



DRAFT WORK IN PROGRESS AS OF 8/18/14

Division of Quality Improvement

Home and Community Based Services (HCBS) Settings Agency Review PART I

PROGRESS

Criteria Met
(Y/N):

1 Agency executive leadership is in the planning process on how to address the CMS HCBS Settings regulations.

2 The agency has a plan to self-assessment to determine if HCBS Settings requirements are met and/or what improvements are needed.

3 Agency executive leadership and/or management have a written plan to provide information and train staff on the HCBS Settings requirements.

4 Agency executive leadership and/or management have a written plan to provide information to individuals and family members/advocates on the rights and requirements for HCBS settings and to engage these stakeholders in improvements that may be needed.

5 The agency is accredited by an external certifying body.

6 The agency is actively pursuing accreditation from an external certifying body.



DRAFT WORK IN PROGRESS AS OF 8/18/14

- 7 The agency uses CQL POMS administered by certified CQL interviewers.
- 8 There is evidence that the agency is pursuing the use of certified CQL interviewers for personal outcome measures/person centered planning.
- 9 The agency systemically uses a person centered planning methodology.
- 10 The agency implements a Quality Improvement Plan that includes measuring and improving the quality of life of individuals served.

PERSON CENTERED SAMPLE PART II

Services and Supports Planning Process

Section 1: Habilitation Planning

Criteria Met
(Y/N):

- 1 a. The person's Habilitation Plan is person centered.

DRAFT WORK IN PROGRESS AS OF 8/18/14

- 1 b. The person's Habilitation Plan (or alternative documentation) reflects the community based activities that the person wants, desired frequency, and the supports needed for the person to pursue these activities.

- 1 c. The person is supported to make informed choices through the person centered/habilitation planning process,

- 1 d. The person's Plan (Habilitation Plan/IPOP) reflects risk factors and the positive safeguarding measures in place to minimize them including individualized back up plans and strategies when needed.

- 1 e. The person's Habilitation Plan/Plan is understandable and accessible to him/her.

- 1 f. The person knows how he/she can make a service or support request or change within his/her residence.

- 1 g. The person is satisfied with the level and type of individualized support/services provided to him/her in the setting and in the community.

Standard 1: Habilitation Planning is person centered and reflects the individual's preferences and priorities for meaningful community inclusion activities.	
---	--

Section 2: Housing Protection and Due Process

Criteria Met:

- 2 a. The person has a *lease, written occupancy agreement or other written agreement* that provides protections and appeals/ due process from eviction.

- 2 b. There is *evidence* that the person and/or his/her representative have been **informed** of his/her right to due process and under what circumstances he/she could be required to relocate.

- 2 c. The person and/or their representative **know** their right to due process and when he/she could be required to relocate.

Standard 2: The person has a legally enforceable agreement that addresses eviction processes and appeals comparable	
--	--

DRAFT WORK IN PROGRESS AS OF 8/18/14

to the jurisdiction's tenant landlord protections; and the person has been informed of and understands these rights/protections and when they would be required to relocate.

Section 3: Rights

Criteria Met:

- 3 a. The person is provided with information about their rights in plain language.
- 3 b. The person knows who to contact and/or the process to make an anonymous complaint.
- 3 c. Residential staff supports the person to understand and advocate for their rights.
- 3 d. The person is comfortable discussing their concerns with residential staff and/or provider staff.

Standard 3: The individual is aware of their rights, how to address their concerns, and is supported to do so.

Community Access and Support

Section 4: Community Access and Meaningful Activities

Criteria Met:

- 4 a. The person is *encouraged and supported* to have *full access* to the community based on their interests/preferences/priorities for meaningful activities *to the same degree as others* in the community.
- 4 b. The person *regularly* participates in unscheduled and scheduled community activities in the same manner as individuals not receiving HCBS.
- 4 c. The person is *satisfied* with his/her level of access to the broader community and the support provided to pursue meaningful activities for the period of time that he/she desires.

Standard 4: The setting where the individual resides is integrated and supports full access to the greater community

DRAFT WORK IN PROGRESS AS OF 8/18/14

--

Section 5: Relationships	Criteria Met:
---------------------------------	----------------------

- | | | |
|---|----|--|
| 5 | a. | The person is <i>encouraged and supported</i> to foster and/or maintain relationships that are important and meaningful to him/her. |
| 5 | b. | The person <i>regularly</i> interacts with people who are important to him/her (who are not paid to spend time with him/her) |
| 5 | c. | The person is <i>satisfied</i> with the number and type of important relationships he/she has and the frequency/duration of interaction. |

Standard 5: The setting facilitates and supports the individual to pursue and maintain relationships that are important and meaningful to the person.	

