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Systematic Planning Toward Implementation of a State Protective Services Program for the Developmentally Disabled

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SYSTEMATIC PLANNING TOWARD IMPLEMENTATION
OF A STATE PROTECTIVE SERVICES PROGRAM
FOR THE DEVELOPMENTALLY DISABLED

by

BERNIE J. JOHNSON

A report submitted in partial fulfillment of the requirements for the degree of

MASTER OF
SOCIAL WORK

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CHAPTER I

THE PROBLEM

In March, 1973, the legislature of the State of Montana enacted a bill establishing protective services for developmentally disabled persons (H.B. 350) (see Appendix). Implementation of this act was assigned to the Family and Adult Services Bureau, Division of Community Services, Social and Rehabilitation Services. It is the intent of this research paper to describe that implementation of a social services law, using systems analysis approaches to the task.

A systems analysis is an analytic study designed to help a decision maker identify a preferred choice among possible alternatives. It is characterized by a systematic and rational approach, with assumptions made explicit, objectives and criteria clearly defined, and alternative courses of action compared in the light of their possible consequences. An effort is made to use quantitative methods, but computers are not essential. What is essential is a model that enables knowledgeable intuition and judgment to be applied efficiently. The method provides its answer by processes that are accessible to critical examination, capable of duplication by others, and, more or less, readily modified as new information becomes available.

Preliminary research of existing planning models quickly brought about the stunning realization that no suitable model existed for the
implementation of such a social services program. The two most frequent approaches can be characterized by the following statements. Salvatore (1973) saw implementation as all the activities related to getting the selected program approach into full operation. The more common approach to implementation is illustrated by Bloedorn, MacLatchie, Friedlander and Wedemeyer's (1970) treating implementation as merely the issuance of program guidelines and overall goals to the local agency operation.

Although both statements are absolutely correct they leave much to be desired as to what specific actions need to be taken and in what order, to effectively implement a service program. The feeling was solidly reinforced by Jawaharal Nehru's comment (Waterston, 1965) on the Indian Five Year Plan. "We are not quite so expert at implementation as at planning (p. 334)."

Simply stated, the problem was to develop a model of attack for the implementation of a social service program. The implementation of H.B. 350 then provided the opportunity to research and develop, by participant observation, a model for the implementation of a social service program on a pragmatic basis.

Before proceeding any further three definitions are in order:

1. Developmentally Disabled according to P.L. 91-517 is a disability attributable to mental retardation, cerebral palsy, epilepsy, or other neurological conditions of an individual found to be closely related to mental retardation or to require treatment similar to that
required for mentally retarded individuals, which disability originated before the individual attains age 18, which has continued or can be expected to continue indefinitely, and which constitutes a substantial handicap to the individual.

2. Protective services are a service or array of services designed to provide supervision; protection of the person and his property and resources from exploitation; identifying and helping to correct hazardous living conditions for the individual who is unable to protect or care for himself; and bringing such situations to the attention of the court when appropriate.

3. Implementation involves plotting a sequence of actions to carry out the chosen program alternatives, making the necessary arrangements, and acting. As such it is very much a program building process, in which the "building blocks" are the resources.

The preliminary planning for the implementation of this act was broken down into three basic components. The first of these was fact gathering; second, tooling up of a knowledge base; and third, the development of a blackboard or idealistic model. At this point it should be noted that the preliminary planning was not done on site but while detached from the scene.

Fact Gathering

First, the fact gathering portion, which occurred during the spring of 1973, was hampered from the onset by a lack of information and an influx of misinformation regarding the task to be performed.
Initially the task was perceived as implementing a comprehensive adult protective services law. Later information showed it to be a specific law, namely protective services for the developmentally disabled. The primary function during this period was to define and clarify the task.

The fact gathering phase quickly showed the greatest handicap would be the insufficient lead time allowed. The law was enacted in March, 1973, with an effective date of July 1, 1973; a mere three months lead time. This time span was much too short to handle the implementation in an ideal and effective manner. Converting from the ideal into reality is frequently difficult, and sufficient time and flexibility in putting the program into action must be allowed. To compound the problem the state at the same time was in various stages of developing and implementing three other separate and distinct developmentally disabled programs, which are dealt with in more detail in Chapter II of this paper.

**Tooling Up**

Second, the tooling up of a knowledge base was concentrated in five primary areas: (1) protective services, (2) existing Montana social service policy and procedures, (3) Montana state law, (4) other states' programs, and (5) existing planning models.

Areas one through four were accomplished by researching secondary data. This is data which is already published by some governmental or private agency. The fifth and final concern was the research of existing planning models.
Models (Quade, 1967) are intended as highly simplified abstractions of the main elements of the reality to which they apply. Simply stated, a model is but a representation of something. The planning model to be chosen for this particular project needed certain prerequisites. It had to be highly flexible to change and/or modification, give sufficient and meaningful feedback, be evaluative, and it should be goal or mission oriented with regard to task.

After thorough examination of many existing planning models, the Delphi-Program Breakdown Structure as developed by Salazar and Ikeda (1973) was chosen. It was with these planning tools that the ideal implementation model was constructed to fit this specific project.

Developing the Model

Third and last, the creation of a blackboard or ideal model was undertaken. The primary function of this model is to organize the thinking in a systematic way. E.S. Quade (1967) argued that the essence of systems analysis is to construct and operate with a "model", a simplified abstraction of the real situation appropriate to the question.

