

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 12, 2021	Completed by: Lys L. Barawid, MS, MHA
Vendor Name, Address, Contact: Opportunities Unlimited ADC – 1718 East Valley Parkway Escondido, CA 92027 Contact: Lys L. Barawid MS, MHA	
Vendor Number: HQ1447	
Service Type and Code: Adult Development Center - 510	

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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:</p> <ol style="list-style-type: none"> 1. Yes, individuals receive services in the community for medical, dental, psychiatrist, psychological needs, window shopping/shopping to purchase items of their choice or choices to go to the shows, concerts, sport games and parks. Individuals have access to clinics, hospitals, churches or functions and other activities being part of their planned activities. 2. No, lack of transportation prevent all of them at program to go out in the community at the same time, Individual's medical and physical disabilities may impede going out in the community. 3. No, the individual being served is too low functioning to seek paid employment. 4. Not all the individuals know the concept of money such as identifying the currencies, counting the money and counting the correct change. 	
<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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Please explain:</p> <ol style="list-style-type: none"> 1. Yes, all individuals have current regional center IPP on file. 2. No, there were no options documented before admittance to Opportunities Unlimited ADC. 	

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<p><u>Federal Requirement #3:</u> <i>Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.</i></p>	<p><u>Guidance:</u></p> <ul style="list-style-type: none"> • Does the provider inform individuals, in a manner they can understand, of their rights to privacy, dignity, respect, and freedom from coercion and restraint? • Does the provider communicate, both verbally and in writing, in a manner that ensures privacy and confidentiality? • 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</p> <p>Please explain:</p> <ol style="list-style-type: none"> 1. Yes, Opportunities Unlimited ADC use pictures, traditional (old) sign language, verbal and physical prompts to communicate to understand their rights to privacy, dignity, respect and freedom from coercion and restraint. There is no form of restraint used to control the individual's movement at any time. 2. Yes, all employees communicate verbally and in writing to protect and ensure privacy and confidentiality most especially the individual's personal information. 3. Yes, Opportunities Unlimited ADC employees communicate verbally and in writing with individuals who have expressive and receptive skills, visually and hearing impaired, to those that sign and those who uses assistive or communication devices. 	
<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?

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

Please explain:

1. Yes, Opportunities Unlimited ADC have planned and schedules of activities daily, Monday-Friday. Individuals are given choices of activities with full support from the employees.
2. Yes, Opportunities Unlimited ADC encourage the individuals to communicate with their peers at program, initiate conversations and to make or establish friendships among their peers.
3. Yes, Opportunities Unlimited ADC supports individuals who have difficulty ambulating to go out in the community and engage in outdoor activities, i.e., watering plants, throw and catch balls, exercise, tossing a horseshoe, walking and any activities of their interest consistent with their IPP goals.

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:

1. Yes, Opportunities Unlimited ADC tries very hard to match individuals needs to the staff skills, personality, experiences and common interest of both (staff/individual).
2. No, the individuals served at Opportunities Unlimited ADC are not able to modify services and/or voice their concerns outside of the scheduled review of services.

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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:</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:</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:</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:</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:</p>	

CONTACT INFORMATION

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ACKNOWLEDGEMENT

By checking the box below, I acknowledge that completion of this evaluation is for the sole purpose of applying for compliance funding and does not take the place of future provider assessments that the Department may require to determine provider compliance with the HCBS settings rules.

