

Based Services (HCBS) Rules

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 longterm 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 nonresidential 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.

Questions may be directed to HCBSregs@dds.ca.gov.

Date(s) of Evaluation: 11/22/2019	Completed by: Kimberly Kosaki
Vendor Name, Address, Contact: ASPIRE Creative Arts Program 800 South Lemon Street, Anaheim, CA 92805 Kimberly Kosaki	
Vendor Number: HM1159	
Service Type and Code: Activity Center, 505	

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<p><u>Federal Requirement #1:</u> <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><u>Guidance:</u></p> <ul style="list-style-type: none"> • 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?
<p>Does the service and/or program meet this requirement? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: ASPIRE Creative Arts Program gives consumers opportunities to participate in the community. In 2019, 4 community outings were offered to our individuals. We need to do more to provide more community engagement opportunities for our individuals. In addition, ASPIRE has a Giving Back project for individuals to have meaningful opportunities in supporting their community. For example, in 2018, individuals designed and created hand puppets that were donated to UCI Medical Center for use in the pediatric burn unit. In the past year, we have provided one Giving Back Project for our consumers. Expanding this project will assist us to be more in compliance with this requirement.</p>	
<p><u>Federal Requirement #2:</u> <i>The setting is selected by the individual from among setting options, including nondisability-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><u>Guidance:</u></p> <ul style="list-style-type: none"> • 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?
<p>Does the service and/or program meet this requirement? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: As part of the intake process, RCOE service coordinators send the consumer's IPP to ASPIRE. Current IPP's are given to ASPIRE after the</p>	

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<p>consumer's annual meeting with RCOC. If needed, ASPIRE will contact the service coordinator to send a current IPP.</p>	
<p><u>Federal Requirement #3:</u> <i>Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.</i></p>	<p><u>Guidance:</u></p> <ul style="list-style-type: none"> • Does the provider inform individuals, in a manner they can understand, of their rights to privacy, dignity, respect, and freedom from coercion and restraint? • Does the provider communicate, both verbally and in writing, in a manner that ensures privacy and confidentiality?
	<ul style="list-style-type: none"> • 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.)?
<p>Does the service and/or program meet this requirement? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: At least once a year, a meeting is held with the consumers to review and explain their rights, allowing time for questions and comments. If needed, individual discussions are held in private to help with personal issues or concerns. Extra time and care is given to be sure each individual has been heard and is understood.</p>	
<p><u>Federal Requirement #4:</u> <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><u>Guidance:</u></p> <ul style="list-style-type: none"> • Does the provider offer daily activities that are based on the individuals' needs and preferences? • 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? • 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?

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Does the service and/or program meet this requirement? **Yes** **No** Please explain: This requirement is partially met. Individuals are offered daily classes in the arts, as well as pre-vocational classes and life enrichment classes. The consumers are encouraged to voice their preferences. A survey has been conducted twice in 4 years to gather their preferences. However, we recognize that a survey should be given more frequently and information updated regularly and more efficiently.

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: Consumers are encouraged to discuss issues concerning their programming with the staff at any time. However, those who have difficulty self-advocating may not be heard. Although, a survey was given twice in the past 4 years, we need to do more to gather updated information from the consumers and to implement their preferences.

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:

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<p><u>Federal Requirement #6:</u> <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><u>Guidance:</u></p> <ul style="list-style-type: none"> • As applicable, does each individual have a lease, residency agreement, admission agreement, or other form of written residency agreement? • Are individuals informed about how to relocate and request new housing?
<p>Does the service and/or program meet this requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No Please explain: N/A</p>	
<p><u>Federal Requirement #7:</u> <i>Each individual has privacy in his/her sleeping or living unit:</i></p> <ul style="list-style-type: none"> . <i>Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors as needed.</i> . <i>Individuals sharing units have a choice of roommates in that setting.</i> . <i>Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.</i> 	<p><u>Guidance:</u></p> <ul style="list-style-type: none"> • Do individuals have a choice regarding roommates or private accommodations? • 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? • Do individuals have the ability to lock their bedroom doors when they choose?
<p>Does the service and/or program meet this requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No Please explain: N/A</p>	

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<p><u>Federal Requirement #8:</u> <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><u>Guidance:</u></p> <ul style="list-style-type: none"> • 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?
<p>Does the service and/or program meet this requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No Please explain: N/A</p>	
<p><u>Federal Requirement #9:</u> <i>Individuals are able to have visitors of their choosing at any time.</i></p>	<p><u>Guidance:</u></p> <ul style="list-style-type: none"> • 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?
<p>Does the service and/or program meet this requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No Please explain: N/A</p>	
<p><u>Federal Requirement #10:</u> <i>The setting is physically accessible to the individual.</i></p>	<p><u>Guidance:</u></p> <ul style="list-style-type: none"> • 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 supports can move about the setting as they choose? • Are appliances and furniture accessible to every individual?