It was realized from its inception that the ideal model would be subject to frequent and extensive modification. This formed the basis for the prerequisite of the model's being highly flexible. The continual revision of the model will occur until the ideal model is totally reconciled to the real situation, at which point it will become pragmatic.
In the actual development of the blackboard model certain problem areas were anticipated. Many of the specific areas of concern were due to misinformation and not yet being party to the decision making process. Areas felt to be of primary concern were: (1) who was to develop the policy and procedures for the program. (A policy is a written overall guide setting up boundaries that supply general limits and direction in which action will be taken. A procedure is a series of related tasks that make up the chronological sequence and the established way of performing the work to be accomplished. In a highly simplified way policy is what one will do and procedure is how he will do it.) (2) the ever present insufficient lead time, (3) on what part was administrative decision making and control to have an effect, and (4) the establishment of priorities. Each of these concerns had to be dealt with in creating the ideal model.

To summarize, the sequence of activities undertaken during this project were as follows: (1) research of existing planning models, (2) selecting a planning model, and (3) creating an ideal model to implement H.B. 350.

The created ideal model would be defective by its very design as it does not and never was intended to meet the total reality of the situation. As was stated previously, its function is to organize thinking is a systematic way. The hoped for end product of the research project was a pragmatic model of attack for the implementation of a social service program within the State of Montana from April 18 through September 14, 1973.
CHAPTER II

THE BACKGROUND

Within the scope of this project the beginning of services to developmentally disabled (DD) persons began in Congress with the enactment of the Developmental Disabilities Services and Facilities Construction Act (P.L. 91-517) and amendments of 1970. Services previously had been available on a categorical basis but this act heralded a strong new emphasis on providing services to the mentally retarded and neurologically damaged individuals in this country.

Feeling was high in Congress that a large gap existed between the delivery of services to individuals in institutions and to those individuals in the community. Persons in the institutions received services but when they left the institution inadequate special services were available from community agencies. As a direct result four DD programs entered into the Montana socio-political arena during the 1970-1973 period.

The first of these was the aforementioned Developmental Disabilities Services and Facilities Construction Act. The basis of this act was to provide community based facilities and services for DD persons. It authorized a federal grant to be given to a state agency to develop these items. The state agency administers this grant and disburses it to local community projects mainly on a start up basis. To facili-
tate adequate local development based on priority needs, a DD Advisory Council was established. The community council was to determine and document the needs of DD persons in their own localities and then design projects to meet those needs. After accomplishing this a money grant would be given. Also a state DD Advisory Council was appointed by the governor to establish broad based DD policies and to coordinate the local efforts into a state plan. The administration of this act was given originally to the Department of Institutions but has been recently transferred to the Rehabilitation Services Division of Social and Rehabilitation Services (SRS). The Rehabilitation Services Division is in the process of establishing a bureau to administer this program. The first annual grant of $100,000 was obligated to a number of local community projects.

The second DD program was the Purchase of Service, or as it is called, the Title 45 program. This program was administered by the Community Services Division, Family and Adult Services Bureau, and had as its basis a contract with the Rehabilitation Services Division, Developmental Disabilities Bureau, to provide specialized services to DD adults. The process for delivery of these specialized services was that five regional workers were hired by the Rehabilitation Services Division, DD Bureau, to locate DD adults and secure specialized services for them by buying those services from vendors specializing in a specific service. These workers were to be supervised by the DD Bureau Chief through the local Rehabilitative Services Offices throughout the state. This program depended upon the regional worker and the county
The third program involving services to the DD was the community group homes program under the administration of Aftercare Bureau of the State Department of Institutions. The 1973 Montana legislature passed H.B. 423 which authorized community DD group homes to be located, developed and administered by the Department of Institutions and to be licensed by the Department of Health and Environmental Sciences. The group homes were for any age group and could be for one to twelve DD persons. These homes must be licensed by the Department of Health and Environmental Sciences before any categorical assistance payments for adults could be made to them. Before any payment could be made for children under age 18 in a DD group home, that home must be licensed by the Child Welfare Services Bureau of SRS. This program affected adult foster care in those cases where there were more than three DD adults as paying residents in the home. A home with more than three DD adults must be licensed by the State Health Department and administered by the Department of Institutions, Bureau of Aftercare.

The fourth program to be identified is the DD Protective Service Act enacted by the 1973 Montana legislature as H.B. 350. The administration of this act was assigned to the Community Services Division, Family and Adult Services Bureau of SRS. The basic thrust of this program was that those DD persons, both adults and children who were living in communities in Montana, and who could not act on their own behalf could now expect that a local county social service agency will
help them to act on their own behalf. The involvement of the county social service agency with the client may be voluntary and consist of supportive and protective type services or it may be legal and involve court action, establishing a financial plan for the client, aiding the client in all monetary decisions, helping the client get personal type services and protecting the client from exploitation.

Development of Services 1970-1973

The administration and supervision of the Developmental Disabilities Services and Facilities Construction Act was initially given to the Department of Institutions, Division of Mental Retardation, stationed at Boulder River School and Hospital. They engaged in many activities including developing outreach capabilities and hiring five regional workers to be based at Boulder River School and Hospital and in the communities to follow up on persons released from the institution. However, they did not have adequate supervision or money to proceed effectively, and coverage in many areas was lacking.

Soon after P.L. 91-517 was enacted the idea or concept of purchase of services out of Social Service monies became popular with most states. The superintendent of the Boulder River School and Hospital became aware of this concept and wished to enter into a contract with the Department of Public Welfare, as it was then called, to have the Division of Social Services purchase the specialized services for the DD. It took approximately a year and a half of negotiation and planning before a contract was finally entered into. The contract with the Department of Institutions, Division of Mental
Retardation was signed in October of 1972 and ran for nine months. This arrangement did not work well because of the inadequate supervision of the five regional workers hired. One individual at Boulder River School and Hospital was in charge of these people in addition to six or seven different projects. The money allotted for this program, in the area of $250,000, was not completely used and a lot of preliminary groundwork had not been accomplished.

