

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 modifications. 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.

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

Date(s) of Evaluation: Nov. 15, 2019	Completed by: Gabriel Mendoza
Vendor Name, Address, Contact: Multiple Intelligence Training Center (MITC) Day Program, 3737 Madeline Drive, San Jose, CA 95127, Tel. # 408-660-0127	
Vendor Number: HS0153	
Service Type and Code: 515-03	

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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 This does not fully meet this requirement due to the following:</p> <ol style="list-style-type: none"> 1. The facility's current license allows only the use of the 1st floor. Thus, the limited space does not allow for the development of a Job Center for the consumers. The proposed budget will finance the construction of an elevator leading to the 2nd floor. The licensed 2nd floor will enable the day program to convert the available space for a Job Center that will provide job development and community integration activities. There is also a need for job coach position as the life skills trainers (DSPs) are not specifically trained for job development and training for clients. 	
<p><u>Federal Requirement #2:</u> <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><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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No There is limited space for job development activities for consumers to learn vocational activities such as filing, sorting, and other related office work. The program has a behavior management component unlike most community-based day programs that do not cater to clients with challenging behaviors. Thus, the new</p>	

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space will allow more opportunities for clients to explore and practice their vocational interests and skills.

Federal Requirement #3:

Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.

Guidance:

- 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 verbal and written, in a manner that ensures privacy and confidentiality?
- 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.)?

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

The limited space in the 1st floor does not fully allow for privacy and a more flexibility in the choice of activities. Therefore, the 2nd floor needs to be licensed by adding an elevator.

Federal Requirement #4:

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.

Guidance:

- 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?

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

The limited space in the 1st floor does not fully allow for clients to have more choices and flexibility in the choice of activities, particularly in job training skills practice. Therefore, the 2nd floor needs to be licensed by adding an elevator.

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<p><u>Federal Requirement #5:</u> <i>Facilitates individual choice regarding services and supports, and who provides them.</i></p>	<p><u>Guidance:</u></p> <ul style="list-style-type: none"> • 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?
<p>Does the service and/or program meet this requirement? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: There is a need for a job coach to facilitate more choices and opportunities in terms of vocational training and job development. Life skills trainers do not have the specific training for job development initiatives.</p>	

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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><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: Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors as needed. Individuals sharing units have a choice of roommates in that setting. Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.</i></p>	<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?
<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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CONTACT INFORMATION

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Contact Phone Number: 408-660-0127
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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

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 three pages, and must be kept in Arial 12-point font. Submit the form in Microsoft Word.
- For providers that operate programs with several vendor numbers, one evaluation and concept form may be submitted, provided that the plan applies to all vendor numbers listed.
- 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.
- Describe how implementation of the concept would achieve compliance, including anticipated outcomes.
- Concepts should be developed with a person-centered approach, with proposed changes/activities focused on the needs and preferences of those who receive services.
- Explain how funding will lead to sustained results of compliance.
- The estimated budget and timeline need not be detailed at this point, but must include all major costs and benchmarks.

Examples of previously funded concepts:

- Identified the need as well as proposed a plan to provide outreach and information regarding the HCBS rules to consumers and members of their support teams.
- Discussed the need for additional funds in order to effectively support consumers on a more individualized basis in overcoming barriers to community integration and employment, as appropriate.
- Prioritized the preferences of consumers and utilized consumer feedback in the development of the concept.
- Train-the-trainer certification in person-centered planning/thinking and training regarding the HCBS rules.

More information on the HCBS rules and this form can be found at www.dds.ca.gov/HCBS.

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Vendor name	Multiple Intelligence Training Center (MITC) Day Program
Vendor number(s)	HS0153
Primary regional center	San Andreas Regional Center
Service type(s)	Behavior Day Program
Service code(s)	515-03
Number of consumers currently served	90 consumers
Current staff to consumer ratio	1 staff : 3 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>	
<p>Multiple Intelligence Training Center is a licensed community- and site-base behavior day program. It is vendorized for 90 consumers. The program provides training in the following areas: Training in the Development of Replacements Behavior and Strategies, Transportation Access and Mobility Training, Pre-Vocational Training, Training in Community Integration Skills, Training in Decision-Making and Self-Advocacy, Communication and Social Skills Training, and Recreational and Leisure Training. Among the barriers to compliance with the HCBS rules include:</p> <ol style="list-style-type: none"> MITC has 2 floors, and only the 1st floor is licensed by Community Care Licensing. The limited space does not allow for the development of a job center for the consumers. The licensed 2nd floor will enable the day program to convert the available space into a Job Center for job development and community integration activities. There is also a need for job coach position as the like skills trainers (DSPs) are not specifically trained for job development and training for clients. 	
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>Job Development Center</p> <ul style="list-style-type: none"> As a “one-stop shop” on the 2nd floor of the MITC building will allow clients to prepare for paid regular and part-time jobs. This includes the construction of an elevator that will allow access to the 2nd floor of the building. In addition, the Job Coach will provide job coaching and training in areas such as telephone and in-person job interviews, grooming, and vocational skills (typing, sorting, using a time card, etc.). The Job Coach 	

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will facilitate all other aspects of job search and development such as the identification and partnering with potential employers, seeking paid internships, and other job placement activities for clients.

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.

Job Development Center – #1, #2, #3, #4, #5

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.

Federal Requirement #1:

The facility's current license allows only the use of the 1st floor. Thus, the limited space does not allow for the development of a Job Center for the consumers. The proposed budget will finance the construction of an elevator leading to the 2nd floor. The licensed 2nd floor will enable the day program to convert the available space for a Job Center that will provide job development and community integration activities. There is also a need for job coach position as the like skills trainers (DSPs) are not specifically trained for job development and training for clients.