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Does the service and/or program meet this requirement? Yes No Please
explain: N/A

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.

X I AGREE

Attachment C

Home and Community- 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.

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- 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.

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Vendor name	ASPIRE Creative Arts Program
Vendor number(s)	HM1159
Primary regional center	Regional Center of Orange County
Service type(s)	Activity Center
Service code(s)	505
Number of consumers currently served	48
Current staff to consumer ratio	6
<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>ASPIRE Creative Arts Program is a site-based, arts organization that empowers adults with intellectual disabilities through the visual and performing arts. Consumers can take a variety of classes in the arts, pre-vocational classes, and life enrichment classes. Consumers take 5 classes a day aimed towards their interests. Periodic community engagement activities are offered. Consumers can perform for the public, attend outings, and display artwork. We try to gear classes and outings to meet their interests, but more can be done to implement their ideas. In 4 years, consumers have been surveyed twice on preferred classes and outings. Staff has not been formally trained on the person-centered thinking (PCT).</p>	
Project Narrative Description:	
<p>2. Please provide a brief summary narrative of the concept for which you are requesting funding, including justification for the funding.</p>	
<p>Expanding knowledge, and access of information to staff and consumers about PCT, HCBS rules, and opportunities in the community. We will achieve this by: 1) Providing training for PCT to at least 50% of the staff. 2) Ensuring reliable access to resources on the internet for staff and consumers. New computers that can support a current operating system are needed for this item. 3) Providing consumers with learning sessions, surveys, and brainstorming sessions to expand knowledge of PCT and to share their ideas. ASPIRE's budget is limited. The majority of funds come from RCOC and are used for operating costs. Donations and grants will not support this project. Funding this project will allow for increased staff hours, and the needed training, tools, and supplies.</p>	
<p>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.</p>	
<p>1_x_ 2__ 3__ 4_x_ 5_x_ 6__ 7__ 8__ 9__ 10__</p>	

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<p>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.</p>
<p>Requirement 1: We need to provide consumers with increased opportunities in the community. Barriers include: Funding extra hours for staff to research opportunities in the community, and to coordinate community engagement activities; Lack of formal knowledge about PCT for both staff and consumers; Threat of the computer network becoming unreliable. Expanding knowledge about PCT will open discussions and new possibilities to better serve each consumer. Having reliable access to the resources on the internet allows both staff and consumers to learn more about the opportunities in the community, and the means to continue researching new opportunities in the future.</p> <p>Requirements 4 & 5: We should conduct more frequent surveys regarding consumers' preferences and implement the results more efficiently. Barriers include: Funding for staff hours to conduct surveys and process the data; Lack of formal knowledge of PCT for staff and consumers; Unsupported computer operating system that can jeopardize the reliability of the computer network, and prevent reliable access to online resources. PCT training for staff will help to collect appropriate data in surveys to streamline the process. ASPIRE's computer system is operating on Windows 7 which will no longer be supported starting in January 2020. New computers that support a current operating system is needed to ensure reliable access to the internet for staff and consumers. The computers will be used to research opportunities in the community, coordinate outings, gather survey information, and modify each individual's plan according to HCBS. It will also ensure reliable access to RCOC's website and ongoing training webinars.</p>
<p>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.</p>
<p>Educating staff in PCT will give ASPIRE as a whole, a clearer focus and the ability to incorporate the PCT philosophy on a daily basis. Reliable access to resources on the internet will empower consumers to view more opportunities for community engagement activities, and give them more choices in their lives. Staff will support them with the research process and encourage them to voice their opinions.</p>
<p>6. What are the proposed outcomes and objectives of the concept, and what are the methods of achieving and tracking them?</p>
<p>1) At least 50% of staff will be trained in PCT through RCOC. Attendance will be noted. 2) Consumers will have the opportunity to participate in a group learning session about PCT led by staff who attended the training. Dates and attendees will be noted. 3) Surveys of consumer's class preferences will be conducted once per year. 4) All consumers and staff will have reliable access to the internet to research community opportunities. In computer class, consumers will have the opportunity to research community engagement</p>

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activities, such as community outings, and ideas for Giving Back Projects. Consumers will document ideas on the computer network with help, if needed. 5) Group sessions and surveys will be conducted regarding community engagement activities. Consumers will be encouraged to share ideas they researched in computer class. Staff will document ideas. 6) Within 6 months, at least 5 of the consumer ideas will be implemented.

