

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.

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

Date(s) of Evaluation: 11/20/19	Completed by: Connie Uychutin
Vendor Name, Address, Contact: Arc San Joaquin, 41 W. Yokuts Avenue, Stockton, CA 95207. Contact: Connie Uychutin	
Vendor Number: HV0199	
Service Type and Code: SEP GRP 950	

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Federal Requirement #1:

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: SEP GRP by design is to provide training in specific hard and soft skills and to be time-limited. Individuals average eight years in the SEP GRP setting which is not consistent with the intent of the program nor does the current practice align with our goal to support individuals to full employment or individual placement. Last year, The Arc received a HCBS Grant (2018 -2019)) to hire a consultant to teach staff how to implement Customized Employment considered an effective tool to achieve competitive integrated employment. The philosophy and components of Customized Employment support full access of individuals to receive greater community opportunities including competitive integrated employment, more inclusive community life, and more control over their resources, decisions and lives.

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: At this time individuals in SEP GRP do not transition to competitive integrated employment. Individuals are aware of individual placement opportunities but no formal policy or supports are in place to start transition from group training. A Measurable Outcome stated as part of the HCBS grant received in 2018-2019 is that by 9/30/2020 individuals in the group setting will have completed Discovery, completed a

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written Profile, Customized Plan for Employment and Visual Resume all which take approximately 40 hours to complete. Completing the Customized Employment processes result in a documented person-centered service plan that are based on individual's needs, preferences and conditions for success.

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 verbally and in writing, 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

Please explain: It is felt that the current approach to employment development does not put individuals in a position to assume personal responsibility and does not assume being a lead driver in the negotiation and success of employment development. Using a customized approach to employment development promotes the dignity and respect of the individuals who work as partners in the employment process. The current approach excludes individuals who may not appear able to work when viewed from a traditional sense of employment readiness. Determining individuals' strengths, needs and interest creates opportunities and dignity.

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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

Please explain: It is felt that the current approach to employment development does not optimize initiative, autonomy and independence. As stated above, Supported Employment alone limits employment opportunity for persons without work history and/or do not meet job eligibility or requirements for various reasons including personal limitations or employer perception. Not having a mechanism or bridge in place to create employment opportunity affects ability to more confident, empowered and independent.

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: It is felt that the Supported Employment services currently provided does not facilitate discovering and exploring a full range of individual employment choices. Without attempting to make job accommodations/customizations and to establish the best job-fit possible, individuals will not achieve the opportunity to work and enjoy benefits of being employed. The Arc San Joaquin wishes to provide more competitive integrated work opportunities for persons who present significant challenges to becoming employed and in doing so to reach their highest potential. Click or tap here to enter text.

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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:

Federal Requirement #6:

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.

Guidance:

- 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?

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

Please explain: [Click or tap here to enter text.](#)

Federal Requirement #7:

*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.*

Guidance:

- 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?

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

Please explain: [Click or tap here to enter text.](#)

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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: [Click or tap here to enter text.](#)

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: [Click or tap here to enter text.](#)

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 supports can move about the setting as they choose?
- Are appliances and furniture accessible to every individual?

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

Please explain: [Click or tap here to enter text.](#)

**Home and Community-Based Services (HCBS) Rules
CONCEPT FORM****CONTACT INFORMATION**Contact Name: Connie UychutinContact Phone Number: 209-955-1625Email Address: connieu@thearcsj.org**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 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.

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Vendor name	Arc San Joaquin
Vendor number(s)	HVHV0199
Primary regional center	Valley Mountain Regional Center
Service type(s)	SEP GRP
Service code(s)	950
Number of consumers currently served	11 (one opening available)
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>The current SEP GRP setting is that individuals work an 8- hour day performing work duties in landscaping, janitorial services and aqueduct clean up. Currently there are 11 individual SEP GRP trainees with one open position. It is anticipated that over the program year a total of 12 individuals will in SEP GRP. Service are provided in a group 1:3 setting with continuous supervision, training support to perform duties described above and door-to door transportation supports. The purpose of training is to prepare individuals to learn hard and soft skills in their respective training fields. The level of support and supervision is not conducive to transitioning to an individual and independent employment. The setting does not allow job, wage and other advancement opportunities. The problem currently is that trainees are not motivated to seek real employment opportunities. The current baseline of average time in SEP GRP training is 8 years. This proposal attempts to compliment The Arc's existing project to transition individuals out of SEP GRP to individual employment within an 12- month period. The current awarded HCBS grant does not include funding to implement each of the Customized Employment components.</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>The Arc is requesting funding to hire a Community Employment Specialist to implement Customized Employment Discovery, Job Development and Systematic Instruction as part of the person-centered employment process. The goal of Customized Employment is transition individuals from SEP GRP training to Individual Placement. The Arc's SEP GRP site currently employs 11 individuals and the average years in this setting is 8 years. The reason individuals have remained in SEP GRP training without a time limit is that there are no policies in place requiring and supporting individuals to leave the training setting. In the 2018-2019 HCBS project, policies and procedures to support</p>	

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transitioning from group to individual placement will be completed by 9/30/2020. By 11/30/2020, individuals who received Customized Employment Services will be prepared to leave group services and seek individual employment.

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 X 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.

Federal requirements #1 - The barrier to integrated setting and full access to employment support compliance is a lack of resources to implement Customized Employment Services to transition existing SEP GRP trainees to individual employment.
Federal requirement #2 & #3 - Lack of funding to implement a reliable process to identify the needs, abilities and interests of individuals to optimize potential preferred and viable employment opportunities is a barrier to increasing employment setting options and respecting individuals' right to receive quality services and information.
Federal requirement #4 - The barrier to optimizing initiative, autonomy and independence to make employment choices is a lack of resources to implement Customized Employment services to transition existing SEP GRP trainees to individual employment.
Federal requirement #5 - Lack of funding to implement Customized Employment Services is a barrier to facilitate individual employment choices and outcomes.

