

Home and Community-Based Services (HCBS) Rules Reference Information

The Home and Community-Based Services (HCBS) rules supports people with disabilities to 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. **Completion of this concept form is for the sole purpose of applying for compliance funding and does not take the place of provider assessments or remediation that the Department has required to determine provider compliance with the HCBS settings rules.**

Prior HCBS funding focused primarily on barriers to compliance with the 10 federal requirements of the HCBS Final Rule. HCBS funding for fiscal year 2021-2022 will still take the 10 federal requirements into account and will also place increased emphasis on the outcome of a provider's concept. To simplify the process, the federal requirements were placed in three categories that target similar outcomes. Those categories are Community Integration, Individual Rights, and Choice. A fourth category, Collaboration, may be used for a concept between multiple providers to develop a community resource or collaborate on a project benefiting multiple settings. The bulleted questions listed under each category are for providers to consider when thinking about their current operations and plans for the future. These questions should be used when considering ways to build a concept that will achieve increased person-centered practices ongoing.

Service providers may request a copy of their completed self-assessment, by contacting their regional center HCBS Program Evaluator. A blank copy of the assessment can be found at <https://www.dds.ca.gov/wp-content/uploads/2020/09/CADDSHCBSProviderSelfAssessment.pdf>.

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.

Community Integration

How will providers support the following through their services?

- Individuals receiving services in the community based on their needs, preferences and abilities.
- Individuals participating in activities in the community, which are routinely accessed by the general public, and are not solely for the purpose of supporting people with disabilities, as part of their plan for services.
- Individuals exercising control over their schedules and activities.
- Opportunities for activities in the community that include meaningful interaction with individuals not receiving regional center services, not including paid staff or volunteers (e.g. development of hobbies or interests, volunteering, job training, etc.).
- Access to competitive integrated employment opportunities. Note: information on California's Competitive Integrated Employment Initiative can be found at <http://www.chhs.ca.gov/home/cie/>

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Individual Rights

How will providers support the following through their services?

- Informing individuals, in a manner they can understand, of their rights to privacy, dignity, respect, and freedom from coercion and restraint.
- Communication 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.).
- Individuals have informed consent and regular review regarding residential agreements, admission agreements, or other forms of written residency agreements.
- Individuals taking active roles in program policies and shared house rules.
- Individuals understanding of the balance between the rights they have and respecting the rights of others, building skills of negotiation.
- Individuals' understanding of the different service options available to them, and working towards individualized goals with support.
- Choice regarding roommates or private accommodations.
- Visitors are welcome to visit the home at any time.
- Individuals going 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.
- Individuals having the freedom to move about inside and outside the home.
- For those requiring accessible supports, grab bars, seats in bathrooms, ramps for wheelchairs, etc., are available so that individuals can move about the setting as they choose.
- Appliances and furniture are accessible to every individual.

Choice

How will providers support the following through their services?

- Offering daily activities based on individual's needs and preferences.
- Structuring support so that individuals are able to interact with people they choose to interact with, both at home and in community settings.
- Structuring support so that individuals are able to participate in activities that interest them and correspond with their IPP goals.
- Supporting individuals in choosing which staff provide their care to the extent that alternative staff are available.
- Opportunities to modify services and/or voice concerns outside of the scheduled review of services (IPP review).
- Individuals having access to food at any time.
- Supporting individuals to set their own daily schedules.

Collaboration

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- Does your program excel in a particular facet of your service type that can be beneficial to other programs in coming into compliance and strengthening person-centered practices?
- Does your concept involve at least one additional agency who will share in the development and implementation of the concept?
- Are there increased benefits to people you serve by collaborating on this concept with other providers?
- Are you developing a community of practice? (i.e. a group of people who share a common interest and come together to learn from each other and achieve a common goal.)

Some previously funded concepts have successfully collaborated to assist other providers in enhancing their services through projects such as:

- Development of toolkits and resources regarding the Final Rule, or areas within the Final Rule (employment options, housing, person-centered planning, etc.), that can be broadly accessed.
- Training and knowledge-sharing with others in their catchment area.
- Creation of person-centered planning applications/software.

HCBS Final Rule: List of Federal Requirements

Federal Requirement #1: Access to the Community

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.

Federal Requirement #2: Choice of Setting

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.

Federal Requirement #3: Right to be Treated Well

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

Federal Requirement #4: Independence

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.

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Federal Requirement #5: Choice of Services and Supports

Facilitates individual choice regarding services and supports, and who provides them.

For providers who operate a residential setting:

Federal Requirement #6: Residential Agreement

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.