At this same time, discussions were being held with many of the state departments about who should deliver services to the DD in the community. Therefore, when the 1973 Montana legislature convened many DD bills were introduced. All of these bills, which had to do with community based services, were scheduled to be assigned to the Department of Institutions, Division of Mental Retardation.

Before the 1973 legislature convened, the administration of SRS made a major policy decision that community based programs should in actuality be the responsibility of that agency. Since SRS had made that decision, appropriate staff members from the agency appeared and testified during all the hearings held on these bills, that SRS should in fact have the responsibility for community services since it did have trained staff available in the communities. When the legislature ended, SRS had won a number of things and one of those was the Developmentally Disabled Protective Services Act, H.R. 350.

As a result, an administrative and gubernatorial decision was made to transfer the unused DD monies that were designated for commu-
nity services from the Department of Institutions, Division of Mental Retardation, plus state money appropriated as matching funds for community based service programs to the Community Services Division of SRS.

Having won this program, SRS assigned the task of establishing policy and procedures and the implementing of H.B. 350 to the Family and Adult Services Bureau, Division of Community Services.
CHAPTER III

THE TASK

The ultimate goal of this research project was to implement a protective service program for DD persons, using systems analysis approaches.

The essence of systems analysis is to construct and operate within a "model" a simplified abstraction of the real situation appropriate to the question. The primary function of the model is explanatory, to organize our thinking. Such a model, which may take such varied forms as a computer simulation, an operational game, or even a purely verbal description, introduces a precise structure and terminology that serve primarily as an effective means of communication, enabling the participants in the study to exercise their judgment and intuition in a concrete context and in proper relation to others. Moreover, through feedback from the model, one has a chance to revise early judgments and thus arrive at a clearer understanding of the problem and its context, and perhaps of the subject matter.

Therefore, a two step plan of action was formulated to obtain the desired goal. The first step was the development of an abstract implementation model. The second step was to use that model and actually go to the field and implement the program. The first of these, the creation of the abstract model, is the subject matter of
this chapter. In Chapter IV the model will be used to implement H.B. 350.

As the goals and objectives had been mandated by the legislation, three tasks were left to accomplish the first step of creating an abstract model of implementation.

The first task was to identify the project components. Using the objectives stated in H.B. 350 a structure of three basic project components: planning and management of the project, project policy formulation, and project field enactment were selected. Construction of the ideal model was started using these project components by drafting them into the Program Breakdown Structure (PBS) shown in Figure 1.

In the preparation of the project approach several planning tools, e.g., PERT, CPM, means-ends continuum, were examined and rejected due to a lack of detailed information. Event logic and scheduling tools were used but were referenced by PBS as their baseline. Salazar and Ikeda (1973) believe most event logic techniques such as PERT or CPM require a PBS for proper application and that without such a structure these types of scheduling techniques usually end up going nowhere.

Using the project components selected, construction of the ideal model was initiated. A preliminary breakdown was drafted but as clearer definition and better information was obtained it was modified and changed. The end product of this building process is shown as Figure 1. It was this ideal model that was used to begin implementa-
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Figure 1. The Ideal Model (PBS)
The final action taken in the development of the ideal model was the drafting of a tentative work plan. This plan was concerned with the scheduling of milestones and the personnel requirements and activities. There are numerous useful matrices and planning structures that could be developed against a PBS. Among these are: phasing and milestone schedules, event logic networks, and task matrices.

In the implementation process a phasing chart (Figure 2) was used as an associated planning tool. The function of such a chart was to allocate segments of time for an activity directed toward accomplishing a task. For example, the time allocated to plan (Figure 2) was from April 18 through June 1.

The personnel requirements and activities were to a great extent established by existing policy and supplemented by drafted DD policy. One of the activities undertaken was the scheduling of an extensive field visitation. It was here that the event logic techniques could have been of great benefit to the planner.

The PBS has its roots in the Planning-Programming-Budgeting System designed for the United States military and adapted for civilian use under President Johnson.

Under the Planning-Programming-Budgeting System the initial analytical tool is the program structure, which is the arrangement and grouping of programs into objective oriented classifications so that
Figure 2. The Ideal Phasing Chart
programs with common objectives may be considered together. Each program is placed in the program structure under the objective to which it primarily relates, without regard to its formal organizational placement. The purpose of the program structure is to facilitate better analysis of programs by tying together all facts and considerations relevant to specific programs.

In structuring programs, it is usually necessary to develop subordinate groupings of programs. Thus, the structure may initially be devised to segregate programs by broad mission or objective categories. Each of the categories may, in turn, then be further subdivided into more specific objective categories. The effect of this process is the development of a structural hierarchy of objectives characterized by degree of specificity and groupings of programs arranged to highlight the commonality of objectives sought.

Program Breakdown Structure (PBS)

A fundamental planning tool that was developed for use in the Program Breakdown Structure (sometimes known as a work breakdown structure, or simply as program structure). Through application of this tool, the program is broken down and structured into logical and precise elements.

The PBS thus far defined and developed for the implementation of H.B. 350 is given by Figure 1. This PBS will be modified and further defined as better definition of the project becomes available; as more insight is gained as to the long term goals and near term objectives;
and as better definition of options, resources, and alternatives becomes available.

The development of the PBS in itself involves a rather comprehen­sive, self-contained analysis of project goals, approaches, and strategies. The PBS represents a structured definition of project objectives, functions, missions, and end products. The process of development is iterative (one of trial and error) and tends to be self-correcting as better project definition is affected. The terms project and program are used interchangeably depending upon what is being done. This approach is a procedure to develop alternatives and/or complements for meeting given objectives.

Starting with the overall objective, gross means of meeting that objective are created. Each such means is then itself treated as an objective, and a sublayer of more detailed means created to meet it. Each means in the sublayer is similarly treated as an objective and another layer of means created, and so forth, to any desired level of detail.

