

Home and Community-Based Services (HCBS) Rules DEPARTMENT FUNDING GUIDANCE

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 <https://www.dds.ca.gov/initiatives/cms-hcbs-regulations/>.

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

Date(s) of Evaluation: February 11, 2021	Completed by: Shayne Aloe
Vendor Name, Address, Contact: Kreative Community Services, Inc. Attn: Shayne Aloe 4 Padre Parkway, Suite B, Rohnert Park, CA 94928	
Vendor Number: HN0547, HN0481	
Service Type and Code: Adult Day Program, 055	

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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</p> <p>Please explain: Limitations to full access include accessible and reliable transportation. Prior to the pandemic KCS had one large van per program and utilized public transit to accommodate participants. With new COVID restrictions and the reinvention of day program services to meet all health and safety standards these transportation options are either no longer available or will be severely restricted.</p>	
<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 individual's 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</p> <p>Please explain: NBRC provides current IPP to KCS. When invited/requested KCS actively participates in IDT discussion on setting options.</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

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	<p>that ensures privacy and confidentiality?</p> <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: KCS provides information verbally, visually and in writing as appropriate.</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 individual's 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?
<p>Does the service and/or program meet this requirement? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: Individuals attending KCS are provided choice of daily activities to every extent possible. Barriers to choice within the program include comprehensive understanding of each individual's preferences and abilities as they relate to vocational aspects and overall quality of life.</p>	
<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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: Individuals in the program are provided access to a variety of staff to ensure compatibility and comfort, this is assessed for each individual being served, with the individuals directly when possible, KCS staff and KCS management and specialists.</p>	

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Individuals have access to a team of specialists and management at KCS who are always available to assist in modifications and/or concerns.

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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></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><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</p> <p>Please explain: N/A</p>	
<p><u>Federal Requirement #7:</u></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><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</p> <p>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>	

CONTACT INFORMATION

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Contact Phone Number: 866.688.1679 x4
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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

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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 backup, 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.
- Using a form from previous years will negatively impact a concept score, so please ensure the current FY 20-21 form is 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 and opportunities.

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 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 a sustainable plan 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	Kreative Community Services, Inc.
Vendor number(s)	HN0547, HN048
Primary regional center	North Bay Regional Center
Service type(s)	Adult Day Program
Service code(s)	055
Number of consumers typically and currently served	25
Typical and current staff-to-consumer ratio	1:2, 1:1
<p>1. Please provide a brief description of the service/setting. Include what a typical day consists of during regular program as well as how services are currently being provided. This response must include the baseline/current levels for any aspects of the program for which the concept proposes funding.</p>	
<p>Kreative Community Services (KCS) programs are made up of five components: (1) Person Centered Planning, (2) Behavior Management, (3) Functional Skills Training, (4) Community Integration, and (5) Quality of Life. A variety of approaches are considered, as appropriate, and supports are provided to ensure each individual's success in areas identified upon admission to the program. At this time KCS has successfully developed and integrated processes for many of these components (e.g., Behavior Management and Functional Skills Training with the assistance of Board Certified Behavior Analyst) but is deficient in the ability to successfully incorporate person centered planning and community integration into the programming due to the majority of the individual's served having limited or no functional communication. With HCBS funding from 19-20 KCS has hired a PCP Coordinator and Participant Employment Coordinator and these positions would benefit from specific certifications to ensure best practices are considered in establishing and implementing policies, procedures and training in these areas.</p> <p>Prior to the pandemic KCS utilized one large van per program and public transit to accommodate participants. With new COVID restrictions and the reinvention of day program services to meet all health and safety standards these transportation options are either no longer available or will be severely restricted (e.g., number of participants riding together). Therefore, KCS is looking to ensure internal options for transportation that are safe, accessible, and reliable for community access to participants.</p>	
<p>Project Narrative Description: While filling out this section, reflect on how services are typically provided and how that might have changed in the past year. Think about what has been learned in the past year and how that might shape services going forward. Funding awarded through this concept can span the course of up to two years which would allow time to shape services to be more person-centered and align with the HCBS federal requirements.</p>	

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2. Please provide a brief summary narrative of the concept for which you are requesting funding, including justification for the funding.

KCS is requesting funding for two aspects, funding for vehicles to ensure safe, accessible and reliable access to the community for our participants and funding for PCP/Employment certifications and expenses for staff positions that work specifically in these areas (PCP Coordinator & Participant Employment Coordinator).

KCS is seeking to purchase wheelchair accessible vans and small cars to ensure safe, accessible and reliable transportation is available to all participants during program hours.

Funding for PCP/Employment certifications and expenses are sought to ensure KCS staff in these positions are equip with the knowledge and resources needed to be successful in these positions and to ensure they are able to establish and implement policies and procedures that align with best practices. These positions will then train other KCS staff on these aspects to ensure company compliance.