Federal Requirement #7: Privacy

- 1. Each individual has privacy in his/her sleeping or living unit:*
- 2. Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors as needed.*
- 3. Individuals sharing units have a choice of roommates in that setting.*
- 4. Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.*

Federal Requirement #8: Schedule and Access to Food

Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.

Federal Requirement #9: Right to Visitors

Individuals are able to have visitors of their choosing at any time.

Federal Requirement #10: Accessibility

The setting is physically accessible to the individual.

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Regional center vendors may receive funding to make changes to service settings and/or programs to enhance current services through individualized service delivery. To be considered for funding, vendors must complete and submit this form 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. Please use the current FY 21-22 form.
- For providers that operate programs with several vendor numbers involved in one concept, one blueprint 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 blueprints 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 concept includes detailed information that describes the funding requests and supports how the requests will assist the provider in **enhancing person-centered service delivery**.
- Concepts should demonstrate how the requested change in service delivery will impact individuals in **offering more choices and opportunities**.

While concept development should be individualized for each provider, some common themes persist among those that have been previously selected for funding.

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.

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Vendor name	Meristem Inc.
Vendor number(s)	HA0994, HA0995, HA0996, PA1910
Contact Name	Shannon Shields
Contact Email Address	ss@meristem.pro
Primary regional center	Alta Regional Center
Service type(s)	Community Activities Support Services and Independent Livings Skills
Service code(s)	063 and 520
Number of consumers typically and currently served	40-45 consumers typically served and 27 currently served
Typical and current staff-to-consumer ratio	1 staff to 2 consumer ratio
<p>1. Please provide a brief description of the service/setting. Include what a typical day consists of during regular programs 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. If you have previously identified your program as compliant with the HCBS Final Rule through the Self-Assessment, what changes have occurred that have changed your level of compliance?</p> <p>Meristem provides a number of community activities in land work, movement, and craft courses on and off the main Meristem campus Monday through Friday 8:30am until 3:30pm. Thereafter, Clients who live on campus receive ILS instruction in their dorm living environment at a schedule that best meets their needs. ILS instruction happens on and off campus in about equal measure throughout the week, Sunday through Saturday.</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>Current Program Overview: Meristem program goals are to launch clients into higher education and sustained employment. With the support that Meristem provides, last year 20% of our students enrolled in college for the first time while in the program and 50% of our students were placed in work experiences in retail, event management, food service, landscape maintenance, moving services, assisted living activity program and an agricultural cooperative. We have guided students to apply, interview, and obtain independent and competitively paid jobs.</p> <p>Meristem is committed to meeting the individual needs and interests of our clients using a person-centered approach in all aspects of the program. We gather feedback from clients through various means that include one to one meetings with Student Advisors and a client run Council. Clients have asked for more opportunities to go into the community, find employment in competitive integrated settings and engage in and contribute more to their local community. In addition, while clients have opportunities to raise concerns and be involved in their program planning, they have asked for additional support and training in self advocacy and peer-to-peer engagement so that they have the tools to become community role models and leaders.</p> <p>Remediation Concept: This proposed program would address the needed remediation in regards to Federal Requirements 1, 3, 4 and 5 so as to ensure that there are a wider range of community</p>	

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activities that clients are able to participate in and greater individual choice opportunities are available to clients. This remediation would also allow Meristem to further support clients' individual choice and help clients to develop stronger self-advocacy skills and be given a wider range of opportunities to engage in and fully integrate into the community at large. This modification of existing services will better meet individual needs and allow Meristem to develop additional tools and trainings that clients can use to inform personal choice as to employment, education and self-care. Additionally, it will allow our clients to collaborate and share aspects of our service model that would be beneficial to other programs and the ASD community at large while.

To help ensure successful employment outcomes Meristem was part of the three-year pilot program that researched the best practices for hiring, training, and retaining autistic adults. Our Breaking Barriers business training program incorporates direct placement and retention with employer training and workplace culture change, while incorporating the voice of individuals on the spectrum in all aspects of the program. Meristem is continuing its successful partnership with the state to help to increase the numbers of clients and the ASD community to get the necessary assistance to work in integrated settings and participate fully in the community.