Every contract, activity, project, and informational requirement etc. associated with the program can be defined explicitly in terms of, directed towards, or conducted under, some specified component or element of the PBS.

To illustrate the PBS a look at Figure 1 reveals three levels to the structure: (1) Project Components, (2) Project Categories, and (3) Project Elements.
Project Components are a grouping of activities/objectives serving the same broad aspirations. Project Categories are a grouping of activities/objectives serving more limited objectives within the broad goal of the project. Project Elements are a specific agency activity directed toward a specific goal. Indeed project elements are the basic building blocks which make up project components and categories.

As shown in the ideal model, Figure 1, objectives were directed toward different aspects of the condition or problem. For example, the project component, Project Field Enactment was broken down into two Project Categories, i.e., technical assistance and feedback. Technical assistance was then further broken down into four activities or outputs directed toward the goal of implementing H.B. 350.

The support functions are desirable if the fundamental guideline system is to succeed. The most important of these was considered to be technical assistance since it addressed itself directly to the problems commonly encountered by subordinate units in implementing superior unit guidelines. A recent work (Bloedorn et al., 1970) stated:

The technical assistance function proposed is viewed as a continuous, ongoing service activity rendered by state staff to local administrations. It is further viewed as both horizontally and vertically comprehensive---vertically, in the sense that technical assistance must be available to local agencies for all levels of activity, from guideline interpretation through implementation planning, to operations counsel; and horizontally, in the sense that technical assistance must be available for all programs of activity within the local service agency including social service programs, personnel programs, training programs, management programs, community relations programs, etc.
Other support functions of a less direct management impact, but vital to operational effectiveness of a public social service system, include the basic community research, operations performance analysis, liaison and coordination, and mobilization functions. Basic community research and operations performance analysis are the functions which together collect and analyze pertinent data about the effect of current local operations and about future potentials for social service as reflected in basic research into statewide community needs and other factors affecting the social welfare environment. They therefore provide essential support for the planning and evaluations functions. Mobilization at the state level consists of: (1) all those activities in support of local mobilization efforts which operate in state institutions, public and private, toward opening up their service resources for use by the social service target community; and, (2) also implies field technical assistance to local agency staff in their mobilization efforts.

Finally, coordination and liaison as a function is an all-encompassing sort of activity which serves to "grease the skids" of the entire system and all its component functions. It includes all those activities necessary and desirable to promote communication, cooperation, coordination, integration, etc., among all levels within the statewide operation of the public social service system; between the system and other state health and welfare activities; and, between the system and other public, quasi-public, and private agencies, including the state legislature and the regional office of the Department of Health, Education, and Welfare. The coordination and liaison function is viewed as pervading all aspects of the state level social service system and is a vital part of each. Perhaps to an even greater degree than the other functions discussed, coordination and liaison ultimately consist of a set of management strategies, tactics, and attitudes largely dependent for application upon given situations (pp. 38-39).

The Delphi Method

To identify and develop information and communication to support the decision making process has long been a problem area to planners.

The Delphi Method, as outlined by Helmer (1966), provides a systematic way of achieving or at least identifying some level of group consensus in a structured way. This is done by creating a structured decision making situation in which the participant "experts" are given an opportunity to respond to alternatives by means of a
questionnaire. These opinions are then polled and if necessary the voting-polling continues until a consenses viewpoint is reached.

In a very simple way the Delphi Method can be viewed as an opinion sampling technique in which the participants are provided information which would improve their ability to make decisions. This method provides the information to the participants by allowing each to see how the other "voted" in the previous round, and allowing them to vote again. In this project the application was seen as a tool in determining consensus or disagreement among the departments involved and defining project goals and priorities.

Using PBS and the Delphi Method in combination the actual implementation of H.B. 350 was undertaken. It then became a real world situation of planning idealism meeting socio-political reality and adapting to that reality.

**Difficulties Encountered**

Certain difficulties were encountered in the building of the idealistic model. First, and probably most important were the information deficiencies. Information problems were mentioned in previous chapters and will not be gone into in detail. However, from a research standpoint this deficiency reaffirmed the need for pertinent and factual up to date data in the planning process. In the building of this ideal model continual revision was done as more information became available.

As was noted in the first chapter, the initial ideal model was
built on the basis of the implementation of a comprehensive adult protective services law. However, as information became available which identified the program as the protective services for the developmentally disabled, a revision of the ideal model had to be made. This change affected only the objectives and not the overall goal. During the whole project, from its inception to the finalized version, approximately 23 revisions of the model were done. This in itself points up the highly flexible nature of the PBS as a planning tool.

In the planning and development of the abstract model certain implementation difficulties could be anticipated. These were broken down into four problem areas that had to be resolved. The areas were: (1) interagency cooperation, (2) staff cooperation, (3) client and/or family attitudes, and (4) public response. All of these anticipated difficulties can be summarized by their commonality, resistance. The approach taken in meeting this resistance was that in each of these, a group had something to lose or sacrifice by the change. Since change is often anxiety provoking, one task then became a matter of meeting and alleviating those anxiety feelings.
CHAPTER IV

THE APPROACH

The actual implementation of the protective services program for the developmentally disabled began using the blackboard model of Chapter III. Actual on site implementation began on June 14, 1973, and immediate changes had to be made in the idealistic model.

Foremost of these was due to the lack of time for the planned pre-test, although a staff approach was substituted and some feedback was available by the July 1 effective date. The substitute pre-test was accomplished by handling out a preliminary draft of the policy and procedures to the county directors and field staff supervisors at a staff meeting and requesting their comments. This allowed for two weeks of limited field input before the program became law. An added benefit of doing this was that it plugged the drafted program into the system early.

Second, the administrative decisions became known and established tighter boundaries for the ideal model. These boundaries could not be anticipated in advance due to their fluid nature.

