

**Golden Gate Regional Center
Home and Community-based Services Waiver
Follow-up Review Report**

Conducted by:

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

July 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 July 14 – 25, 2008, at Golden Gate Regional Center (GGRC). A final report including review findings and GGRC's written responses to the findings was provided to GGRC on February 26, 2009.

DDS and DHCS conducted a follow-up review on July 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 May 1, 2008 – April 30, 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 July 2008 collaborative review requested GGRC to provide clarification or follow-up to the report findings and recommendations. GGRC submitted a response to DDS on February 2, 2009. Based on the report recommendations and GGRC'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 GGRC personnel.

Summary of Follow-up Review Findings

The July 2009 follow-up review indicated that GGRC has implemented some of the recommendations from the collaborative review for those criteria selected for this review. However, further action is needed to ensure quarterly reports of progress and face to face meetings are completed and that special incidents are reported within the required time frames. Additionally, further action is required to address the multiple medication errors for one consumer.

SECTION I

REGIONAL CENTER CONSUMER RECORD REVIEW

Summary of the July 2008 Collaborative Monitoring Review Recommendations

GGRC should ensure that quarterly reports of progress and face-to-face meetings are completed for consumers living in community out-of-home settings, i.e., Service Level 2, 3 or 4 community care facilities, family home agencies or supported living and independent living settings.

Summary of the July 2009 Follow-up Review Findings

Eight of the ten (80%) applicable consumer records contained all of the required quarterly reports of consumer progress and face-to-face meetings. However, the records for consumer #X and #X were missing documentation of one of the required progress reports and face-to-face meetings.

Further Action Needed

GGRC should ensure that future reports of progress and face-to-face meetings for consumers #X and #X are completed each quarter.

SECTION II

SPECIAL INCIDENT REPORTING

Summary of the July 2008 Collaborative Monitoring Review Recommendations

GGRC should determine what actions are necessary to ensure that all special incidents are reported to DDS within the required timeframes.

Scope of the July 2009 Follow-up Review

1. Special incident reporting of deaths by Golden Gate Regional Center (GGRC) 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 (HCBS) Waiver sample were reviewed to determine that all required special incidents were reported to DDS during the review period.
3. The records for the ten consumers who had special incidents reported to DDS within the review period were 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.

Results of the July 2009 Follow-up Review

1. GGRC reported all deaths during the review period to DDS.
2. GGRC's vendors reported nine of the ten (90%) special incidents within the required timeframes.
3. GGRC subsequently reported ten (100%) special incidents to DDS within the required timeframes.
4. GGRC's follow-up activity for one consumer's SIR was not appropriate for the frequency of the occurrences.

Findings

1. Consumer #XX: The incident occurred on September 26, 2008. However, the vendor did not submit the written report to GGRC until September 30, 2008.
2. Consumer #XX: The incident for a medication error was one of four incidents of this type between May 29, 2008 and February 2, 2009. While there was documentation that GGRC provided follow-up training to the vendor in response to the first incident, there was no documentation of any further actions taken after the three subsequent incidents.

Further Action Needed

1. GGRC should determine what actions are necessary to ensure that the vendor for consumer #XX reports special incidents to GGRC within the required timeframes.
2. GGRC should determine what actions may be necessary to address the multiple medication errors for consumer #XX and reduce the possibility of reoccurrence.

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 #
20	XXXXXXXX	XXXXXXXX
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