Setting Characteristics and Personal Experience	
--	--

Section 6: Individual Control of Personal Resources	Criteria Met:
--	----------------------

- | | | |
|---|----|--|
| 6 | a. | The person decides how to spend their personal discretionary funds (same as #57 universal protocol--the person's PA is spent on items/activities of their choosing). |
| 6 | b. | The person is supported to spend their personal funds on what they want when they choose to do so. |
| 6 | c. | The person agrees with/is satisfied with their Personal Expenditure Plan (PEP) and their level of access to their own funds when desired. |

Standard 6: The individual controls his/her personal resources.	

Section 7: Dignity and Respect	Criteria Met:
---------------------------------------	----------------------

DRAFT WORK IN PROGRESS AS OF 8/18/14

- 7 a. The staff interacts and communicates with the person in a respectful and dignified manner.
- 7 b. The person is supported to make decisions about their grooming and to dress in clean clothes appropriate to time, day, weather and preferences.

Standard 7: The setting ensures the person's rights of dignity and respect.

Section 8: Restrictions, Interventions, and Rights Modifications

Criteria Met:

- 8 a. The person and/or family member/advocate does not report being subjected to coercion, unnecessary intrusive interventions/restraints or rights modifications during the interview.
- 8 b. The person's BSP (if required) or other Plan documentation (if BSP is not required), includes a description of the positive approaches that have been tried but have not been successful, leading to inclusion of the current interventions (same as #17 on new BSP protocol if BSP is required).
- 8 c. The person's BSP (if required) or other Plan documentation (if BSP is not required), includes a description of the person's behavior and/or individualized specific assessed need, that justifies the inclusion of the restrictive/intrusive intervention(s) and/or rights modification (same as #16 on new BSP protocol if BSP is required).
- 8 d. The person is not subjected to restrictive or intrusive interventions, restraints, or rights modifications without informed consent (same as #19 and #21 if a BSP is required).
- 8 e. For any restriction, intervention or rights modification, there is evidence that the modification is time limited and revisited periodically (same as #23 and #24 if a BSP is required).
- 8 f. The person's support staff has completed and is annually recertified in an OPWDD-approved training course in positive behavioral strategies and physical intervention techniques (if applicable) (similar to #7 Agency BSP).

Standard 8: The individual is free from coercion, and unnecessary restrictive/intrusive interventions/restraints and rights modifications.

DRAFT WORK IN PROGRESS AS OF 8/18/14

Section 9: Privacy

Criteria Met:

- 9 a. Staff knocks and receives permission before entering the individual's room/living space.
- 9 b. The person is afforded the right to lock their bedroom door if they choose to.
- 9 c. The person has privacy in the bathroom and can close and lock the bathroom door.
- 9 d. Assistance is provided in private when needed by the person.
- 9 e. The person has access to and is supported to make private phone calls and/or send private e-mails/text messages when it is convenient to him/her.
- 9 f. The person is allowed to have a private phone/computer in their room; and a private cell for their own use, if they desire to (at own expense).

Standard 9: The individual has privacy in the setting they reside.

Section 10: Choice of Living Arrangement/Roommate

Criteria Met:

- 10 a. The person is satisfied with their roommate/living situation and does not express a desire (when questioned) to move to another living setting and/or with another roommate.
- 10 b. If the person is *not satisfied* with their roommate, there is evidence that staff is *proactively* working to find an alternative arrangement based on the person's needs, choices and preferences in a timely manner.

Standard 9: The individual is satisfied with their residential setting (of their choosing) and has a choice of roommate.

Section 11: Freedom to Decorate/Change Personal Environment

Criteria Met:

DRAFT WORK IN PROGRESS AS OF 8/18/14

- 11 a. The person's personal living space(s) reflects his/her individualized interest and tastes.
- 11 b. The person is supported to make changes to furnishings or decorations in their personal living space when they choose to.

Standard 11: The individual has the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.

Section 12: Schedule

Criteria Met:

- 12 a. The person is aware that he/she is not required to follow a particular schedule for waking up, going to bed, eating, leisure activities, etc.
- 12 b. The person is encouraged and supported to make their own scheduling choices according to their preferences and needs.
- 12 c. The person has access to such things as televisions, radio, computer internet, and leisure activities that interest him/her and he/she can schedule and enjoy these activities at his/her convenience.
- 12 d. The person is satisfied with his/her schedule of activities and knows how to request assistance with changes if he/she wants to.

Standard 12: The setting optimizes the individual's autonomy and independence in making life choices including the freedom and support to control his/her own schedule

Section 13: Access to Food

Criteria Met:

- 13 a. The person can choose to eat when they want to eat even if mealtimes occur at routine/scheduled times.

DRAFT WORK IN PROGRESS AS OF 8/18/14

- 13 b. The person is supported to purchase and store their own food/snacks, special food and keep this food available for their use at any time.

Standard 13: The individual has access to food at any time.