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 a survey, 95.6% of our consumers reported that they prefer to have computer classes. The majority of them prefer to use the internet during this class time. On average 70% of our individuals preferred attending community outings in 2019. With this in mind, staff developed the concept to expand knowledge and access of information to staff and consumers about PCT, HCBS rules, and community opportunities.

Concept – Page

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

By expanding knowledge and access of information to staff and consumers ,ASPIRE will be able to provide more person-centered services through the following:

1. Providing training for PCT to at least 50% of the staff. This first step will give us the foundation to move forward in sparking discussions with both staff and consumers, and developing new, creative ideas for a more person-centered program.
2. Ensuring reliable and daily access to resources on the internet for both staff and consumers. In computer classes, consumers will be empowered to research their own interests and find new opportunities for community engagement.
3. Providing consumers with learning sessions, surveys, and brainstorming sessions, will give them the opportunity to share ideas for community engagement activities.

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

Our concept inherently guarantees the longevity of our project. After staff is trained, ASPIRE will have a stronger foundation to expand services that are more focused on PCT. Computers that can support a current operating system will ensure reliable access to the internet for years to come. Long term, we will have the tools needed to research opportunities, document consumer ideas, etc. After 2020, consumers will continue to research opportunities in computer classes. Staff will develop a long term plan and efficient process to gather data from surveys and modify each individual's plan. Once a process has been developed, less staff hours will be needed to continue the project.

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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

Funds will compensate staff at their hourly rate for training, developing the survey, and planning sessions for consumers. 11 new computers that support Windows 10 will be purchased (6 for consumer's use; 3 for shared use with staff: 2 for administration). A computer network consultant will set up the system. Timeline: Mar.- training; June – new computers & consumer learning sessions; July – surveys; Aug. – modifying schedule

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.

12. Have you or the organization you work with been a past recipient of DDS funding? If yes, what fiscal year(s)? No

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.

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HCBS CONCEPT BUDGET						
Vendor Name		ASPIRE Creative Arts Program				
Vendor Number(s)		HM1159				
	Salary and Benefits	Year 1 Budget		Year 2 Budget		Total Cost
		FTE	Annual Cost	FTE	Annual Cost	
Personnel (salary + benefits)						
Position Description: Instructor 1	20.50/hr		\$ 2,900 -		\$ -	\$ 2,900 -
Position Description: Instructor 2	20.50/hr		\$ 300 -		\$ -	\$ 300 -
Position Description: Instructor 3	18.00/hr		\$ 975 -		\$ -	\$ 975 -
Position Description: Instructor 4	18.00/hr		\$ 260 -		\$ -	\$ 260 -
Position Description: Instructor 5	18.00/hr		\$ 260 -		\$ -	\$ 260 -
Position Description: Instructor 6	17.00/hr		\$ 245 -		\$ -	\$ 245 -
Position Description: Co-Director	26.25/hr		\$ 375 -		\$ -	\$ 375 -
Position Description			\$ -		\$ -	\$ -
Position Description			\$ -		\$ -	\$ -
Personnel Subtotal			\$ 5,315 -		\$ -	\$ 5,315 -
Operating expenses						
Transportation to Training			175			\$ 175 -
Office Supplies			75			\$ 75 -
2 Day Training at RCOC			280			\$ 280 -
Software for 9 Computers			1,350			\$ 1,350 -
Computer Network Consultant			4,125			\$ 4,125 -
						\$ -
						\$ -
						\$ -
						\$ -
Operating Subtotal			\$ 6,005 -		\$ -	\$ 6,005 -
Administrative Expenses						
Co-Director's Hours towards Project			1,000			\$ 1,000 -
Software for 2 Computers			300			\$ 300 -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
Administrative Subtotal			\$ 1,300-		\$ -	\$ 1,300 -
Capital expenses						
11 Computers (Hardware & Window 10)			12,100			\$ 12,100-
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
Capital Subtotal			\$ 12,100-		\$ -	\$ 12,100-
Total Concept Cost			\$ 24,720		\$ -	\$ 24,720 -

See Attachment F for budget details and restrictions