCBS Waiver Residential Service” as defined herein.
  - b. The provider must own or lease the vehicle in which the protective barrier will be installed.
  - c. The residential service provider must have a Vehicle Protective Barrier Subsidy Request Form approved by the Division of Intellectual Disabilities Services.
4. **Requesting a Vehicle Protective Barrier Subsidy:** To request a Vehicle Protective Barrier Subsidy, the residential provider agency must submit a completed request form (or an electronic equivalent when available) to the Regional Director or designee for review. Request forms may be obtained from the Regional Office or from the Division’s website. Along with the request form, the provider must submit itemized documentation to support the amount of the subsidy requested.

5. Payment: The Vehicle Protective Barrier Subsidy shall be a provider subsidy paid on behalf of the eligible Class Member to the provider of the Qualified HCBS Waiver Residential Service.

**E. ATTACHMENTS**

1. *Request for Vehicle Protective Barrier Subsidy Request form*

**F. PREVIOUS POLICY (if applicable)**

**G. DATE APPROVED BY TENNCARE: Not applicable**

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**H. POLICY APPROVAL**

*Joanna Damons by wfmone, MD*  
Signature of Assistant Commissioner  
Office of Policy, Planning, and Consumer Services

9/14/2009  
Date

*Alden H. Davis*  
Signature of Deputy Commissioner  
Division of Intellectual Disabilities Services

9/14/2009  
Date

**REQUEST FOR VEHICLE PROTECTIVE BARRIER SUBSIDY**

County of Residence: \_\_\_\_\_

Name of Service Recipient: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Social Security Number: \_\_\_\_\_

Telephone Number \_\_\_\_\_ Name of Residential Provider \_\_\_\_\_  
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PLEASE CHECK "YES" OR "NO".

YES NO

Is the service recipient for whom the vehicle will be modified by installation of a protective barrier a "Class Member" as defined in the Vehicle Protective Barrier Subsidy Policy?

Does the service recipient for whom the vehicle will be modified by installation of a protective barrier receive one of the following HCBS waiver residential services?

- a. **Supported Living** provided in a home that has 3 or fewer service recipients;
- b. **Medical Residential Services** provided in a home that has 3 or fewer service recipients; or
- c. **Residential Habilitation** provided in a home that has 3 or fewer service recipients.

Does the service recipient for whom the vehicle will be modified by installation of a protective barrier have an established history of aggressive behavior that would reasonably be expected to pose a serious and imminent danger to the driver during transport or to result in an auto accident? (Attach supporting documentation.)

AMOUNT OF SUBSIDY REQUESTED: \$ \_\_\_\_\_ (Attached documentation of expenses to support the amount requested.)

**FOR DIVISION USE ONLY**

DENIED

APPROVED for \$ \_\_\_\_\_

- "Eligible Class Member" means a person who meets the eligibility criteria for a Vehicle Protective Barrier Subsidy specified in Section D.3