

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

Conducted by:

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

August 21, 2008

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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 August 6 – 10, 2007, at Westside Regional Center (WRC). A final report including review findings and WRC's written responses to the findings was provided to WRC on November 30, 2007.

DDS and DHCS conducted a follow-up review on August 21, 2008, 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 July 1, 2007 – June 30, 2008. 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 regulations. 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 August 2007 collaborative review requested WRC to provide clarification or follow-up to the report findings and recommendations. WRC submitted a response to DDS on November 21, 2007. Based on the report recommendations and WRC's response, the follow-up 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 WRC personnel.

Summary of Follow-up Review Findings

The August 2008 follow-up review indicated that WRC has implemented the recommendations from the collaborative review for those criteria selected for this review.

SECTION I

REGIONAL CENTER CONSUMER RECORD REVIEW

Summary of the August 2007 Monitoring Review Findings and Recommendations

Quarterly face-to-face meetings and reports of progress should be 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 August 2008 Follow-up Review Findings.

All ten sample records contained documentation that quarterly face-to-face meetings and reports of progress were completed for consumers living in out-of-home community settings.

Further Action Needed

None

SECTION II

SPECIAL INCIDENT REPORTING

Summary of the August 2007 Collaborative Monitoring Review

1. WRC should ensure that vendors report special incidents within the required timeframes.
2. WRC should ensure that special incidents are reported to DDS within the required timeframe.

Scope of the August 2008 Review

1. Special incident reporting of deaths by WRC 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 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 August 2008 Review

1. WRC reported all deaths during the review period to DDS.
2. WRC reported all SIRs in the sample of ten records selected for the HCBS Waiver review to DDS.
3. WRC vendors reported the ten (100%) special incidents within the required timeframes.
4. WRC reported nine of the ten (90%) special incidents to DDS within the required timeframes.
5. WRC's follow-up activities on consumer incidents were appropriate for the severity of the situations.

Findings

Consumer #XXX: The incident occurred on December 16, 2007, and was reported to WRC on December 18, 2007. However, WRC did not report the incident to DDS until December 28, 2007. WRC provided training regarding reporting timeframes to the staff involved in this SIR, therefore no recommendation is required.

WRC's Risk Management and Mitigation Coordinator reviews SIRs on a daily basis. When issues of late reporting from vendors are identified, quality assurance specialists follow up with the appropriate training. When late reporting from the regional center to DDS is identified, the Coordinator ensures that the service coordinator and their program manager are informed and trained regarding reporting timelines.

Further Action Needed

None

SAMPLE CONSUMERS

HCBS Waiver Review Consumers

| # | UCI |
|----|--------|
| 1 | XXXXXX |
| 2 | XXXXXX |
| 3 | XXXXXX |
| 4 | XXXXXX |
| 5 | XXXXXX |
| 6 | XXXXXX |
| 7 | XXXXXX |
| 8 | XXXXXX |
| 9 | XXXXXX |
| 10 | XXXXXX |

SIR Review Consumers

| # | UCI | Vendor |
|-----|--------|--------|
| 20S | XXXXXX | XXXXXX |
| 21S | XXXXXX | XXXXXX |
| 22S | XXXXXX | XXXXXX |
| 23S | XXXXXX | XXXXXX |
| 24S | XXXXXX | XXXXXX |
| 25S | XXXXXX | XXXXXX |
| 26S | XXXXXX | XXXXXX |
| 27S | XXXXXX | XXXXXX |
| 28S | XXXXXX | XXXXXX |
| 29S | XXXXXX | XXXXXX |