

## Home and Community-Based Services (HCBS) Rules CONCEPT FORM

The Home and Community-Based Services (HCBS) rules ensure that people with disabilities have full access to, and enjoy the benefits of, community living through long-term services and supports in the most integrated settings of their choosing. In order to assist in determining eligibility for compliance funding, providers must complete this evaluation. Both “Yes” and “No” answers require an explanation. A “No” response *could* mean a service setting is out of compliance with the HCBS rules and is potentially eligible for funding to make necessary adjustments. Once this evaluation is completed, it should act as a guide for filling out the provider compliance funding concept, which is required for any provider to be eligible for compliance funding. **Completion of this evaluation is for the sole purpose of applying for compliance funding and does not take the place of future provider assessments that the Department may require to determine provider compliance with the HCBS settings rules. Only providers requesting compliance funding need to complete this evaluation.**

Federal Requirements #1-5 apply to providers of all services, including residential and non-residential settings. Federal Requirements #6-10 are additional requirements that apply only to provider-owned or controlled residential settings.

The column labeled “Guidance” contains a series of questions intended to help identify compliance or non-compliance with each requirement as it relates to the HCBS rules. While responses to these questions can help in the determination of whether or not a particular requirement is met, these responses may not be the sole factor in this determination.

More information on the HCBS rules and this form can be found at [www.dds.ca.gov/HCBS](http://www.dds.ca.gov/HCBS).

Questions may be directed to [HCBSregs@dds.ca.gov](mailto:HCBSregs@dds.ca.gov).

Date(s) of Evaluation: 11/11/2019	Completed by: Megan Romero
Vendor Name, Address, Contact: Loyd’s Merced Day Program, 1503 W Main St Merced Ca 95340, Megan Romero	
Vendor Number: HC0688	
Service Type and Code: Adult Day 510	

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### **Federal Requirement #1:**

*The setting is integrated in, and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.*

### **Guidance:**

- Do individuals receive services in the community based on their needs, preferences and abilities?
- Does the individual participate in outings and activities in the community as part of his or her plan for services?
- If an individual wants to seek paid employment, does the home staff refer the individual to the appropriate community agency/resource?
- Do individuals have the option to control their personal resources, as appropriate?

### **Does the service and/or program meet this requirement? Yes No**

Please explain: Loyd's Merced Day program does not meet this requirement. Although individuals have the opportunity for community integration we do not have enhanced staffing to provide/coordinate the community access. Additionally, we lack specialized wheelchair accessible vehicles and drivers to access multiple community sites based on choice of individuals. The addition of a van and driver will improve our ability to readily access the community. We do have a job developer and some job development activities presently; however at a 1:3 ratio we do not have the staff available to develop jobs for those interested and provide coaching at the job site.

### **Federal Requirement #2:**

*The setting is selected by the individual from among setting options, including non-disability-specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board.*

### **Guidance:**

- Does the provider have a current regional center Individual Program Plan (IPP) on file for all individuals?
- Does each individuals' IPP document the different setting options that were considered prior to selecting this setting?

### **Does the service and/or program meet this requirement? Yes No**

Please explain: Loyd's Merced Day Program has copies of all IPP's for participating individuals. Services are provided in accordance to the individuals IPP.

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<p><b><u>Federal Requirement #3:</u></b> <i>Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.</i></p>	<p><b><u>Guidance:</u></b></p> <ul style="list-style-type: none"> <li>• Does the provider inform individuals, in a manner they can understand, of their rights to privacy, dignity, respect, and freedom from coercion and restraint?</li> <li>• Does the provider communicate, both verbally and in writing, in a manner that ensures privacy and confidentiality?</li> <li>• Do staff communicate with individuals based on their needs and preferences, including alternative methods of communication where needed (e.g., assistive technology, Braille, large font print, sign language, participants' language, etc.)?</li> </ul>
<p><b>Does the service and/or program meet this requirement?</b>   <input type="checkbox"/> Yes   <input checked="" type="checkbox"/> No</p> <p>Please explain: Loyd's Merced Day Program informs individuals in a manner they can understand of their rights to privacy, dignity, and respect. Staff communicates with individuals based on their needs and preferences. Staff receive new hire training and continuing education as outlined in the Lanterman Act. However Loyd's Merced lacks the technology available for different methods of communication.</p>	
<p><b><u>Federal Requirement #4:</u></b> <i>Optimizes but does not regiment individual initiative, autonomy, and independence in making life choices, including, but not limited to, daily activities, physical environment, and with whom to interact.</i></p>	<p><b><u>Guidance:</u></b></p> <ul style="list-style-type: none"> <li>• Does the provider offer daily activities that are based on the individuals' needs and preferences?</li> <li>• Does the provider structure their support so that the individual is able to interact with individuals they choose to interact with, both at home and in community settings?</li> <li>• Does the provider structure their support so that the individual is able to participate in activities that interest them and correspond with their IPP goals?</li> </ul>
<p><b>Does the service and/or program meet this requirement?</b>   <input type="checkbox"/> Yes   <input checked="" type="checkbox"/> No</p> <p>Please explain: Loyds Merced does not fully meet this requirement due to transportation options for community integration. There could be limitations with activity choices depending on the individuals needs (ie: utilizes a wheelchair that is not portable) Lloyd's Merced does offer options with activities in the various activity rooms when in the facility.</p>	

