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: January 31, 2021	Completed by: Carmela Magpayo
Vendor Name, Address, Contact: Beyond F Milpitas, CA 95035, Tel. No. 408-438-0377	Potential Learning Center, 1753 S. Main St.,
Vendor Number: HS0683	
Service Type and Code: : 515-A@3	

Federal Requirement #1:

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.

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? $\ \square$ Yes $\ \boxtimes$ No

- 1. Currently, there is a lack of vans that are specifically designated for individualized community integration activities as well as job development initiatives for consumers whose goals include vocational training by being placed in volunteer or paid positions in the community. There are 10 vans currently in use. These are shared among 75 consumers on a rotation basis which results in limited options and opportunities for consumers.
- 2. There is a need for day program management and staff to be trained by a qualified trainer to successfully plan, implement, and integrate person-centered plans that will enable consumers to receive services in the community based on their needs, preferences and abilities.

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 individual's 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 There are limited setting options for consumers due to limited availability of vans and lack of staff training. Additional vans for community integration and job development are needed. Currently, the service plans do not fully reflect a personcentered approach. Staff are not currently adequately trained on person-centered planning/thinking and the HCBS rules.

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 Although the day program activities have always been focused on consumers' overall abilities, needs, and preferences, there is still a need to modify day program activities in order to fully comply with HBCS rules. There is a need to have train-the-trainer certification in person-centered planning/thinking and staff training regarding the HCBS rules to improve staff communication with consumers based on their individual needs and choices.

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.

<u>Guidance:</u>

- 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?

Does the service and/or program meet this requirement? \square Yes \boxtimes No The limited number of vans does not allow for consumers to have more choices and flexibility in the choice of their activities, particularly in community outings and job training initiatives. Also, the individual service plans need to be modified to allow more person-centered activities.

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? \Box Yes \boxtimes No Please explain:

The day program needs more vans to facilitate more choices and opportunities in terms of community outings, social and recreational activities, and job development initiatives. Day program staff do not currently have the adequate training specific to person-centered thinking/planning as well as HCBS rules that will enable staff to facilitate each individual consumer's choices with regards to services and supports and who provides them.

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:

Please explain: N/A

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: N/A						
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? \Box Yes \Box No

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 Please explain: N/A	requirement? Yes No
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 Please explain: N/A	requirement? Yes No
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 Please explain: N/A	requirement? Yes No

CONTACT INFORMATION

Contact Name: CARMELA MAGPAYO

Contact Phone Number: 408-438-0377

bplc_carmela@yahoo.com

Email Address:

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

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.

More information on the HCBS rules and this form can be found at https://www.dds.ca.gov/initiatives/cms-hcbs-regulations/.

Vendor name	BEYOND POTENTIAL LEARNING CENTER
Vendor number(s)	HS0683
Primary regional center	San Andreas Regional Center
Service type(s)	Behavior Day Program
Service code(s)	515-A@3
Number of consumers typically and currently served	75 consumers
Typical and current staff-to-consumer ratio	3:1

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.

Beyond Potential Learning Center is a licensed community- and site-based behavior day program. It specializes in providing quality and innovative adult day program services, with focus on self-determination, behavior management, and community integration.

The day program provides training in the following areas: Self-Determination Program, Vocational Training, Community Integration Training, Transportation Access and Mobility Training, Training in the Development of Replacement Behaviors and Strategies, Recreational and Leisure Training, Training in Decision-Making and Self-Advocacy, and Communication and Social Skills Training.

It is vendorized for 75 consumers. There are only 10 vans that are used by all 75 consumers on a rotation basis, which offers limited choices and opportunities to fully comply with HCBS rules. Currently, there are no vans that are specifically-designated for job development and vocational training as the current vans are used primarily for community outings on a rotation (weekly) basis. Moreover, staff have not received adequate and specialized training on person-centered planning/thinking and the HCBS rules.

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.

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

CONCEPT #1. Three (3) Passenger Vans (Toyota Sienna) and Three (3) Ford Transit-150 Passenger Vans for Vocational Training and Job Search in the Community

- This will allow our consumers to explore more vocational training and employment opportunities available in the community. This will strengthen the day program's current vocational programs to support consumers in seeking volunteer opportunities and/or paid regular and part-time jobs. The existing vans will continue to provide social and recreational activities in the community. Increasing the number of available vans will cater to day programming that is more person-centered and responsive to each individual consumer's abilities, needs, and preferences.