It was at this point that the Delphi Method was attempted for the first time. The Division of Aftercare, Bureau Chief, the seven field supervisors (individually, as their districts were discussed on a county by county breakdown), the Social Service Field Bureau
Chief, and the implemeneter were able to establish priorities and other methodology for the transfer of cases. Caseload transfer was established as the top priority item.

During these meetings further problem areas were defined and the establishment of some policy and procedures between the Division of Aftercase and the Family and Adult Services Bureau were agreed upon. These policies and procedures were established through verbal consensus (no questionnaires) and centered around three problem areas: (1) the transfer of the community based DD persons to the local welfare department for social services, (2) the release and return of DD persons to and from Boulder River School and Hospital, (3) patient personal money accounts.

Each patient at Boulder River School and Hospital had a personal account: the monies in these accounts came from Social Security, trust funds, etc., and were drawn upon as needed. Upon patient release the money was either given to them or kept in trust. No legal sanction had been given to this procedure, so the transfer of the money from one agency to another ran into severe legal difficulties and an opinion was sought from the State Attorney General.

A transition period was effected by contract between the Bureau of Aftercare and Family and Adult Services Bureau, allowing a three month period during which the Aftercare counselors throughout the state would transfer their caseloads to designated social workers of the county welfare departments in a face to face meeting. The contract
also spelled out the responsibilities of the two agencies in delivering protective services to the DD of Montana.

During the entire process the continual upgrading of the knowledge base was absolutely necessary. This tooling up now went from a theoretical base to the practical reality of the socio-political environment in which the work was being done.

Originally in the ideal model it was thought the implementer would have to draft the policy and procedures, however, Family and Adult Services Bureau staff wrote a preliminary draft based upon H.B. 350. It was then the function of the implementer to implement and revise the draft. This included the development of policy and procedures items not included in the preliminary draft of the social service manual sections regarding protective services for the DD.

Once the actual on site implementation was affected certain problem areas were seen that had not been fully anticipated in detail. These were: (1) the separation of the four existing DD service programs and the identification and clarification of each to staff throughout the state. (These are the DD programs that were defined in Chapter II.); (2) the personal accounts mentioned previously; (3) who would transport and/or pay for the releasees and returnees from and to Boulder River School and Hospital; (4) legal status of the program (H.B. 350 mandated certain things but there could be possible conflict with other laws, namely Civil Rights); (5) cooperation between Aftercare and the county welfare staff; (6) availability and procurement of foster homes for the releasees; (7) staffing at the
county level to handle this case load; (8) financial---where would the money come from to provide or purchase these services on the scale needed; (9) court action; (10) the establishment and distribution of additional materials, such as the appropriate forms for reporting; (11) the assignment of agency responsibilities (for example, the Division of Rehabilitation had the responsibility for the Title 45 program and had to have a signed release from the local welfare office before providing specialized services to an adult DD); (12) eligibility for each DD program; (13) identification of the DD in the communities; and finally, (14) the building of an adequate feedback system within the constraints of SRS.

On June 25, 1973, letters were written to all County Attorneys and judges throughout the state explaining what the legislature had mandated and asking for their cooperation and assistance in any and all court action cases.

An extensive thirty day field trip was then scheduled to visit all geographical areas with high DD concentrations, population centers and localities having workshops or other sheltered care situations for the DD. The primary function of this trip was to provide technical assistance and interpretation to the local offices. This was accomplished by direct communication in a face to face meeting with field staff, county directors, social service supervisors, and most importantly the social worker assigned the DD caseload.

A secondary function of the trip was the revision of the policy and procedures based upon field observations and communication. This
method of gaining direct feedback of both a positive and negative nature was highly successful, especially in communicating directly with the county social workers and supervisors. It was felt that the further one got from the actual work the more vague the feedback became.

Here again, especially on the social worker level, overcoming resistance to the program was a large factor. It was felt by the county welfare staff, social workers in particular, that they were being slighted, as now other agencies were being given funds to provide many of the services they had been giving all the time. To overcome the resistance clear lines of communication were established both on the formal and informal levels. Clear explanations of who was to do what, why, and how it was to be done were the most valuable and important parts of the process. For the social worker it spelled out clearly their responsibilities and roles in regard to DD programs. Initiation of the program must begin with a thorough indoctrination of those being affected by it, so that they understood what was being done and why.

Upon return to the state office a meeting was held with the Family and Adult Services Bureau staff to examine and resolve the problems and concerns that had been encountered in the field. At this point it became a matter of solving, and resolving the problems, and to feed the resultant output quickly into the system in a positive way.
From September 1-14, 1973, a revision of the policy and procedures was drafted to bring up to date, correct, and more clearly delineate the agency's roles and responsibilities. The revised draft along with the forms that were developed for this program were then cleared administratively and through the agencies involved to make sure they did not overlap or conflict with other policy and procedures involving DD services.

By September 14, 1973, this phase of the implementation was completed. It should be noted, however, that the process did not end there. No plan ends with implementation. Planning is an ongoing process and does not end but continues on and is modified and changed during the life of the program.

In these ways prototypes became an abstract model built with the information available. That model then guided and flowed into lower levels of abstraction, more and more toward the techniques and pragmatics for the implementation of H.B. 350.
CHAPTER V

THE RESULTS

From an overall viewpoint the use of the model was highly successful in the implementation of H.B. 350. The main flaw in the model dealt mainly around the informational aspects and the needed correction and changes in the model during the actual use of it. The Delphi Method did not prove to be entirely satisfactory due to the resistance of individuals to using the questionnaire type of approach, and the time element. It was felt by the individuals concerned that the same information could be obtained in a committee type meeting with the consensus and priorities coming from that viewpoint. In this example their method did work entirely satisfactorily.

