

## 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: November 22, 2019	Completed by: Maria Janice Vizcarra
Vendor Name, Address, Contact: Scott Residential Care Home 1127 Scott Pl., Hayward, CA 94544 Maria Janice Vizcarra (510) 493-8366	
Vendor Number: HB1184	
Service Type: Residential Care Facility for the Elderly Level 4F Service Code: 915	

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

<p><b><u>Federal Requirement #1:</u></b> <i>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.</i></p>	<p><b><u>Guidance:</u></b></p> <ul style="list-style-type: none"> <li>• Do individuals receive services in the community based on their needs, preferences and abilities?</li> <li>• Does the individual participate in outings and activities in the community as part of his or her plan for services?</li> <li>• If an individual wants to seek paid employment, does the home staff refer the individual to the appropriate community agency/resource?</li> <li>• Do individuals have the option to control their personal resources, as appropriate?</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: All five consumers have the choice to enjoy individualized outings as well as outing as a group. However, on group outings, Scott Residential Care Home uses a 5 passenger car that does not accommodate all five consumers plus staff that will provide assistance during community group outings.</p>	
<p><b><u>Federal Requirement #2:</u></b> <i>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.</i></p>	<p><b><u>Guidance:</u></b></p> <ul style="list-style-type: none"> <li>• Does the provider have a current regional center Individual Program Plan (IPP) on file for all individuals?</li> <li>• Does each individuals' IPP document the different setting options that were considered prior to selecting this setting?</li> </ul>
<p><b>Does the service and/or program meet this requirement?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please explain: Provider has current regional center IPP on file for all consumers.</p>	
<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</li> </ul>

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

	<p>that ensures privacy and confidentiality?</p> <ul style="list-style-type: none"> <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 checked="" type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b></p> <p>Please explain: Communication between the Provider and consumers are done in a private setting of their choosing and respects confidentiality. Provider also communicates in a manner with which the consumer is able to easily understand verbally and in writing. At Scott Residential Care Home, staff ensure client's right to privacy and dignity by involving each individual client in decisions relating to their care, need and preferences and choices.</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 checked="" type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b></p> <p>Please explain: Provider offers activities to consumers according to their preferences and needs and consumers are free to choose any activities that they want to participate in. Also, Scott Residential Care Home does not put any restrictions on who the consumer wants to interact with both at home or in community settings.</p>	

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

<p><b><u>Federal Requirement #5:</u></b> <i>Facilitates individual choice regarding services and supports, and who provides them.</i></p>	<p><b><u>Guidance:</u></b></p> <ul style="list-style-type: none"> <li>• Does the provider support individuals in choosing which staff provide their care to the extent that alternative staff are available?</li> <li>• Do individuals have opportunities to modify their services and/or voice their concerns outside of the scheduled review of services?</li> </ul>
<p><b>Does the service and/or program meet this requirement? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</b></p> <p>Please explain: Scott Residential Care Home fully support consumer in choosing which staff will provide care and assistance to them. Any concerns that consumers have outside the scheduled review of services will have the opportunity to voice their concerns to the staff at Scott Residential Care Home. Staff are always there to listen and support the consumers.</p>	

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

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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</b></p> <p>Please explain: Consumers residing at Scott Residential Care Home each have their current admission agreement and residency agreement.</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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</b></p> <p>Please explain: Each consumer is free to decorate their space of their own choosing giving them freedom of self-expression. Consumers also have the ability to lock their</p>	

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

doors when they choose to do so. On shared rooms, Scott Residential Care Home will request respite stays for clients needing placement to determine if potential client will be a good fit to the current consumer occupying the room.

**Federal Requirement #8:**

*Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.*

**Guidance:**

- Do individuals have access to food at any time?
- Does the home allow individuals to set their own daily schedules?
- Do individuals have full access to typical facilities in a home such as a kitchen, dining area, laundry, and comfortable seating in shared areas?

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

Please explain: Consumers at Scott Residential Care Home have full access to food at anytime of the day. Residents also have access to areas in the home including but not limited to kitchen, dining area, living room area and laundry room. The home also encourages each resident to create their own individualized daily schedules.