Federal Requirement #2:

There is limited space for job development activities for consumers to learn vocational activities such as filing, sorting, and other related office work. The program has a behavior management component unlike most community-based day programs that do not cater to clients with challenging behaviors. Thus, the new space will allow more opportunities for clients to explore and practice their vocational interests and skills.

Federal Requirement #3:

The limited space in the 1st floor does not fully allow for privacy and a more flexibility in the choice of activities. Therefore, the 2nd floor needs to be licensed by adding an elevator.

Federal Requirement #4:

The limited space in the 1st floor does not fully allow for clients to have more choices and flexibility in the choice of activities, particularly in job training skills practice. Therefore, the 2nd floor needs to be licensed by adding an elevator.

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Federal Requirement #5:

There is a need for a job coach to facilitate more choices and opportunities in terms of vocational training and job development. Life skills trainers do not have the specific training for job development initiatives.

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.

Federal Requirement #1:

The Job Development Center will allow for more community access and integration for MITC consumers. When clients are more adequately trained and supported, they will have better opportunities, including opportunities to seek employment and work in competitive integrated settings to the same degree of access as individuals not receiving Medicaid HCBS.

Federal Requirement #2:

The new space will allow more opportunities for clients to explore and practice their vocational interests and skills based on the individual's needs and preferences.

Federal Requirement #3:

The Job Center will ensure that the consumers' rights to privacy, dignity, and respect are exercised in more flexible ways through their choice of vocational activities. Clients will have more personalized job skills training through the job coach.

Federal Requirement #4:

The new space will create more choices and flexibility in the choice of activities, particularly in job training skills practice.

Federal Requirement #5:

The job coach position will facilitate the consumers' choice with regards to what job training services and supports they will receive, and who will provide these. Life skills trainers do not necessarily specialize in vocational training initiatives.

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

Proposed Objectives:

1. To provide person-centered vocational training program for MITC consumers
2. To increase consumers' employment opportunities through job development and vocational training

Proposed Outcomes:

The number of consumers seeking employment and working in the community will increase

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Methods of achieving: providing vocational training and support, creating person-centered job development program

Methods of tracking: data collection, consumer reports, documentation of progress based on IPP goals/objectives

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.

Several group meetings were conducted with the consumers, management and direct care staff to assess the current needs of the consumers and program areas that need to be modified to comply with the federal requirements. Also, individual interviews were conducted by staff with consumers to determine their needs and preferences. The following areas were identified as the client primary needs: 1) need to have more training, support, and assistance in vocational training and job development/search as well as to have more access to community integration activities; 2) the clients want to have their "own" space by being able to use the 2nd floor of the MITC building for job development as well as individualized social and recreational activities for consumers

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

The addition of a second floor of the MITC building would allow for a more person-centered employment and vocational training facility. This can only occur with the construction of an elevator that will be ADA compliant and allow access to the second floor. Additionally, a job coach will be hired to focus on the following tasks: 1. Working on consumers' job readiness and vocational skills 2. Assist in locating and developing consumers' resumes to be eligible for employment 3. Determine if Supported Employment would benefit the consumer to maintain employment 4. Coordinate with the Department of Rehabilitation to ensure employment retention.

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

MITC will ensure that all equipment and new facilities are in good working condition.

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.

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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).

The job coach position will be for 2 years and is funded at \$74,400 per year (including salary and benefits). The total expense for this position is \$148,800.

Meanwhile, the Job Development Center with the construction of the elevator and office equipment will be completed within 2 years and will cost \$125,000.

Overall, the total budget will be \$273,800.

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.

The Job Coach position will be converted into a Life Skills Trainer position that specializes on vocational training and job placement, with a comparable salary and benefits.

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

2018-19

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.

Purchase of accessible vehicle was completed but to be delivered on November 21, 2019.

Person Centered Planning for selected staff were completed. As a result, the management has started to adopt principles of person-centered planning and meeting with the life skill trainer staff on how to be more person centered and individualized.

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.

The proposed concept covers different aspects of the day program. The prior funding is allotted for purchase of vehicle and person-centered train-the-trainers, while the new concept covers the job developer position and the Job Development Center.

HCBS CONCEPT BUDGET							
Vendor Name		MULTIPLE INTELLIGENCE TRAINING CENTER					
Vendor Number(s)		HS0153					
	Salary and Benefits	Year 1 Budget		Year 2 Budget		Total	
		FTE	Annual Cost	FTE	Annual Cost	Cost	
Personnel (salary + benefits)							
Job Coach - salary + benefits	74400	1.00	\$ 74,400	1.00	\$ 74,400	\$ 148,800	
Position Description			\$ -		\$ -	\$ -	
Position Description			\$ -		\$ -	\$ -	
Position Description			\$ -		\$ -	\$ -	
Position Description			\$ -		\$ -	\$ -	
Position Description			\$ -		\$ -	\$ -	
Position Description			\$ -		\$ -	\$ -	
Position Description			\$ -		\$ -	\$ -	
Personnel Subtotal			\$ 74,400		\$ 74,400	\$ 148,800	
Operating expenses							
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
Operating Subtotal			\$ -		\$ -	\$ -	
Administrative Expenses							
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
Administrative Subtotal			\$ -		\$ -	\$ -	
Capital expenses							
Job Development Center - Installation of New Elevator, room renovation & office equipment					\$ 125,000	\$ 125,000	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
						\$ -	
Capital Subtotal			\$ -		\$ 125,000	\$ 125,000	
Total Concept Cost			\$ 74,400		\$ 199,400	\$ 273,800	

See Attachment F for budget details and restrictions