Section 14: Visitors

Criteria Met:

- 14 a. The person *knows and understands* that they can have visitors of their choosing at any time.
- 14 b. The person is *encouraged and supported* to invite their friends, family, relatives, significant others/boyfriends/girlfriend, etc. to their home if they choose to when they choose to.
- 14 c. The person has privacy with their visitor(s) if they choose to.

Standard 14: Individuals are able to have visitors of their choosing at any time.

Section 15: Accessibility of the Setting

Criteria Met:

- 15 a. The person has a key to the front door of the residence and he/she can come and go from the setting whenever they choose.
- 15 b. The person has full/unrestricted access to typical spaces in a home including a kitchen with cooking facilities and the refrigerator; dining area; laundry; and comfortable seating in shared areas and is supported to use these typical spaces and appliances in the home.
- 15 c. The setting reflects the person's needs and preferences.

Standard 15: The setting (and its amenities) is physically accessible to the person and meets his/her needs.

DRAFT WORK IN PROGRESS AS OF 8/18/14

SITE REVIEW PART III

Integrated Setting and Community Access

Section 1: On/Adjacent to Institutional Setting (Heightened Scrutiny)

Criteria Met (Y/N):

- 1 a. The setting and/or site is not located in a building on the grounds of a public institution.
- 1 b. The setting/site is not located in a building that is also a publically or privately operated facility that provides inpatient institutional treatment
- 1 c. The setting/site is not immediately adjacent to a public institution.

Standard 1: The setting is not on or adjacent to an institution.

Section 2: The setting is not isolated from the community and/or does not have the effect of isolating individuals from the broader community (Heightened Scrutiny)

- 2 a. The setting is not part of a group of multiple settings co-located and/or clustered and operationally related.

DRAFT WORK IN PROGRESS AS OF 8/18/14

- 2 b. The setting is located in the community among private residences, retail businesses, banks, etc. that is frequented by non-HCBS enrolled individuals.
- 2 c. The setting/home is not labeled or identified in a way that sets it apart from the surrounding residences.
- 2 d. The setting staff facilitates access to transportation that supports peoples' choice of activities and schedules.
- 2 e. The setting has mechanisms in place to facilitate information, education, and experiential learning about employment and community engagement opportunities.

Standard 2: The setting is not isolated from the community/does not have the effect of isolating individuals from the broader community.

Setting Environment

Section 3: Policies/Procedures and Practices promote HCBS rights and are not institutional in nature

Criteria Met:

- 3 a. There are no blanket polices/procedures or practices that limit individual rights, choice, or autonomy, including but not limited to: the right to choose one's own schedule, to come and go from the setting at any time (e.g., no curfew), the right to have visitors at any time; the right to have access to food 24 hrs/day, etc.
- 3 b. The setting is an environment that supports individual comfort, independence, and preferences.
- 3 c. Individuals have full access to the setting including appliances, laundry room, pantry, use of kitchen, etc.
- 3 d. The setting has a mechanism to determine peoples' satisfaction with the supports/services received and the setting in general and there is evidence that this information is acted upon to make positive improvements.
- 3 e. The setting has a mechanism to assess roommate/living arrangement choice and satisfaction and takes timely action if a person is dissatisfied.

DRAFT WORK IN PROGRESS AS OF 8/18/14

- 3 f. The site has a mechanism for ensuring that individuals have keys to their home and can lock their bedroom door for privacy if desired with only appropriate staff having keys.

- 3 g. There is evidence that the schedules of individuals in the setting vary based on individual preferences and needs.

- 3 h. Individuals are not prohibited from engaging in any legal activities.

- 3 i. Peoples' health and other applicable information is kept private (i.e., not posted publically in the home).

- 3 j. There is evidence that the setting optimizes community and other resources including public transportation/volunteers to ensure that individuals have full access to the community according to their preferences.

- 3 k. Surveillance cameras are not present anywhere inside or outside the home.

Standard 3: Setting policies/procedures and practices promote rights and integration.	
--	--

Section 4: Staff competencies, training, and interactions	Criteria Met:
--	----------------------

- 4 a. Staff receives training in HCBS Settings requirements including individual rights and how to support individuals to exercise control and choice in their own lives.

- 4 b. Staff receives training in Promote.

- 4 c. Staff respects the cultural/religious/other backgrounds of its residents and appears culturally competent and respectful of people supported.

- 4 d. There is evidence that site and/or provider staff actively promote and support individual choice of activities including meaningful community inclusion, relationships, freedom of association, religious preferences, etc.

- 4 e. There is evidence that site staff works to enhance individuals' input, choice, autonomy, and decision making.

Standard 4: Staff competencies, training, and interactions promote, rights, choice, autonomy, and integration.	
---	--

DRAFT WORK IN PROGRESS