CONCEPT #2. Train-the-trainer certification and Staff Training in Person-Centered Planning/Thinking and staff training

- This specialized training will enable day program staff to plan, implement, and modify each consumer's individual service plans (ISPs) in accordance to established principles of person-centered planning/thinking. Adequate and appropriate education and training of day program staff will result to the attainment of all consumers' person-centered goals and objectives and will ensure compliance to person-centered IPPs and HCBS federal requirements. Overall, these trainings will improve consumers' general health and well-being, increased community integration and social engagement, and a better quality of life for all day program consumers.
- 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 <u>X</u>	4_X_	5_X_	6	7	8	9	10
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- 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.
- #1: Currently, there is a lack of vans as there are only 10 vans currently in use. These are shared among 75 consumers on a rotation basis which results in limited options and opportunities for consumers. There is a need for person-centered-focused staff training. #2:There are limited setting options for consumers due to limited availability of vans and lack of staff training. Staff are not currently adequately trained on person-centered planning/thinking and the HCBS rules.
- #3:There is still a need to modify day program activities in order to fully comply with HBCS rules. There is a need for train-the-trainer certification in person-centered planning/thinking and staff training regarding the HCBS rules.
- <u>#4:</u>The limited number of vans does not allow for consumers to have more choices and flexibility in the choice of their activities. Also, the individual service plans need to be modified to comply with HCBS rules.
- #5: The day program needs more vans to facilitate more choices and opportunities in terms of job development initiatives. Day program staff do not currently have the adequate training specific to person-centered thinking/planning as well as HCBS rules.

- 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.
- #1:The new vans will provide more options and opportunities for consumers to have individualized community integration activities as well as job development initiatives. Meanwhile, the train-the trainer and staff training on person-centered planning/thinking will enable day program staff to successfully plan, implement, and integrate person-centered plans so that consumers will receive services in the community based on their needs, preferences, and abilities.
- <u>#2:</u>There new vans will improve community integration and job development to reflect a more person-centered approach. Specialized training will help day program staff practice and integrate person-centered planning/thinking practices.
- #3: The new vans will improve day programming activities towards full community integration and supporting consumer choices in order to fully comply with HBCS rules. On the other hand, staff training will significantly improve staff communication with consumers based on their individual needs and choices.
- #4: The new vans will allow consumers to have more choices and flexibility in the choice of their activities, particularly in job training initiatives. This will result to improved individual initiative, autonomy, and independence in making life choices. Also, training the staff will enable them to plan and implement more person-centered activities.
- <u>#5:</u>The new vans will facilitate better services and supports in terms of community integration and job development initiatives. If staff are fully trained in person-centered thinking/planning as well as HCBS rules, they will be able to facilitate each individual consumer's choices with regards to received services and supports and who provides them.
- 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 a person-centered vocational training program for day program consumers; and 2)To increase consumers' employment opportunities through job development and

vocational training

Proposed Outcomes:

Increased number of consumers participating in vocational activities and/or engaged in volunteer/paid work in the community

Methods of achieving: providing vocational training and support, creating personcentered job development program, continuous staff training

Methods of tracking: daily notes, data collection, consumer semi-annual/annual 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.

Individual meetings and consultation were conducted with the consumers, management and direct care staff to evaluate the current needs of the consumers and

program areas that need to be modified to comply with the federal requirements. The following areas were identified as the client primary interests/desires: 1) consumers need and want 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) staff expressed interest and commitment to learn and practice person-centered thinking/planning as well as the HCBS rules.

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

CONCEPT #1. Three (3) Passenger Vans (Toyota Sienna) and Three (3) Ford Transit-150 Passenger Vans for Vocational Training and Job Search in the Community

The additional vans will allow more choices and opportunities for training, internships, and volunteer/paid positions for day program consumers. By Increasing the number of available vans, day program will be able to provide services and supports that adhere to person-centered principles and which are responsive to each individual consumer's abilities, needs, and preferences.