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	Opportunities Unlimited ADC
Vendor number(s)	HQ1447
Primary regional center	San Diego Regional Center
Service type(s)	Adult Development Center
Service code(s)	510
Number of consumers typically and currently served	19
Typical and current staff-to-consumer ratio	1:4
<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>Opportunities Unlimited ADC is located at 1718 East Valley Parkway Escondido, CA 92027. We are located in the heart of Escondido and surrounded by resources of different activities our program utilizes. Opportunities Unlimited ADC currently serves 19 individuals with intellectual disabilities, physical ambulation issues, some behavior challenges and communication issues. Our program groups include higher functioning group, mild behavior intervention group and senior program. Our Program Design includes Life skills, Food preparation, Socio-recreation, Community integration and Self Advocacy.</p> <p>Our day starts with individuals settling at program, having coffee and sharing news about their experiences, their homes and current events. Some individuals get ready for community outing, for activities of their choices and preferences, walking in the courtyard or water some plants outdoors, some do chair exercises, arts & crafts or meal preparation.</p> <p>Opportunities Unlimited ADC transport our participants to the community 1x/week as part of their community activities.</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>	
<p>2. Please provide a brief summary narrative of the concept for which you are requesting funding, including justification for the funding.</p>	
<p>Due to the current pandemic, where the clients stay in their individual homes and unable to go to the day program, Opportunities Unlimited need 2 extra staff in order to develop and implement daily programming. Staff to develop module of activities, facilitate the activities through virtual Zoom or by telephone and deliver materials to their individual homes. Staff also deliver their birthday cakes and balloons as to recognize their important birthday in their lives.</p>	

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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 ___ 4 ___ 5 x 6 ___ 7 ___ 8 ___ 9 ___ 10 ___

Federal Requirement #1, #2, #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: Due to the current pandemic, the clients are unfortunately forced to stay in their homes. We lack manpower to develop individualized programming. Staff need to develop modules of different activities according to the client needs and preference. We need staff to implement the modules through virtual Zoom and to deliver materials to the clients' individual homes.

Federal Requirement # 2: The clients all have their individual IPP's, however, there are no options documented that they visited other day programs before making the decision to enroll. At some instance, the client lack the ability to choose or decide where he/she wants to attend.

Federal Requirement #5: Opportunities Unlimited ADC staff supports the client to choose which staff to provide for his/her care and programming. However, staff is not always available to be pulled out from his/her current position. Opportunities Unlimited ADC sometimes have difficulty to match clients needs and staff skills, personality experiences and common interest of both (staff/client). The clients at Opportunities Unlimited are not able to modify services as such are, but clients can voice their opinions or dissatisfaction of the services provided to them and will be taken in consideration for program modification.

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.

Federal Requirement #1:

1. Staff trained extends to the untrained.
2. Consistent implementation of programming.
3. Attend training offered by agencies relating to HCBS Final Rule.
4. Staff diligence in focusing on the clients own person, personality, traits, behaviors as well as his/her strengths and weaknesses.

Federal Requirement #2:

1. Procedures in processing a clients day program should be revised.
2. Give the client opportunity to visit different day programs available.
3. Give the client opportunity to choose what day program he/she wishes to attend.
4. Have the client make the final decision of his/her choice and support it.

Federal Requirement #5:

1. Knowledge on how to interact with the client.
2. Train staff fully on how to get to know & interact with the client.
3. Gather information about the clients' personality, traits, behaviors, strengths & weaknesses, what are Important To and Important for the client.
4. Assist client with his/her advocacy to give full support in his/her plight to independence.
5. Assist client to practice her talents to reach his/her highest potential.

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6. Staff's knowledge to praise and reward system for good behavior and good performance.

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

Proposed outcomes and objectives of the concept.

1. Team Support – conservators, parents, siblings & friends or their living arrangement, i.e., RCF will be able to know the person's abilities, personality, strengths and challenges that both setting can work on together in order to comply with HCBS Final Rule goals. Everyone will gain knowledge of what is going on at Opportunities Unlimited regarding the individual's programming, their goals and objectives, their needs and how to support their needs.
2. Individual Person-Centered Service Plans will be developed; their goals and needs, how such service plans are to be implemented, when to be achieved. Reviews will be done every 6 months. Documentation on goals will be tracked down daily or as scheduled identified in the IPP. Documentation will include One page description, Important To-Important For, Learning Logs, Communication Charts and 4+1 Discovery Tools.
3. Having (2) two more extra staff will provide the clients more individualized & focused programming, goals, what's important TO and FOR him/her.