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**Federal Requirement #5:**

*Facilitates individual choice regarding services and supports, and who provides them.*

**Guidance:**

- Does the provider support individuals in choosing which staff provide their care to the extent that alternative staff are available?
- Do individuals have opportunities to modify their services and/or voice their concerns outside of the scheduled review of services?

**Does the service and/or program meet this requirement?  Yes  No**

Please explain: Loyds Merced Day program does not meet this requirement of offering alternative staff, however due to the ratio 1:3, and staff time off, the individual may not be provided with the options they would prefer.

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Only providers of services in **provider-owned or controlled residential settings** need to complete the remainder of this evaluation. In **provider-owned or controlled residential settings**, in addition to the above requirements, the following requirements must also be met:

<p><b><u>Federal Requirement #6:</u></b></p> <p><i>The unit or dwelling is a specific physical place that can be owned, rented or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city or other designated entity. For settings in which landlord/tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each participant and that the document provides protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law.</i></p>	<p><b><u>Guidance:</u></b></p> <ul style="list-style-type: none"> <li>• As applicable, does each individual have a lease, residency agreement, admission agreement, or other form of written residency agreement?</li> <li>• Are individuals informed about how to relocate and request new housing?</li> </ul>
<p><b>Does the service and/or program meet this requirement?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please explain: <a href="#">Click or tap here to enter text.</a></p>	
<p><b><u>Federal Requirement #7:</u></b></p> <p><i>Each individual has privacy in his/her sleeping or living unit:</i></p> <p><i>Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors as needed.</i></p> <p><i>Individuals sharing units have a choice of roommates in that setting.</i></p> <p><i>Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.</i></p>	<p><b><u>Guidance:</u></b></p> <ul style="list-style-type: none"> <li>• Do individuals have a choice regarding roommates or private accommodations?</li> <li>• Do individuals have the option of furnishing and decorating their sleeping or living units with their own personal items, in a manner that is based on their preferences?</li> <li>• Do individuals have the ability to lock their bedroom doors when they choose?</li> </ul>
<p><b>Does the service and/or program meet this requirement?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please explain: <a href="#">Click or tap here to enter text.</a></p>	

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<p><b><u>Federal Requirement #8:</u></b> <i>Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.</i></p>	<p><b><u>Guidance:</u></b></p> <ul style="list-style-type: none"> <li>• Do individuals have access to food at any time?</li> <li>• Does the home allow individuals to set their own daily schedules?</li> <li>• Do individuals have full access to typical facilities in a home such as a kitchen, dining area, laundry, and comfortable seating in shared areas?</li> </ul>
<p><b>Does the service and/or program meet this requirement?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No Please explain: <a href="#">Click or tap here to enter text.</a></p>	
<p><b><u>Federal Requirement #9:</u></b> <i>Individuals are able to have visitors of their choosing at any time.</i></p>	<p><b><u>Guidance:</u></b></p> <ul style="list-style-type: none"> <li>• Are visitors welcome to visit the home at any time?</li> <li>• Can individuals go with visitors outside the home; such as for a meal or shopping, or for a longer visit outside the home, such as for holidays or weekends?</li> </ul>
<p><b>Does the service and/or program meet this requirement?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No Please explain: <a href="#">Click or tap here to enter text.</a></p>	
<p><b><u>Federal Requirement #10:</u></b> <i>The setting is physically accessible to the individual.</i></p>	<p><b><u>Guidance:</u></b></p> <ul style="list-style-type: none"> <li>• Do individuals have the freedom to move about inside and outside the home or are they primarily restricted to one room or area?</li> <li>• Are grab bars, seats in bathrooms, ramps for wheelchairs, etc., available so that individuals who need those supports can move about the setting as they choose?</li> <li>• Are appliances and furniture accessible to every individual?</li> </ul>
<p><b>Does the service and/or program meet this requirement?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No Please explain: <a href="#">Click or tap here to enter text.</a></p>	

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**CONTACT INFORMATION**

Contact Name: Megan Romero  
Contact Phone Number: 661-863-0350 ext 5212  
Email Address: Megan.Romero@thementornetwork.com

**ACKNOWLEDGEMENT**

By checking the box below, I acknowledge that completion of this evaluation is for the sole purpose of applying for compliance funding and does not take the place of future provider assessments that the Department may require to determine provider compliance with the HCBS settings rules.