**Federal Requirement #9:**

*Individuals are able to have visitors of their choosing at any time.*

**Guidance:**

- Are visitors welcome to visit the home at any time?
- 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?

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

Please explain: Scott Residential Care Home do not have visitor restrictions. Consumers are free to entertain visitors at home or outside the home. In addition, consumers are free to go with visitors and/or to stay for a longer visit outside the home.

**Federal Requirement #10:**

*The setting is physically accessible to the individual.*

**Guidance:**

- Do individuals have the freedom to move about inside and outside the home or are they primarily restricted to one room or area?
- Are grab bars, seats in bathrooms, ramps for wheelchairs, etc., available so that individuals who need those

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

	<p>supports can move about the setting as they choose?</p> <ul style="list-style-type: none"> <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 checked="" type="checkbox"/> No</p> <p>Please explain: Scott Residential Care Home is licensed for two non-ambulatory consumers. Currently, there are two consumers that uses wheelchair and assistive devices that is not able to access a bathroom due to their limited mobility.</p> <p>Scott Residential Care Home has provided consumers with a picnic table with attached benches for consumer's enjoyment of the backyard. Unfortunately, due to unpredictable weather consumers are discouraged to spend outside in the backyard.</p>	

### CONTACT INFORMATION

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### 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

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

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 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).



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

Vendor name	Scott Residential Care Home
Vendor number(s)	HB1184
Primary regional center	Regional Center of the East bay
Service type(s)	Residential Care Facility for the Elderly Level 4F
Service code(s)	915
Number of consumers currently served	Licensed for 6 consumers Currently serving 5 consumers
Current staff to consumer ratio	3 Staff : 5 Consumers
<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>	
<ul style="list-style-type: none"> <li>• Scott Residential Care Home advocates for consumer's right to engage in community life. Consumers are encourage to choose any activities that they prefer individually and/or in a group community outing. Currently, the home is not able to accommodate all consumers when choosing group outing due to limited space in the vehicle. Moreover, consumers that share the same doctors usually</li> <li>• Scott Residential Care Home has two bathrooms available for use to consumers. However, one bathroom closer to two rooms occupied by a consumer with limited mobility and using walking assistive device and another that uses wheelchair is not able to access the bathroom closest to their rooms.</li> <li>• Outdoor backyard patio is one of the area consumers enjoy spending time if weather permits. On weekdays, residents enjoys their time outside doing activities of their choosing. And typically on weekends, the residents enjoy eating their lunches in the backyard. Unfortunately, due to unpredictable weather elements, consumers are restricted to enjoy activities inside home.</li> </ul>	
<b>Project Narrative Description:</b>	
<p>2. Please provide a brief summary narrative of the concept for which you are requesting funding, including justification for the funding.</p>	
<p><u>Federal Requirement # 1</u> Consumers participate in outings and activities in the community as part of his or her plan for services.</p> <p>Consumers look forward in our weekly planned group outings in the community. Currently, the home uses a 5 passenger vehicle that can only comfortably accommodate 3 clients and a staff. Staff would then return home to pick up the</p>	

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

remaining 2 clients and another staff. This limits their community outings to nearby locations from the home.

We are requesting funding for an 8-passenger van that will accommodate all current 5 clients and staff.

### Federal Requirement # 10

Consumers have full access to typical facilities in a home such as a kitchen, dining area and bathroom etc.

Currently, the home has two bathrooms available for use to all consumers. However, one bathroom closer to two rooms occupied by a consumer with limited mobility and using walking assistive device and another that uses wheelchair are not able to access the bathroom closest to their rooms because of the elevated shower stall. Non-ambulatory consumers have a hard time lifting one leg over the divider making it unsafe for them to use the bathroom. Non-ambulatory consumers will have to use the bathroom furthest from their room located on the other side of the home.

We are requesting funding for bathroom modification to remove the divider and expand the bathroom space to accommodate non-ambulatory consumers.