CONCEPT #2. Train-the-trainer certification and Staff Training in Person-Centered Planning/Thinking and staff training

- Specialized training for day program staff will prepare staff to be proficient in planning and implementing individual service plans (ISPs) that are geared towards the attainment of the person-centered goals and objectives. This will also improve staff communication and consumer engagement that will promote dignity, respect, autonomy, independence, and choice.
- 9. Please address your plan for maintaining the benefits, value, and success of your project at the conclusion of 2020-21 HCBS Funding.

CONCEPT #1. Three (3) Passenger Vans (Toyota Sienna) and Three (3) Ford Transit-150 Passenger Vans for Vocational Training and Job Search in the Community

 Day program will continue to maintain the vehicles in good condition and will take over the registration and other incidental expenses for any needed repairs.

<u>CONCEPT #2. Train-the-trainer certification and Staff Training in Person-</u> Centered Planning/Thinking and staff training

- Day program will continue to provide an annual training on person-centered thinking/planning as well as the HCBS rules.
- 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 <u>link</u>.

Timeline:

1st year – acquisition of vans; staff training to start as soon as possible 2nd year – continue to use and maintain the vans as intended; staff refresher training to be conducted annually

Please see attached Excel sheet for budget information.

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.

CONCEPT #1. Three (3) Passenger Vans (Toyota Sienna) and Three (3) Ford Transit-150 Passenger Vans for Vocational Training and Job Search in the Community

 After the time frame of the requested funding, day program will continue to maintain the vehicles in good condition and will take over the registration and other incidental expenses. The vans will be used continuously for vocational training and job placement.

CONCEPT #2. Train-the-trainer certification and Staff Training in Person-Centered Planning/Thinking and staff training

 After the time frame of the requested funding, day program will provide an annual training on person-centered thinking/planning as well as the HCBS rules.

12. Have you or the	HCBS Funding	_X_No	Yes. If Yes, FY(s)	
organization you work	Disparity Funding	_X_ No	Yes. If Yes, FY(s)	
with been a past	CPP Funding	_X_No	Yes. If Yes, FY(s)	
recipient of DDS	CRDP Funding	X No	Yes. If Yes, FY(s)	
funding? If yes, what			_	
fiscal year(s)?	If yes to any que	stion be su	re to answer ques	tions 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.

N/A

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.

N/A

HCBS CONCEPT BUDGET							
Vendor Name							
Vendor Number(s)							
			Year 1	Budget	Yea	ar 2 Budget	Tota
		Wage and Benefits	FTE	Annual Cost	FTE	Annual Cos	t Cos
Personnel (wage + benefits)							
Position Description			\$	-		\$ -	\$ -
Position Description			\$	-		\$ -	\$ -
Position Description			\$	-		\$ -	\$ -
Position Description			\$	-		\$ -	\$ -
Position Description			\$	-		\$ -	\$ -
Position Description			\$	-		\$ -	\$ -
Position Description			\$	-		\$ -	\$ -
Position Description			\$	-		\$ -	\$ -
Position Description			\$	-		\$ -	\$ -
Personnel Subtotal			\$	-		\$ -	\$ -
Operating expenses							
Person Centered Course(Trai	in the Trainer)		\$	6,000			\$ 6,000
Employees Person Ce	ntered Training		\$	16,058			\$ 16,058
Venue			\$	1,500			\$ 1,500
Snacks	;		\$	1,000			\$ 1,000
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
Operating Subtotal			\$	24,558		\$ -	\$ 24,558
Administrative Expenses			_			•	•
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
Administrative Subtotal			\$	-		\$ -	\$ -
Capital expenses							
Toyota Sienna (\$54,388. each	n X 3)		\$	163,164		\$ -	\$ 163,164
Ford Transit-150 pa			\$	138,600		\$ -	\$ 138,600
(\$46,200. eac			<u> </u>			-	\$ -
(+ :=,2001 cut	- /						\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
Capital Subtotal			\$	301,764		\$ -	\$ 301,764
Total Concept Cost			\$	326,322		\$ -	\$ 326,322
Total Concept Cost			Ş	320,322		-	320,322

See Attachment F for budget details and restrictions