The development of a client led workforce integration program would include:

- Create a Customized Employment Specialist position using a former Meristem client who can provide peer counseling to Meristem clients and other young adults on the spectrum involved in our Breaking Barriers business training program to offer peer to peer support for clients so as to align client job aspirations with employer outreach and training.
- Create a Community Engagement Assistant position to provide employer outreach to incorporate additional opportunities for hands on workforce experience at a variety of employer partners established through our Breaking Barriers business training program that align with client IPP employment goals.
- Community workshops (virtual and in person) in conjunction with CalHR that provides information and support for clients and the ASD community who have chosen to seek employment with the State of California. These community workshops would incorporate the knowledge of peer ambassadors and former clients who have successfully navigated the state employment hiring process.
- Create mobile career center that can be used at these community workshops and provide assistance to regional center clients for job search and resume building utilizing Meristem client ambassadors to provide supported assistance at these quarterly workshops. Utilizing a number of our Breaking Barriers employment partners, workshops would be out in the community in areas easily accessible to our client and other regional center clients.

Currently Meristem provides the foundation so that our clients can seek higher education opportunities or employment in competitive integrated settings. However, we recognize the need to optimize individual initiative, autonomy, so as to give our clients independence in life choices. Our proposed remediation to Federal requirement 1, 3, 4 and 5 will be a client led interactive workforce integration program that will facilitate an improved client centered approach, ensuring delivery of services in a way that reflects personal preferences. Meristem is on track for a 30% annual growth in clients served. This growth will result in an increased need for improved community integration and additional resources to meet employment needs of our clients. This proposed remediation of our existing program will provide community integration through client led employer ASD education and trainings. This will help to fulfill federal and state mandates that currently require employers to actively recruit, hire, promote and retain individuals with disabilities.

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Hiring of Customized Employment Specialist who is a former client will allow us to provide peer counseling, additional resources for clients, opportunities for competitive integrated employment centered on interests, preferences and abilities. Additional client services will in part include: 1. Individualized workforce experiences, job exploration, internships and community volunteerism; 2. Individualized programmatic transitional employment services; and 3. Coordination and oversight of quarterly community employment workshops, community partnerships, facilitation of individual workforce opportunities, leveraging current employment service resources to facilitate internships, employment opportunities, job exploration and development while actively seeking out integrated employment opportunities for clients based on areas of interest and ability.

3. Identify which category/ categories this concept addresses.

- Community Integration
- Individual Rights
- Choice
- Collaboration

4. Please list the proposed objectives and outcomes of the concept, as well as the methods of achieving and tracking them. How will this concept assist you in reaching goals within the category that you are requesting funds?

- 100% of clients will have better community integration and access to workforce education.
- 40% of clients will transition to competitive integrated employment or enroll in higher education.
- Implementation of a client-led workforce integration experience that would allow us to share with the ASD community the work done to ensure that employers get the adequate skills to have targeted hiring, training, and successful employment of individuals with ASD.
- Development of a publicly accessible community employment focused workshops that would incorporate the knowledge of peer ambassadors and former clients who have successfully navigated the state employment hiring process and clients with tools to obtain and sustain integrated employment.

5. Please describe how and/or what was done to ensure that individuals served by the program led the development of 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.

Meristem gathered feedback from clients through various means that include one on one meetings with Student Advisors and client run Council. Clients have asked for more opportunities to go into the community, find employment in competitive integrated settings and engage in and contribute more to their local community. In addition, while clients have opportunities to raise concerns and be involved in their program planning, they have asked for additional support and training in self advocacy so that they have the tools to become community role models and leaders.

6. Please describe how the concept you propose will enable you to provide more person-centered services to the individuals you serve.

The proposed remediation concept addresses unmet needs of our clients. Meristem is currently limited in the range of activities and quantity of opportunities clients have to participate in their community that meet the individual interest of each client. This funding concept will maximize the benefits of the opportunities we currently offer, while enhancing clients' ability to engage in the community at large. Additionally, this concept will allow clients to be more involved in their program planning and gain additional support and training in self advocacy and peer-to-peer engagement so that they have the tools to become community role models and leaders.