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 X 5 ___ 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 Requirement #1: Limitations to full access include accessible and reliable transportation. Prior to the pandemic KCS had one large van per program and utilized public transit to accommodate participants. With new COVID restrictions and the reinvention of day program services to meet all health and safety standards these transportation options are either no longer available or will be severely restricted.

Federal Requirement #4: Individuals attending KCS are provided choice of daily activities to every extent possible. Barriers to choice within the program include comprehensive understanding of each individual's preferences and abilities as they relate to vocational aspects and overall quality of life.

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 by March 2023.

Utilizing the concepts of PCP and Discovery KCS intends to develop processes to ensure comprehensive understanding of each individual's preferences and abilities, interests and abilities related to pre-vocational/vocational training and/or employment, and provide pairing to community resources and/or opportunities as appropriate.

The purchase of vehicles operated and maintained by KCS will ensure safe, reliable and accessible access to the community for participants.

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

Proposed outcomes include PCP/Employment certifications for positions that will develop and implement these practices within KCS. Purchase of vehicles will provide safe, accessible and reliable transportation to access the community. Methods for achieving and tracking these outcomes will include an agreed upon timeline on certifications and purchase of the vehicles.

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.

KCS has few individuals with functional communication skills but through processes such as preference assessments, person centered practices, and discussions/meetings with the individual's interdisciplinary teams it is evident that individualization of programming is critical to the quality of life of the individuals served at KCS. Of the few individuals we do serve with functional communication skills they have clearly expressed that they wish to have their choices, preferences and vocational goals considered in all programming options.

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

PCP/Employment certifications will allow the embedding of best practices into the processes that support people to maximize their quality of life. Vehicles will allow for safe, accessible and reliable access to the community.

9. Please address your plan for maintaining the benefits, value, and success of your project at the conclusion of 2020-21 HCBS Funding.

With established processes and staff training in the concepts of PCP/Employment this will become a fundamental aspect to how KCS will assess, establish and provide services to all individuals in the program and those referred in the future. KCS is committed to maintaining vehicles to ensure safe, accessible and reliable access to all participants.

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). This information can be found at this [link](#).

All vehicles will be purchased within 18 months of award of the grant funding. PCP/Employment certifications will be completed within 12 months of award.

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

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Vehicle maintenance will be overseen by KCS to ensure access to the community utilizing these vehicles is ongoing. PCP/Employment practices will be ensured by KCS management through staff in-service training time KCS has allocated within the scope of the program design.

12. Have you or the organization you work with been a past recipient of DDS funding? If yes, what fiscal year(s)?	HCBS Funding	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes.	If Yes, FY(s)	<u>19-20</u>
	Disparity Funding	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes.	If Yes, FY(s)	<u> </u>
	CPP Funding	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes.	If Yes, FY(s)	<u>15-16 & 17-18</u>
	CRDP Funding	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes.	If Yes, FY(s)	<u> </u>
If yes to any question be sure to answer questions 13 and 14.					

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

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

Prior CPP Funding was used during start up to fund the construction, equipment and supplies for the day program. The funding was exhausted prior to the program starting services with individuals referred to KCS.

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.

Prior HCBS funding was utilized to hire positions to establish and implement PCP/Employment practices, only salaries were funded previously. This funding will pay for certifications/expenses to ensure best practices are embed in the implementation of these practices. Vehicles have not been funded in the past.

HCBS CONCEPT BUDGET						
Vendor Name		Kreative Community Services, Inc.				
Vendor Number(s)		HN0547, HN0481				
	Wage and Benefits	Year 1 Budget		Year 2 Budget		Total
		FTE	Annual Cost	FTE	Annual Cost	Cost
Capital expenses						
Wheelchair Accesible Van		1.00	\$ 32,000		\$ -	\$ 32,000
Car		6.00	\$ 108,000	6.00	\$ 108,000	\$ 216,000
Certification Fees & Expenses		1.00	\$ 2,000		\$ -	\$ 2,000
Position Description			\$ -		\$ -	\$ -
Position Description			\$ -		\$ -	\$ -
Position Description			\$ -		\$ -	\$ -
Position Description			\$ -		\$ -	\$ -
Position Description			\$ -		\$ -	\$ -
Position Description			\$ -		\$ -	\$ -
Personnel Subtotal			\$ 142,000		\$ 108,000	\$ 250,000
Operating expenses						
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
Operating Subtotal			\$ -		\$ -	\$ -
Administrative Expenses						
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
Administrative Subtotal			\$ -		\$ -	\$ -
Personnel expenses						
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
Capital Subtotal			\$ -		\$ -	\$ -
Total Concept Cost			\$ 142,000		\$ 108,000	\$ 250,000

See Attachment F for budget details and restrictions