

**Far Northern Regional Center  
Home and Community-based Services Waiver  
Follow-up Review Report**

**Conducted by:**

**Department of Developmental Services  
and  
Department of Health Care Services**

**April 22, 2009**

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## INTRODUCTION

The Department of Developmental Services (DDS) and the Department of Health Care Services (DHCS) conducted a collaborative federal compliance monitoring review of the Home and Community-based Services (HCBS) Waiver from April 14-18, 2008, at Far Northern Regional Center (FNRC). A final report including review findings and FNRC's written responses to the findings was provided to FNRC on September 25, 2008.

DDS and DHCS conducted a follow-up review on April 22, 2009, to ensure that issues raised during the collaborative review had been addressed. The monitoring team selected ten consumer records for the HCBS Waiver follow-up review for the period of February 1, 2008 – January 31, 2009. In addition, the team reviewed a supplemental sample of ten records of consumers who had special incidents reported to DDS during this review period.

### Purpose of the Follow-up Review

DDS contracts with 21 private, not-for-profit corporations to operate regional centers, which are responsible under state law for coordinating, providing, arranging or purchasing all services needed for eligible individuals with developmental disabilities in California. All HCBS Waiver services are provided through this system. It is the responsibility of DDS to ensure, with the oversight of DHCS, that the HCBS Waiver is implemented by regional centers in accordance with Medicaid statute and regulation. As stipulated in the HCBS Waiver application approved by the Centers for Medicare & Medicaid Services (CMS), the monitoring review process is a two year cycle, with a collaborative review in the first year, and a smaller, focused review in the second year addressing issues raised during the collaborative review.

### Overview of the HCBS Waiver Federal Follow-up Review

The collaborative monitoring review protocol is composed of sections/components designed to determine if the consumer's needs and program requirements are being met and that services are being provided in accordance with the consumer's individual program plan. Specific criteria have been developed that are derived from federal/state statutes and regulations and from CMS directives and guidelines relating to the provision of the HCBS Waiver services.

The DDS and DHCS monitoring report from the April 2008 collaborative review requested FNRC to provide clarification or follow-up to the report findings and recommendations. FNRC submitted a response to DDS on September 9, 2008. Based on the report recommendations and FNRC's response, the monitoring team evaluated supporting documents to determine the degree and completeness of the implementation process. Specifically, the team reviewed, evaluated and made determinations based on the selected HCBS Waiver eligible consumers' records and discussions with FNRC personnel.

## Summary of Follow-up Review Findings

The April 2009 follow-up review indicated that FNRC has implemented the recommendations from the collaborative review for the criteria selected for this review.

## SECTION I

### REGIONAL CENTER CONSUMER RECORD REVIEW

#### Summary of the April 2008 Collaborative Monitoring Review Findings

The April 2008 monitoring review included findings related to appropriately identifying HCBS Waiver level of care qualifying conditions on the “Medicaid Waiver Eligibility Record” (DS 3770.) Specifically, there was either no supporting information in some of the consumers’ records that described the identified qualifying conditions, or the records contained information that conflicted with the determination that the identified conditions were of sufficient severity to meet the level of care requirements. As a result of these findings, a recommendation was made for FNRC to determine what steps were necessary to ensure that level of care determinations are made and documented in accordance with the March 2002, program advisory, and that the review of available information in the record supports the selection of qualifying conditions.

#### Summary of the April 2009 Follow-up Review Findings

The ten sample consumer records selected for the follow-up review identified qualifying conditions that were consistent with information found elsewhere in the record.

#### Further Action Needed

None.

## SECTION II

### SPECIAL INCIDENT REPORTING

#### I. Purpose

The review verifies that special incidents have been reported within the required timelines, that documentation meets the requirements of Title 17, California Code of Regulations, and that the follow-up was complete.

#### II. Scope of Review

1. Special incident reporting of deaths by Far Northern Regional Center (FNRC) was reviewed by comparing deaths entered into the Client Master File for the review period with special incident reports (SIRs) of deaths received by the Department of Developmental Services (DDS).
2. The records of the ten consumers selected for the Home and Community-based Services Waiver sample were reviewed to determine that all required special incidents were reported to DDS during the review period.
3. A supplemental sample of ten consumers who had special incidents reported to DDS within the review period was assessed for timeliness of reporting and documentation of follow-up activities. The follow-up activities were assessed for being timely, appropriate to the situation, and resulting in an outcome that ensures the consumer is protected from adverse consequences, and that risks are either minimized or eliminated.

#### III. Results of Review

1. FNRC reported all deaths during the review period to DDS.
2. FNRC reported all SIRs in the sample of ten records selected for the HCBS Waiver review to DDS.
3. FNRC's vendors reported seven of the nine applicable (78%) special incidents within the required timeframes.
4. FNRC reported all of the ten (100%) special incidents to DDS within the required timeframes.
5. FNRC's follow-up activities on consumer incidents were appropriate for the severity of the situations.

#### IV. Findings and Recommendations

##### Findings

Consumer #XX: The incident occurred on June 12, 2008. However, the vendor did not report the incident to FNRC until June 25, 2008.

Consumer #XX: The incident occurred on July 13, 2008. However, the vendor did not report the incident to FNRC until August 4, 2008.

FNRC staff review SIRs on a daily basis, and when issues of late reporting from vendors are identified, reminders and additional training are provided as needed. Evidence was noted in the record that both the above vendors were provided additional training to address SIR timeliness. As a result, no recommendation is needed.

##### Recommendations

None.

## SAMPLE CONSUMERS

### HCBS Waiver Review Consumers

#	UCI
1	XXXXXXXX
2	XXXXXXXX
3	XXXXXXXX
4	XXXXXXXX
5	XXXXXXXX
6	XXXXXXXX
7	XXXXXXXX
8	XXXXXXXX
9	XXXXXXXX
10	XXXXXXXX

### SIR Review Consumers

#	UCI	Vendor #
21	XXXXXXXX	XXXXXXXX
22	XXXXXXXX	XXXXXXXX
23	XXXXXXXX	XXXXXXXX
24	XXXXXXXX	XXXXXXXX
25	XXXXXXXX	XXXXXXXX
26	XXXXXXXX	XXXXXXXX
27	XXXXXXXX	XXXXXXXX
28	XXXXXXXX	XXXXXXXX
29	XXXXXXXX	XXXXXXXX
30	XXXXXXXX	XXXXXXXX