7. What percentage of individuals served by your program will directly benefit from implementation of this concept?

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100% of clients will have better community integration and access to workforce education.	
8. Please address your plan for maintaining the benefits, value, and success of your project at the conclusion of 2021-22 HCBS Funding.	
With the HCBS funds, Meristem will develop training and Person-Centered Plan processes that will be incorporated into a revised program design and general orientation upon hire, maintaining the benefit, values and success of the program. Additionally, during this period, Meristem will create further sustainable business partnerships that will then be maintained on a less intensive staffing regimen.	
9. 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 a project spans 2 years or occurs in phases, the 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 .	
Major cost categories include: The hiring of a Customized Employment Specialist and a Community Engagement Assistant. Administrative costs not to exceed 10% to allow for further program adaptation to incorporate additional client supports focused on choice and individual rights. Laptops to provide additional electronic access to employment opportunities that are available to them as clients work towards individualized employment goals with support that can also be used in conjunction with community workshop series. The expected timeline for this project is 1 year. Cost budget detail attached.	
10. 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.	
Meristem has adopted a financial plan and provides rigorous ongoing financial planning, annual audits, internal fiscal controls and oversight, and strategic financial development. In future fiscal years this program will be sustained through tuition, private donations, corporate and foundation donations and through our annual budget allocation process Additionally, we are developing a scalable funding model comprised of a diverse coalition of agencies, offices, departments, and organizations through our Breaking Barriers employment program.	
11. Have you or the organization you work with been a past recipient of DDS funding? If yes, what fiscal year(s)?	HCBS Funding ___ No <u>X</u> Yes. If Yes, FY(s) <u>X</u> 2019/2020 Service Access and Equity Funding <u>X</u> No ___ Yes. If Yes, FY(s) ___ CPP Funding <u>X</u> No ___ Yes. If Yes, FY(s) _____ CRDP Funding <u>X</u> 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, CPP or CRDP Funding from DDS	
12. 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 HCBS included the following:	

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1. Hiring of and additional Job Coaches to provide additional resources for clients, opportunities for competitive integrated employment centered on interests, preferences, and abilities. Additional client services will in part include:
 - Individualized workforce experiences, job exploration, internships and community volunteerism.
 - Individualized programmatic transitional employment services.
 - Coordination and oversight of the Workforce Activities Team, community partnerships, field days, facilitation of individual workforce opportunities, leveraging current employment service resources to facilitate internships, employment opportunities, job exploration and development while actively seeking out integrated employment opportunities for clients based on areas of interest and ability; and
 - Providing clients with education and support on benefit concerns.

The Job Coach position was filled, and a number of clients have been able to secure employment with the assistance of this new Job Coach. Additionally, the Job Coach is actively seeking employment opportunities out in the community based on the interest of our clients.

2. Purchase of a vehicle so that clients have the opportunity to access workforce opportunities they choose out in the community. Purchase of vehicle will be the result of client surveys and vehicle test drives regarding selection of vehicle and vehicle model.

Initial steps towards the purchase of the vehicle were taken prior to COVID closures. As we now have several new clients post COVID closures, Meristem will be restarting the process so that we can incorporate the choices of all current clients.

13. 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 requests would allow us to incorporate additional program changes and enhancements that address additional unmet needs of our clients, especially centered around employment opportunities that align with our clients' individual choices. Additionally, incorporating more peer-to-peer opportunities so clients have opportunities to raise concerns and be involved in their program planning, additional support and training in self advocacy and peer-to-peer engagement so that they have the tools to become community role models and leaders.

HCBS CONCEPT BUDGET		Development of a client led workforce integration program				
Vendor Name		Meriste, Inc.				
Vendor Number(s)		HA0994, HA0995, HA0996, PA1910				
	Wage and Benefits	Year 1 Budget		Year 2 Budget		Total
		FTE	Annual Cost	FTE	Annual Cost	Cost
Personnel (wage + benefits)						
Customized Employment Specialist	49,400	1.00	\$ 49,400		\$ -	\$ 49,400
Community Engagement Assistant	42,264	0.50	\$ 21,132		\$ -	\$ 21,132
Position Description			\$ -		\$ -	\$ -
Position Description			\$ -		\$ -	\$ -
Position Description			\$ -		\$ -	\$ -
Position Description			\$ -		\$ -	\$ -
Position Description			\$ -		\$ -	\$ -
Position Description			\$ -		\$ -	\$ -
Personnel Subtotal			\$ 70,532		\$ -	\$ 70,532
Operating expenses						
Computer Laptops to provide additional electronic access to employment opportunities that are available to them and working towards individualized employment goals with support that can also be used in conjunction with community workshop series			\$ 3,275		\$ -	\$ 3,275
Community Workshop Series Resource Material			\$ 1,750		\$ -	\$ 1,750
Cost to host Community Workshop Series			\$ 4,000		\$ -	\$ 4,000
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
Operating Subtotal			\$ 9,025		\$ -	\$ 9,025
Administrative Expenses						
Administrative cost to further adapt current program to incorporate additional supports so that clients are able to participate in employment activities that interest them and correspond with the IPP employment goals. Cost not to exceed 10% of total cost			\$ 5,500		\$ -	\$ 5,500
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
Administrative Subtotal			\$ 5,500		\$ -	\$ 5,500
Capital expenses						
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
Capital Subtotal			\$ -		\$ -	\$ -
Total Concept Cost			\$ 85,057		\$ -	\$ 85,057

See Attachment F for budget details and restrictions