I AGREE

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Existing regional center vendors may receive funding to make changes to service settings and/or programs to help them come into compliance with the HCBS rules. To be considered for funding, vendors must complete and submit this form and the provider

Vendor name	Loyds Merced Day Program
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compliance evaluation form as one packet to the regional center with which it has primary vendorization.

### Instructions:

- The concept form on the next page must be used, may not exceed four pages plus the budget worksheet and any cost back up, and must be kept in Arial 12-point font. Submit the form in Microsoft Word or PDF format. An extra half page is permitted to answer questions about prior funding, but the rest of the concept must be within the standard page requirements.
- There has been a significant change in the form and process compared to prior years. **In order to receive funding, this 2019-20 form must be used.**
- For providers that operate programs with several vendor numbers involved in one concept, one evaluation and concept form should be submitted and should list all vendor numbers for related/included programs. If multiple programs owned by the same parent company have different compliance evaluations or concepts, additional applications can be submitted but should be attached in the same document as the other owned programs so they can be reviewed together.
- The results of the evaluation should be clearly laid out in the section referring to identification of federal requirements that are currently out of compliance, which the concept will address.
- The concept form includes detailed information that describes the funding requests and supports how the requests will assist the provider to come into compliance.
- There should be a clear link between what is being requested and the federal requirement currently out of compliance.
- Concepts should demonstrate how the requested change in service delivery will impact individuals in offering more choices or opportunities in the community.

### Strengths of previously funded concepts:

- Identified the need as well as proposed a plan to provide outreach and information regarding the HCBS rules to individuals served and members of their support teams.
- Discussed the need for additional funds in order to effectively support individuals served on a more individualized basis in overcoming barriers to community integration and employment, as appropriate.
- Prioritized the preferences of individuals served and utilized their feedback in the development of the concept.
- Implemented train-the-trainer certification for person-centered planning/thinking and training regarding the HCBS rules.
- Enabled residents to age in place and exercise more choice and independence.

More information on the HCBS rules and this form can be found at [www.dds.ca.gov/HCBS](http://www.dds.ca.gov/HCBS).

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Vendor number(s)	HC0688
Primary regional center	Central Valley Regional Center
Service type(s)	Adult Day Care Center
Service code(s)	510
Number of consumers currently served	58
Current staff to consumer ratio	1:3
<p>1. Please provide a brief description of the service/setting that includes what a typical day consists of and how services are currently provided. This response must include the baseline/current levels for any aspects of the program for which the concept proposes funding.</p>	
<p><b>Project Narrative Description:</b> Loyd's Liberty Adult Day Program offers structured, activity based day programs that give individuals the chance to achieve goals, become independent, and to be active in the community. In the past we have remained largely in program and have ventured out in small groups. As we begin to move forward with activities that require getting out clients out and in the community on a daily basis, we have determined assistive technology, person centered training trainer/certification, additional staff/ job coaches, and an efficient approach to transportation will be required as we continue to increase community integration in the way our individuals have requested.</p>	
<p>2. Please provide a brief summary narrative of the concept for which you are requesting funding, including justification for the funding.</p>	
<p>Loyd's Merced Day Program has conducted a self- assessment of the day program and determined we are not in full compliance with:</p> <p><b><u>Federal Requirement #1:</u></b> Reason for being out of compliance with this requirement – we lack the resources, vehicles and enhanced staffing to integrate all of our individuals in the community.</p> <p><b><u>Federal Requirement #3:</u></b> Reason for being out of compliance with this requirement – lack of technology and tools to communicate with individuals based on their method of communication.</p> <p><b><u>Federal Requirement #4:</u></b> Reason for being out of compliance with this requirement – lack of transportation options, which limits options for choice activities for individuals.</p> <p><b><u>Federal Requirement #5:</u></b> Reason for being out of compliance with this requirement – due to our ratio of 1:3 and staffing taking time off, the individuals may not be provided with the options they would prefer for staff and interaction with others.</p>	

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3. Identify which HCBS federal requirements this concept addresses that are currently out of compliance. Could be all or a subset of those identified as out of compliance on the evaluation.

