

DEPARTMENT OF DEVELOPMENTAL SERVICES
Home and Community-Based Services Advisory Group

February 17, 2015 – 11:00 am to 2:00 pm
Department of Rehabilitation, Room 169
721 Capital Mall, Sacramento, CA 95814

MEETING SUMMARY

Nancy Bargmann, Deputy Director, welcomed new members and interested persons, both in the room and on the phone, to the first meeting of the Department of Developmental Services (Department) Home and Community-Based Services Advisory Group. Director Santi Rogers provided a brief background on the Department's successes and challenges, and expressed appreciation to members for assisting with the Department's focused process to address implementation of the new federal home and community-based services regulations.

Following introductions of those present and on the phone, Deputy Director Bargmann reviewed the Department's stakeholder structure for home and community-based services regulations implementation, stressing that the focused planning process would include close coordination with provider, parent, and consumer organizations and advocacy groups, the Association of Regional Center Agencies, and the Departments of Health Care Services and Social Services. Home and community-based settings must be in compliance with the federal regulations no later than March 2019.

Jim Knight, Assistant Deputy Director, provided an overview of the federal home and community-based services regulations which were published in the Federal Register on January 16, 2014, and which became effective March 17, 2014. The rules amend Medicaid regulations to ensure that individuals receiving long-term services and supports through home and community-based services programs under various Medicaid authorities have full access to benefits of community living and the opportunity to receive services in the most integrated setting appropriate. The rules affect the types of settings where consumers reside and receive services by requiring them to meet a set of characteristics by March 2019.

Modifications may be necessary in the following areas to help with compliance efforts:

- Licensing/certification standards
- Provider qualifications
- Service definitions and standards
- Provider training requirements
- Participant rights protections
- Person-centered planning requirements

Rebecca Schupp, Branch Chief with the Department of Health Care Services' Long-Term Care Division, described activities and timelines concerning the Statewide Transition Plan.

It is the intent of the Department of Health Care Services to work with State departments to determine compliance with the regulation requirements for home and

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community-based settings by assessing standards, rules, and regulations to determine whether they are fully met, partially met, not in compliance, silent on the rule.

Following Rebecca Schupp's presentation, Jim Knight summarized the Department's plans for complying with the home and community-based settings regulations.

- Outreach/community education
- Statute, regulations, policies, procedures, and contracts/agreements
- Existing tools, processes, and automation
- Initial assessments: residential and non-residential
- Ongoing assessments and monitoring

DISCUSSION

Through the diverse expertise of the Advisory Group members, many issues and priorities were raised. The group agreed to form two sub-workgroups to address the following priorities:

1. Community Education
 - a. Provide information and education about the home and community-based setting requirements to Department of Developmental Services' consumers and families, regional centers, providers, advocacy groups and other interested stakeholders throughout the State by June 30, 2015.
 - b. Inform beneficiaries of continued opportunities for providing input and staying informed as implementation and compliance to the new HCBS rule progresses.
 - c. Develop ongoing communication methods in consultation with stakeholders.

2. Assessments

Establish a sub-workgroup to assist the Department in assessing existing statutes, regulations, policies and other requirements governing residential and nonresidential home and community-based settings programs to determine the extent to which the State's written program standards comply with federal regulations.

Advisory Group members indicated their preferences to participate in one or both subcommittees.

NEXT MEETING

March 18, 2015
Location to be determined