### Federal Requirement # 10

Individuals have the freedom to move about inside and outside the home as they choose and are not restricted to one room or area.

Backyard patio is used year round for different activities such as eating meals, playing games, exercising or have the option of relaxing and enjoy fresh air. Due to unpredictable weather elements, consumers are limited to do their preferred activities indoors.

We are requesting funding for patio enclosure for consumer's year round enjoyment of the backyard without the hindrance of the unpredictable weather.

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\_\_ 4\_\_ 5\_\_ 6\_\_ 7\_\_ 8\_\_ 9\_\_ 10\_X\_

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.

Out-of-Compliance Federal Requirement # 1:

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

The home uses a 5 passenger vehicle that can only comfortably accommodate 3 clients and a staff resulting in two trips back and forth to the desired outing location. Grant to fund purchasing an 8-passenger van will be able to accommodate all five consumers including appropriate number of staff to safely assist all consumers during any outing of their choosing.

Out-of-Compliance Federal Requirement # 10:

The home has two bathrooms, however, only one bathroom is accessible by non-ambulatory consumers. Grant to fund bathroom modification will allow non-ambulatory consumers full access to both bathrooms.

Out-of-Compliance Federal Requirement # 10:

Consumers are limited to do their preferred activities indoors due to unpredictable weather elements. Grant to fund patio enclosure will ensure the access of backyard patio year round.

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.

Out-of-Compliance Federal Requirement # 1: Grant to fund purchasing an 8-passenger van will eliminate taking two trips and allowing to plan out of town outings.

Out-of-Compliance Federal Requirement # 10: Grant to fund bathroom modification will allow non-ambulatory consumers full access to both bathrooms.

Out-of-Compliance Federal Requirement # 10: Grant to fund patio enclosure will ensure the use of backyard patio year round.

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

Scott Residential Care Home will be in full compliance according to HCBS. By purchasing an 8 passenger van Scott Residential Care Home can accommodate all five consumers including appropriate number of staff to safely assist all consumers during any outing of their choosing. Modification of bathroom will give access to resident with limited mobility as well as resident that uses wheelchair. Enclosing the backyard patio will give year round access to residents that enjoy outdoor activities.

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.

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

Scott Residential Care Home has always encouraged and fully support consumers to live their lives as independently as they can with dignity and integrity emphasizing on freedom of choice. In order to achieve this, the home encourage each consumers to participate in meetings, together with their choice of peers, to discuss their wants and needs, goals and interests. This way, the home ensures to plan and carry out services individualized to each consumer's own choice.

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

By applying the proposed plan, decision making of each consumer at Scott Residential Care Home are being carried out according to their own wants, needs and preferences.

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

The proposed plan of purchasing an 8passenger van in the future will ensure residents at Scott Residential Care Home will never be limited to individualized outing only but will have the opportunity to participate in group outings as well when residents choose to do so. The proposed plan of modifying the bathroom will ensure current and future residents will have access to both bathrooms and not just limited to one. Enclosing the backyard patio will ensure residents access to the backyard year round free from the harsh elements of weather.

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 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)

### Cost:

8 Passenger Van – \$50,000

Patio Enclosure – \$10,000

Bathroom Modification – \$8,000

TOTAL: \$68,000

### Timeline:

July 2020 – If granted, project starts

December 2020 – Projected completion date of HCBS Compliance

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

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.

If granted, Scott Residential Care Home will purchase a fuel efficient van and the home will provide regular maintenance service to ensure durability to serve our consumers for years to come. Patio enclosures will be treated with sealant suitable to the material used which will help the structure last longer over the years.

12. Have you or the organization you work with been a past recipient of DDS funding? If yes, what fiscal year(s)?

HCBS Funding  No  Yes. If Yes, FY(s) \_\_\_\_\_

Disparity Funding  No  Yes. If Yes, FY(s) \_\_\_\_\_

CPP Funding  No  Yes. If Yes FY(s) \_\_\_\_\_

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.

14. If your organization received prior funding, please explain how the current funding request is not redundant with any prior funding received and/or builds on the prior funding but was not part of the original funding.