1\_X\_\_ 2\_\_ 3\_X\_\_ 4\_X\_\_ 5\_X\_\_ 6\_\_ 7\_\_ 8\_\_ 9\_\_ 10\_\_

4. For each HCBS out-of-compliance federal requirement that is being addressed by this concept, describe the barriers to compliance and why this concept is necessary. If this information is in the evaluation section, please copy it here.

Limited resources to provide and offer transportation and access to the community, including offering a variety of community and employment options with a focus on personalized choice. Staffing ratio makes it difficult to focus on individualized job assessments and development.

5. For each out-of-compliance federal requirement that is addressed in this concept, please explain how the concept will bring the vendor into compliance.

In order to achieve full compliance we are proposing additional staff/job coaches, wheelchair accessible vans, technology and to get managers certified as a Train the Trainers for Person Centered Thinking. These resources will make it possible for Loyd's Merced Day Program to identify and access opportunities for Competitive Integrated Employment (paid or volunteer). The Job Developer will identify and develop additional integrated community sites to create the capacity for all individuals to participate in integrated community activities. The addition of the vans will facilitate increased access to these integrated sites. The Job Developer and staff members assist each client as they direct the design of their ISP and activity schedule. Outings may be at a volunteer site, community center, shopping center, or other location of the clients choosing. Staff will provide the least restrictive method of supports, in order to afford the clients the opportunity to be as independent as possible.

6. What are the proposed outcomes and objectives of the concept, and what are the methods of achieving and tracking them?

Our concept addresses service disparities by reducing the barriers that impede getting all Loyds Merced Day program individuals engaged in the community on a daily basis.

Specifically, the concept includes:

- increasing staffing to allow for an enriched staff-to-person served ratio that will enable those individuals who may need 1:1 support to build job skills or to receive job training or for additional supervision when in the community for individual who may need assistance with ambulation.
- One vehicle, with wheelchair accessibility that will allow staff to transport individuals from the program site to the community to participate in community engagement, get to volunteer destination sites timely and return timely for end of day and to quickly return to the center in the event of a personal need or other non-medical emergency.
- Additional Job Developer/coaches/staff, to develop formal partnerships with local businesses and non-profit agencies for employment and volunteer opportunities so

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our individuals may participate in community service projects or choose different activities in the community.

- Train the Trainer program for “Person Centered Thinking” certification and training for staff. Loyd’s believes in order for all programs to be successful and in compliance with the Federal Requirements all staff must be trained to shift their mindset to person center thinking. It cannot be accomplished without continued training.
- Technology –Loyd’s has limited technology resources to promote advocacy and community skills. The use of technology will enhance the communication and advocacy skills of our consumers.

7. Please describe how and/or what was done to include input from the individuals served in developing this concept? Discuss not only the development of the concept, but also what steps were taken to identify the interests and desires of the individuals and who was involved in that process.

During ISP meetings and workshops Loyd’s Merced Day Program gains feedback from individuals regarding their interests and desires. Loyd’s Merced Day Program is working with individuals to meet their community integration and vocational interests.

8. Please describe how the concept you propose will enable you to provide more person-centered services to your clients.

Loyd’s Merced Day Program has been diligently working with individuals to meet their community integration and vocational interests. Loyd’s Merced Day Program strives to incorporate the person centered approach in the overall services our individuals are receiving. The concepts proposed will allow us to fulfill the services requested by our individuals.

9. Please address your plan for maintaining the benefits, value, and success of your project at the conclusion of 2019-20 HCBS Funding.

Additional staffing: submit addendum to our program design to incorporate the enhanced ratios for individuals to receive additional supports to build on job readiness skills and job coaching while on the job.

Vehicles – keep these vehicles and continue to utilize them to transport individuals to volunteer sites and community integration.

Job Developer/Job Coach positions – Submit addendum to the program design and work with the regional center in order to continue to be reimbursed ongoing.

Person Centered Staff Training – continue to provide refresher trainings for all management and staff during regular staff meetings.

Technology – continue to utilize the equipment to encourage individuals in the areas of communication, community research development and vocational interests.

10. Write a brief narrative below explaining each major cost category and timeline. Complete the budget template at the end of the concept sheet. An excel version with formulas is available. When applicable, budgets should include personnel/benefits, operating costs such as consultants or training, administrative expenses/indirect costs, and capital costs (assets lasting more than 2 years). If project spans 2 years or occurs

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in phases, budget should be separated by phase/year.