The main changes in the model were accountable to the lack of first hand knowledge that was obtained once on site work began. The lack of an extensive pre-test hindered identifying and dealing with problem areas. The limited pre-test using staff proved to be successful, although incomplete. The PBS proved to be the most successful part of the entire model as it provided a logical and structured guide for action. This was the main strength of the whole model.

A necessary and foreseen weakness of the model was that it failed to identify the uncontrollable variables which occurred during the planning and actual on site implementation. Two major uncontrollable
variables related to the Bureau of Aftercare and the Boulder River School and Hospital. Delays in establishment of policy and procedures occurred because the Bureau of Aftercare, although happy to release the caseload, was not anxious to relinquish total authority over community services, due to political pressures. Other delays were caused because each of these agencies failed to share needed data, e.g., yearly releasee and returnees of Boulder River School and Hospital, the count of patients by county of residence, etc., with the Family and Adult Services Bureau. It was felt many of these delays were at least in part caused by a change of administration at the school.

An additional variable that came into play concerned the SRS Fiscal Bureau in the transfer of patient accounts. Their feeling was that they needed legal sanction to take over those accounts which previously didn't have legal basis. Another variable was a printing delay. This involved the printing of the policy and procedures sections of the Social Service Manual. The printing took too long and made the actual distribution of the policy and procedures to the field a last minute event. Most of these delays and problems can be traced directly to the lack of sufficient lead time. Granted these may seem to be of minor importance, but like the pieces of a jigsaw puzzle, all the pieces are needed to complete the picture.

Probably the most frustrating and important variable was the political environment. Each department involved had its own political base and strength, as did the advisory boards and other special
interests. It was in this political environment that a lack of knowl-
edge and experience resulted in some head on confrontations with
political reality meeting planning idealism and, needless to say,
political reality came out on top.

This was shown during the legislative sessions where the adminis-
tration of SRS and its staff lobbied and testified for many of the
DD bills and the result was still a totally fragmented approach as to
who would handle community services to the DD.

One other negative result of the implementation model was its
timing sequence. This can best be compared by Figure 2 and Figure 3,
which show the ideal phasing chart and the phasing chart showing the
actual times used to implement the program. The actual one was
finished after the conclusion of the task to give a comparison of
what time was planned and actually spent.

The implementation was difficult due to the many agencies and
people involved, regardless of the political structures behind them.
The setting up of a coordinated and efficient program was almost
impossible due to the different spheres of interest and the fragmented
approach to community services for not only the DD, but all social
services.

It must be remembered, however, everything that was done per the
idealistic model was based upon the knowledge available at that time.
In this case, unfortunately, it was incomplete due to a lack of
planning experience, especially with systematic models.
Figure 3. The Actual Phasing Chart
As was stated earlier the PBS did prove to be a success to the extent that as a planning tool it was highly flexible and could be easily rebuilt to fit the day to day needs, and provided points for checking to make sure certain areas, at least, had been covered.

The finalized PBS, Figure 4, allows a comparison with the ideal model (Figure 1). The two most noteworthy aspects of such a comparison is the lack of change to the Project Planning and Management Component, and second, the elimination and redistribution of some of the Project Policy Formulation Component.

Two factors, however, remained fairly unresolved for this program. The first of these was a question of the Federal Guidelines. In the summer of 1973 the Department of Health, Education, and Welfare issued, via the Federal Register, rules and regulations for providing social services. In two consecutive instances the guidelines did not go into effect due to congressional and interest group pressure. Unfortunately, the State of Montana, upon the advice of the Regional Office and their own attempts to stay current did draft and implement the new regulations. When the regulations did not become effective the state was caught in the quandary of having regulations that were illegal. As a result everything reverted to the 1970 guidelines which changed the whole social service structure of the State of Montana.

The second issue to some extent also traceable to the Federal Guidelines, was that H.B. 350 is still in the implementation stage
<table>
<thead>
<tr>
<th>Project Goal Components</th>
<th>Project Categories</th>
<th>Project Elements</th>
</tr>
</thead>
</table>
| **Project Planning and Management** | Definition and Development | - policy & procedures  
- plans & schedules  
- agency coordination |
|  | Administration and Control | - general administration  
- fiscal control  
- reports & information |
|  | Evaluation | - project administration  
- cost/service  
- services provided  
- development & implementation |
|  | Issue | - policy  
- procedures  
- schedules |
|  | Technical Assistance | - interpretation  
- planning assistance  
- operations counsel  
- programs activity  
- other |
|  | Feedback | - formal  
- informal |
|  | Revise and Re-issue | - policy  
- procedures  
- forms |

*Figure 4. Final PBS for Implementing H.B. 350*
although at this time it is operational. The bugs are still being worked out of the entire system and the processes are being re-evaluated and updated to try to develop the most efficient means possible for the daily operational process of protective services to the developmentally disabled.
CHAPTER VI

ASSESSMENT

Any assessment of this project has to be highly problematical as it can only pertain to the time and situation of the project which dated from April 18, through September 14, 1973. If the project was to be undertaken again, based upon the preliminary planning and information gathered from the on site implementation, the Delphi Method would in all probability be dropped. Instead, a coordinated effort based primarily around the PBS and associated planning tools, i.e., phasing charts and task matrix, would be used.

The failure of the Delphi Method probably stems not from any fault of the model, but the lack of control necessary to force a true test of the method. Such a situation could be expected in any implementation project unless the individual had the power or the administrative backing to experiment. The Delphi Method would work best at levels where the planners have some controls, e.g. federal. At these levels the Delphi Method still has possibilities as a decision making tool, especially in a nonquantitative field such as social services.