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.

Since the pandemic, Council & Advocacy Meetings are not held at Opportunities Unlimited ADC. The client and care provider are asked for their feedback on what other activities the client wants to participate in what materials he/she wants. The staff listens to the client's choices. The staff tries to meet the clients wants/needs as best as he/she can. The interests and desires of the individuals are identified through their verbal comments, gestures, facial expressions, and body language. Employees' suggestions are also considered. The individual's families, friends and care providers have been involved in identifying the individual's likes or enjoyment. Currently, the participants served asks when they can return to in-person programming, but we need to abide with the mandated rules/restrictions regarding the pandemic.

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

Having additional staff, Opportunities Unlimited ADC will enable them to know more of the individual's interests and desires, as well as their likes and dislikes, what they want or not want to do. Virtual programming & rewards will provide a better and positive outlook of the individual, to know they have options on what to do and where to live outside of his/her family. Opportunities Unlimited ADC will be able to match the staff and the individuals who has common interests to enhance the interest and desire of the individuals to do more activities. Matching the right staff to the individual creates friendship in order to get more information about the individual. The individual will be more open to express his/her interests and desires, the kind of help needed to support the individual and to support the choices made.

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9. Please address your plan for maintaining the benefits, value, and success of your project at the conclusion of 2020-21 HCBS Funding.	
<p>Plan for maintaining the benefits, value, and success of the project:</p> <ol style="list-style-type: none"> 1. Continue training for the support staff. 2. Develop pool of support team to implement the Person-Centered Plan. 3. Comply with HCBS Final Rule Goals. 4. Identifying the individual's needs and desires. 5. Documentation of the individual's progress, what worked/did not work, what has been tried. 6. Consider trying another step or intervention to solve the issues. 	
<p>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.</p> <p>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.</p>	
See Attached Budget	
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.	
Opportunities Unlimited ADC relies funding from the grant to hire 2 additional staff to implement individualized and consistent programming, more attention to the clients bio/personal information, traits and overall personality. Staff can provide more guidance in clients decision making process. More staff will be trained to implement the programming to sustain and maintain the programming previously started and implemented.	
12. Have you or the organization you work with been a past recipient of DDS funding? If yes, what fiscal year(s)?	<p>HCBS Funding ___ No <u>X</u> Yes. If Yes, FY(s) <u>2018-2019</u> <u>2019-2020</u></p> <p>Disparity Funding ___ No ___ Yes. If Yes, FY(s) _____</p> <p>CPP Funding ___ No ___ Yes. If Yes, FY(s) _____</p> <p>CRDP Funding ___ No ___ Yes. If Yes, FY(s) _____</p> <p>If yes to any question be sure to answer questions 13 and 14.</p>
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.	
Update on the prior funding project <u>Grant Funding 2018-2019</u>	

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Grant was funded for training purposes. Initial training was Person Centered Thinking (PCT). This training centers on the individual who has intellectual disabilities. To gain knowledge, techniques and skills how to best make assessments and to help him/her develop goals. This starts by getting to know his/her personality, traits, behaviors, weaknesses, strengths likes & dislikes, what are Important To and Important For. Teach him/her skills to practice and use to integrate positively in the community and help him/her enjoy meaningful life. Due to the pandemic, training was held off. We are now in the observation period in preparation for the virtual presentation to our fellow care providers.

Grant Funding 2019-2020

Funding was approved to provide transportation to transport the clients to the community to satisfy their program of activities. However due to the present pandemic, we held up purchasing the vehicles. We are currently in the process of canvassing the vans considering the affordability and use in case our day program is allowed and safe to reopen.

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 funding received in 2018-2019 was for Person Centered Thinking/Planning. The funding received in 2019-2020 was for transportation. This funding hopefully when approved for 2020-2021 will be for additional staff. There is no redundancy on funding being requested.