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.

The concept proposed is to hire a staff dedicated to implementing Customized Employment to facilitate transition from SEP GRP training to individual placement and will bring The Arc into compliance for each federal requirement.

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

To bring The Arc into compliance this concept is to fund the hire of a Community Employment Specialist (CES) responsible for implementing Customized Employment. The CES will conduct Discovery, develop Individual Profiles, Customized Employment Plans and Visual Resumes for and with each individual currently in the SEP GRP. This outcome measure is the hire of a Community Employment Specialist.

The proposed outcomes include individuals who complete the Customized Employment components will be more confident and prepared to seek competitive integrated employment (measured by individuals' decision to pursue individual placement opportunities such as exploring job opportunities with the Community Employment Specialist); and the same individuals will be hired in a job that match their career interests and abilities with potential to gain inclusive friendships, financial security and empowerment to live more self-determined (measured by getting a job that is competitive

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and integrated). The method used is implementation of Customized Employment services and person-centered employment plan development.

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.

Individuals completed a survey inquiring about their interest in other employment opportunities. Last year individuals completed an online survey using Survey Monkey. Responses from crew trainees indicated a limited number were interested in leaving the crews although they were interested in higher wages. Others reported satisfaction with their current jobs. Other information used to improve service outcomes includes employee termination reports some which reveal that in hind-sight individuals were not in the best-fit jobs and in other cases, individuals may have retained their jobs through negotiation and customization of work schedules related to transportation.

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

This concept provides opportunities for individuals to realize more personal and financial benefits from being individually employed versus being a trainee. As part of the Discovery and Job Development process individuals gain excitement of the prospect of learning more about themselves and the potential to explore and apply for jobs that advance the personal and financial goals of individuals and their families, if applicable. The Discovery Process alone takes up to 40 hours to complete and information gathered is used by the individual to develop and lead his or her customized employment plan with the support of the Community Employment Specialist. In Job Development, the CES develops relationships with employers in order to negotiate customizing of jobs that match individuals' interests, abilities and conditions for success.

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

The Arc will meet with VMRC and DOR to discuss the prospect of funding the Discovery process in addition to additional hours that may be associated with Job Development and Systematic Instruction. This funding is directed to maintaining the CES position.

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

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Major cost categories for one year include:

Personnel Salary & Benefits Cost: \$59,691

Operating Cost: \$4,223 Note: Customized Employment training costs are covered by the 2018 – 2019 HCBS grant

Administrative Cost: \$9,817

Capital Expenses: \$2,000

Total Concept Cost: \$75,731

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. Costs will be incurred during the program time frame.

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 X Yes. If Yes, FY(s) 2018-2019

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.

To-date, The Arc completed the first of its Measurable Outcomes which was to receive a 3-day Gateway Training in Discovery. During the training is when we learned that the process of Discovery alone is up to 40 hours. Training was completed from Sept. 16 thru Sept. 18, 2019. Training covered the components and implementation of Discovery. Instruction included procedures, technique and timelines to conduct and record observations, used to develop an Individual Profile, Customized Plan for Employment and a Visual Resume. Job Development Training and Systematic Instruction is scheduled for April and May 2019 respectively. It is anticipated that we will be able to complete Customized Employment for each individual within a one year period of time.

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 current funding request compliments prior funding by allowing The Arc to hire a Community Employment Specialist dedicated to completing Customized Employment for individuals currently in SEP GRP.

HCBS CONCEPT BUDGET						
Vendor Name		Arc San Joaquin				
Vendor Number(s)		HV0199				
	Salary and Benefits	Year 1 Budget		Year 2 Budget		Total
		FTE	Annual Cost	FTE	Annual Cost	Cost
Personnel (salary + benefits)						
Community Employment Specialist	49,504	1.00	\$ 49,504		\$ -	\$ 49,504
Benefits	6341	1.00	\$ 6,341		\$ -	\$ 6,341
FICA - Employer Portion	3597	1.00	\$ 3,597		\$ -	\$ 3,597
Workers Comp	124	1.00	\$ 124		\$ -	\$ 124
SUI	125	1.00	\$ 125		\$ -	\$ 125
Position Description			\$ -		\$ -	\$ -
Position Description			\$ -		\$ -	\$ -
Position Description			\$ -		\$ -	\$ -
Position Description			\$ -		\$ -	\$ -
Personnel Subtotal			\$ 59,691		\$ -	\$ 59,691
Operating expenses						
Mileage			\$ 2,340			\$ 2,340
Cell Phone with Hot Spot			\$ 1,208			\$ 1,208
Business cards			\$ 125			\$ 125
Office Supplies			\$ 120			\$ 120
Training Costs - New Employee Training Costs			\$ 430			\$ 430
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
Operating Subtotal			\$ 4,223		\$ -	\$ 4,223
Administrative Expenses						
IT Set-up			\$ 200			\$ 200
Administration Costs (15% of Personnel, Operating Expenses and IT Set-up)			\$ 9,617			\$ 9,617
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
Administrative Subtotal			\$ 9,817		\$ -	\$ 9,817
Capital expenses						
Laptop Computer			\$ 2,000			\$ 2,000
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
Capital Subtotal			\$ 2,000		\$ -	\$ 2,000
Total Concept Cost			\$ 75,731		\$ -	\$ 75,731

See Attachment F for budget details and restrictions