Second, the time that was actually spent in the field would be greatly increased. The greatest source of feedback acquired was during this process. The questions and problematic situations that were brought to attention were beyond anticipation. Secondarily, it let
the line social workers and their supervisors ventilate their feelings
not only about the DD program but other things that had been bothering
them. It was felt that this, although secondary and not directly
related to the programs being implemented, was of equal importance to
the line worker. By spending this time in the field the daily problems
and frustrations, roadblocks, resources, etc., that confront the line
worker were better understood and could be dealt with in the establish­
ment of the revised policy and procedures.

As to the future, a model of implementation allows one a method
of structuring in a systematic manner a logical way of operationalizing
a program or plan. The greatest asset of PBS is the flexibility
allowing constant modification and change without deviating from the
intended direction or goal. PBS can be used to implement any program
with minor modifications. The model, as shown and developed for this
project, was intended purely for applicational use. As such it was a
partial success, in that a better model based upon participant observa­
tion was created.

The project started with research and the development of an ideal
model to implement H.B. 350. That model was then used and modified
in a real life situation. With minor modifications these models can
be used to implement any social legislation in a concise, efficient
manner, keeping in mind the political reality of the situation.

If this model can be used and continually be defined and redefined
as more and better information becomes available, it can serve as a
guideline for the implementation of any social service program. Such
a guideline would be dependent upon at least five conditions: (1) sufficient preparation, (2) adequate controls, (3) planning in hands of the controllers responsible, (4) experienced planners, and (5) the limits known. It was the absence of these conditions and not any defect in the model which created problems in the implementation of H.B. 350.

The final assessment of this project reveals that just as Waterston (1965) said:

Planning may begin with the formulation of a plan as a guide to implementation, but implementation becomes, at a later stage, a guide to revision of the original plan. The whole process is organic and continuous, with plan preparation blending into implementation, then into revision of the plan, and again into implementation and the formulation of the next plan, ad infinitum (p. 336).

And so, the implementation of H.B. 350 is not complete, but is continuing as better definition of the program becomes available; as more insight is gained as to the long term goals and near term objectives; and as better definition of options, resources, and alternatives becomes available.
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An act establishing a program of protective services for the mentally disabled.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. As used in this act, unless the context otherwise requires:
   (1) "Department" means the Department of Social and Rehabilitation Services.
   (2) "Developmentally disabled person" means a person who by reason of a developmental disability is not able, unassisted, to properly manage or care for his person or his property.
   (3) "Ward" means a person for whom protective services are rendered pursuant to the provisions of this act.
   (4) "Respondent" means a person in whose interest proceedings are brought under this act.

Section 2. (1) In recognition of the need to provide supervision and protection from exploitation for the developmentally disabled, and in acknowledgment of the desirability of providing such services outside the state institutions, the legislative assembly hereby finds and declares that a program should be established by the department to provide protective services for the developmentally disabled. Such a program should be designed to provide the services set forth in this act for developmentally disabled persons.
   (2) The director of the department shall adopt rules and regulations for the administration of this article. The department shall develop a statewide system of protective service in accordance with regulations and standards established by the department with respect to this program, the department may:
      (a) provide direct services;
      (b) enter into a contract with any responsible agency, public or private, for provision of protective service by the agency;
      (c) accept appointment by any district court as guardian, trustee, protector, or trustee and protector of a mentally retarded or other developmentally disabled person.

Section 3. (1) Protective services may be provided on a voluntary basis for any developmentally disabled person who request them for himself or at the request of any interested person, when the department determines that such person is a developmentally disabled person who would benefit from services provided in this act, and that the depart-
ment is currently able to supply services to such person. A parent may name the department as guardian of the mentally disabled person in his will. A parent may also name the department as guardian or trustee of the mentally disabled person, to assume such duties during the parents lifetime. Voluntary services may be discontinued upon the written request of the ward or any personal representative of the ward.

(2) Application for protective services under this act shall be made to the designated field staff of the department or other designated state agency in the county in which the applicant resides, and the application shall be transmitted promptly to the department. Such application shall be in writing or reduced to writing in the manner and upon the form prescribed by the department and shall contain the name, age, and residence of the applicant and such other information as may be required by the rules and regulations of the department. The rules and regulations of the department shall simplify the application process in order that protective services may be furnished as soon as possible. Adequate safeguards shall be established by the department to insure that only eligible persons receive protective services under this act. The department shall notify the applicant and the designated field staff of the department or other designated state agency in writing of its decision concerning eligibility for protective services.

Section 4. (1) Any developmentally disabled person may be made a ward of the department by a judicial proceeding which shall be initiated when any reputable person, including the potential ward, or the department, shall file in the district court of the county in which the respondent resides or is physically present, a verified petition alleging that the respondent is a developmentally disabled person, describing the nature and extent of the respondent's disability, and alleging that it will be in the best interests of the respondent that he be made a ward of the department. The petition shall be accompanied by a report of the findings of an evaluation team composed of, but not limited to, a physician, a psychologist, and a social worker, and expressing the belief that the respondent is developmentally disabled to an extent which would cause the respondent to benefit from the protective services provided for in this act.

(2) Upon the filing of such verified petition and team evaluation statement, the court shall issue an order fixing the time and place of a hearing on such petition, which time shall be no earlier than seven (7) days nor later than fourteen (14) days after the filing thereof. Such order shall appoint an attorney for the respondent, whose duty shall be to make such investigation as is necessary to protect the rights of the respondent and to attend all hearings in the matter. Such order also shall advise the respondent of his right to appear at the hearing, and shall give the address and telephone number of the attorney. Personal service shall be made on the respondent, the department, the county attorney, and attorney at least five (5) days prior to the hearing date. The department, the county attorney, and the attorney may waive service.
(3) Upon hearing, the petitioner shall present the evidence to the court. When the court is fully advised, it shall determine whether the respondent is a developmentally disabled person who would benefit from the protective services provided for in this act and whether it is in the best interest of the respondent that he be made a ward of the department and, if it is so found, the court shall enter an order that the respondent is made the ward of the department; otherwise, the petition shall be dismissed.