Administrative costs, if any, must comply with DDS' vendor requirements, including a cap of 15% of the sum of personnel/benefits, consulting, and operating costs (must exclude capital costs).

[http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=4629.7&lawCode=WIC](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=4629.7&lawCode=WIC)

1 Driver = 52,871

\*Year 1 - \$25,272

\*Year 2 - \$27,144

2 - Job Coach = 105,742

\*Year 1- \$25,272

\*Year 2- \$27,144

Train the Trainer Person Centered Planning - \$78,504

Van Expenses – \$23,664

Wheelchair Accessible Van - \$60,000

Assistive Technology - \$10,000

Total = \$329,416

11. Please address sustainability of funding sources for all programs or concepts requiring any funding past the time frame of the requested grant, especially those that involve staff or other long-term costs. Please mark "not applicable" if costs will all be incurred during the program time frame.

Not Applicable

<p>12. Have you or the organization you work with been a past recipient of DDS funding? If yes, what fiscal year(s)?</p>	<p>HCBS Funding ___ No <input checked="" type="checkbox"/> Yes. If Yes, FY(s) <u>17</u></p> <p>Disparity Funding ___ No ___ Yes. If Yes, FY(s) _____</p> <p>CPP Funding ___ No ___ Yes. If Yes FY(s) _____</p>
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If yes to any question be sure to answer questions 13 and 14.

### For providers who have received prior HCBS, Disparity or CPP Funding from DDS

13. If your organization has received prior funding from any of the above sources, please provide an update on the prior funding project. You may copy and paste from progress update(s) previously provided to regional centers or DDS.

Prior funding included implementation of one Activity Coordinator, one Job Developer, and one van. Currently our activities coordinator develops activities for the center based on individual's interests. Job Developer, forms partnerships with the community to develop volunteer and employment sites, currently only have volunteer sites.

14. If your organization received prior funding, please explain how the current funding

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request is not redundant with any prior funding received and/or builds on the prior funding but was not part of the original funding.

Current funding request is not redundant with any prior funding received. We are requesting each of the following in order to provide person centered supports and community integration: additional staff/job coaches, wheelchair accessible vans, technology and to get managers certified as a Train the Trainers for Person Centered Thinking.

HCBS CONCEPT BUDGET	FY 20-22						
Vendor Name	Loyds Merced Day Program						
Vendor Number(s)	HC0688						
	Salary and Benefits	Year 1 Budget		Year 2 Budget		Total	
		FTE	Annual Cost	FTE	Annual Cost	Cost	
<b>Personnel (salary + benefits)</b>							
Driver	25,272	1.00	\$ 25,272		\$ -	\$ 25,272	
Driver	27,144		\$ -	1.00	\$ 27,144	\$ 27,144	
Job Coach	25,272	1.00	\$ 25,272		\$ -	\$ 25,272	
Job Coach	27,144		\$ -	1.00	\$ 27,144	\$ 27,144	
Job Coach	25,272	1.00	\$ 25,272		\$ -	\$ 25,272	
Job Coach	27,144		\$ -	1.00	\$ 27,144	\$ 27,144	
			\$ -		\$ -	\$ -	
			\$ -		\$ -	\$ -	
			\$ -		\$ -	\$ -	
<b>Personnel Subtotal</b>			<b>\$ 75,816</b>		<b>\$ 81,432</b>	<b>\$ 157,248</b>	
<b>Operating expenses</b>							
Train the Trainer Person Centered Certification			\$ 78,504			\$ 78,504	
Van Expense (Insurance, Gas, Maintenance, Etc.)			\$ 11,832		\$ 11,832	\$ 23,664	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
<b>Operating Subtotal</b>			<b>\$ 90,336</b>		<b>\$ 11,832</b>	<b>\$ 102,168</b>	
<b>Administrative Expenses</b>							
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
<b>Administrative Subtotal</b>			<b>\$ -</b>		<b>\$ -</b>	<b>\$ -</b>	
<b>Capital expenses</b>							
Wheelchair accessible van			\$ 60,000			\$ 60,000	
Assistive Technology ( Cognitive Aids)			\$ 10,000			\$ 10,000	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
<b>Capital Subtotal</b>			<b>\$ 70,000</b>		<b>\$ -</b>	<b>\$ 70,000</b>	
<b>Total Concept Cost</b>			<b>\$ 236,152</b>		<b>\$ 93,264</b>	<b>\$ 329,416</b>	

See Attachment F for budget details and restrictions