(4) In any order making the respondent a ward of the department, the court shall specify any legal disabilities to be imposed upon the ward. The order may contain, where appropriate, specific provisions concerning the right to operate a motor vehicle, the right to enter into contracts, or any other civil, political, personal, or property right. No person who becomes a ward of the department shall lose any legal right by reason thereof except as provided in this subsection (4).

(5) Every proceeding under this act shall be civil in nature and shall be entitled "In the interest of ________, respondent", or "In the interest of ________, ward", as the case may be.

Section 5. (1) The department shall provide, in the manner set forth, for each of its wards, those protective and supportive services which the department believes necessary to help the ward function, to the extent of his capabilities, as an independent, self-sufficient member of society. Services under this act may include, but shall not be limited to, assistance in obtaining:
(a) housing, clothing, and food;
(b) education and training for living in society and, where possible, for employment;
(c) employment;
(d) financial benefits to which the ward may be entitled;
(e) medical services and supplies;
(f) necessary legal services;
(g) marshaling, protection, and insurance of the ward's property;
(h) financial advise and services;
(i) participation in cultural and recreational activities.

(2) Services under this act also may include, but shall not be limited to, assistance in preventing exploitation of the ward by others, and in preventing injury to the ward and injury by the ward to others.

Section 6. The department may be appointed as conservator of the estate of any person adjudicated developmentally disabled, if the department is providing protective services for such person, and if it shall appear to the court that the value of the assets of such person does not exceed ten thousand dollars ($10,000), and that there is no other person or institution whose appointment in such capacity would be more appropriate. The department shall report annually to the court which appointed it on the discharge of its duties as conservator of an estate under this section and shall otherwise be subject to the requirements of a general guardian.
Section 7. The department shall engage in the direct provision of protective services to wards. If a service comprehended by this act is provided by persons or agencies acting under other state or federal laws, the department shall cooperate with such persons or agencies in obtaining such services for wards of the department. If necessary services cannot be obtained without charge, the department may purchase such services from individuals, voluntary agencies, community centers, or clinics and, to the extent not prohibited by law, from other state agencies.

Section 8. The department shall not be required to post bond in proceedings under this act unless serving as a court appointed conservator as provided in section 6 in which case it shall furnish such bond as required by law.

Section 9. (1) If the income from the assets available to a ward suffice, the department may require such ward, the custodian, guardian, or conservator of such ward, or, if the governing instrument permits, the trustee of such ward, to pay all reasonable and proper costs of proceedings in the interest of such ward under this act, including, without limitation, court costs, sheriff fees, attorney fees, and costs of diagnostic services, and to pay for protective services rendered to the ward, or to reimburse the department for funds expended for such costs or services.

Upon a written petition filed by the department, the court by which the department was appointed may permit annual expenditure of up to three percent (3%) of the principal assets if such expenditure be shown to be of special advantage for the ward. The department shall file an accounting each year and the court by which the department was appointed shall conduct a hearing to determine the propriety of any charge or charges to a ward. All of the provisions of subsections (2) and (3) of Section 4 concerning notice and hearings shall apply to hearings under this section. Upon such hearing, the court shall enter its order approving, disapproving, or modifying such charge or charges. The order of the court may be prospective as to charges of the recurring nature which reasonably may be anticipated.

(2) Except as provided in subsection (1) of this section, the net cost of proceedings under this act and of services provided by the department shall be paid from moneys appropriated for that purpose by the legislature or from moneys available from any other governmental or private source. Claims for state reimbursements shall be presented to the department at such times and in such manner as the department may prescribe. The department shall certify to the department of administration the amount. The amount so certified shall be paid from the state treasury upon the voucher of the department and the warrant of the department of administration.

Section 10. (1) With respect to each ward, designated field staff shall file a written report with the director of the department no later than June 30, 1974, and annually thereafter setting forth the services which have been provided for the ward, including specifically
an accounting for any transactions with property of the ward, other
than as a court appointed conservator, the current condition of the
ward, and the recommendations of the department as to whether its
services should continue or be terminated, and whether other proceed­
ings should be instituted. If the department is serving pursuant to
court order under Section 4, a copy of such report also shall be filed
with such court.

(2) No later than December 13, 1974, the director of the depart­
ment shall present a complete report to the legislature on the program
authorized by this act, with special emphasis on an evaluation of the
success of the program, all relevant expenses, and projections of the
cost of extending the services provided for in this act to all eligible
developmentally disabled persons in this state.

Section 11. Upon the written request of the ward, the department,
or any other reputable person, or upon its own motion, the appointing
court shall hold a hearing to determine whether the appointment of the
department should be terminated or continued. All of the provisions
of the subsections (2) and (3) of Section 4 concerning notice and
hearing shall apply to hearings under this section. No ward may request
such hearing more frequently than at six (6) month intervals. Upon
such hearing, the court shall enter its order continuing or terminating
the appointment of the department.

Section 12. The clerk of the district or probate court shall
maintain records and papers in proceedings under this act separately.
The information contained in such records shall be available to public
officials, attorneys, and persons having bonafide business dealings
with the respondents concerned.

Section 13. The department may accept and expend grants, gifts,
and legacies of money and other property, including federal grants, on
behalf of the state of Montana, in furtherance of the purposes of this
act, subject to any reasonable and proper conditions any donor may
attach which are acceptable to the executive director of the department
and which do not violate the constitution, laws or public policy of
the state of Montana.

Section 14. The legislature hereby finds, determines, and declares
that this act is necessary for the immediate preservation of the public
peace, health, and safety.