

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.

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Collaboration

- 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.

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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.

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	Fagan Home Care
Vendor number(s)	HH2279
Contact Name	Yetzira Anselmo
Contact Email Address	Anselmo.yetzira@gmail.com
Primary regional center	Harbor Regional Center
Service type(s)	RCFE
Service code(s)	096
Number of consumers typically and currently served	4 Consumers typically served, currently serving 4 Consumers both ambulatory and non-ambulatory.
Typical and current staff-to-consumer ratio	3 Staff during AM Shift, 2 Staff during PM Shift, and 2 Staff during Night Shift to meet the staffing ratio of a level 4I Home.
<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. If you have previously identified your program as compliant with the HCBS Final Rule through the Self-Assessment, what changes have occurred that has changed your level of compliance?</p>	
<p>Fagan Home Care Inc. is a Level 4I Residential Care Facility for the Elderly that operates in Cerritos, CA. The home provides non-medical services and supports for consumers who are 60 years of age or older and diagnosed with developmental disabilities. The home operates 7 days a week, 24 hours a day. The services the home provide are assisting the consumers with their activities of daily living, social activities, recreational leisure, and home skills development. The home also assists with the scheduling and accommodation of various medical, health and behavioral supports, spiritual enhancement supports and domestic skills training. The consumers are encouraged to be out in the community and enjoy being very active individuals. Consumers have the freedom and support to control their own schedules and activities. Some of the consumers elect to attend day programs for additional activities, supports and services outside the home. Each consumer has several different diagnoses ranging from minor complications to severe seizure disorders so individual care plans are followed to ensure the appropriate care and services are provided.</p> <p>All of the consumers in Fagan home are over 60 years old and wish to continue to age with dignity in their home. There are aspects in the home that could use updating for safety and accessibility. For example, currently, one of the consumers has a private bathroom in their bedroom, however the bathroom floor is raised several inches compared to the bedroom. A ramp was installed, but over time it is becoming more and more difficult for the consumer to navigate up and down the ramp. Our proposal would include leveling the bathroom floor down to meet the bedroom as part of the updates. This will allow for easier accessibility for the consumer into and out of the bathroom. All 3 bathrooms would be updated with non-slip flooring, showers updated to be roll-in (two residents currently use wheelchairs), grab bars would be installed throughout, new sinks with better reach/clearance and single handle faucet fixtures installed, and new toilets that are easier to transfer to and from and/or use adaptive equipment with. The home also has 3 entry/exit doorways that</p> <p>Fagan Home Care previously identified our program as compliant with the HCBS Final Rule</p>	

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through the Self-Assessment taken. Since the Self-Assessment was taken, we have realized that the residents can benefit from accessibility features upgrades in the home. The home is an enjoyable place, and the setting is appropriate to be providing supports and services for the consumers. This concept, however, will improve the setting and allow for further support and services well into the future for our consumers. The concept will assist the staff in enhancing the person-centered services that are given and the home to better meet compliance, once again. The setting provided should also be updated to be an even more accessible and desirable place to call home for our consumers.

With the improved accessibility into the bathrooms there will be less of a slip or fall hazard. With the consumer's challenges in communicative, cognitive, and physical functions the home updates will make their setting more appropriate for them and allow them to benefit more from the services provided.

Our aim is to continue meeting the needs and improving our processes to provide a better quality of life for our consumers by offering more choices and opportunities to use a space that is suited to them. The consumers will be able to maintain their independence and be thrilled to have newly updated bathrooms with the needed features to suit the care they require. They will be sure to enjoy the privacy and freedom in updated spaces. Following the approval of the concept and receipt of HCBS funding the home will be updated and make for a more pleasant home for the consumers to enjoy together.

The consumers will now have the opportunity experience better daily activities based on their needs and preferences in a refreshed, brightened, and lively home suited to their needs in relation to their right of choice. The spacing improvements completed as part of the concept is important in giving the consumers the flexibility to move around in a setting free from limitations. Structuring support will be possible in an updated home so that the consumers can participate in activities that interest them and correspond with their individual goals. Once the concept is complete the consumers will be in a setting where they can enjoy in an updated home, moving at their own pace, setting their own daily schedule, with less stress in their new physically accessible environment as compared to the old, outdated home from before.

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.

The concept for which we are requesting funding is targeted towards improving HCBS compliance in Individual Rights and Choice for our consumers. Our concept is to update, modify and improve several areas of the home. The goal of our concept is to ensure the quality of supports and services does not become impacted and to promote accessibility, dignity, and independence and less restrictions in accessing their home.

Fagan Home Care is proposing a concept that will use the requested HCBS Funding to update the home's interior to suit the consumer's growing needs and the need of future consumers. Three bathrooms need updating with accessible supports including non-slip flooring, roll-in showers, more accessible/adaptive toilet chairs, grab bars, accessible sinks

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with single handle faucet fixtures, and the leveling of one bathroom entryway to align with the bedroom floor. The home also has two doors that lead to the exterior of the home that would benefit the consumers by being widened/modified. The back door is a double door, each 30 but this exit would be more accessible for the consumers as one large sliding glass door. The exit door off of the garage is not ADA compliant so the home would like to widen it to 36 and install an aluminum access ramp. Consumers utilize this door when doing laundry and emergency drills, and it is not accessible as is. Widening the back door and the garage entry door to be ADA compliant and allow better access to get in and out of the home

The consumers will also have an updated home for them to enjoy. The concept proposed to is to update the home in the needed areas that will make the home overall more comfortable for our consumers. There will be improved wheelchair accessibility and other improvements for all our consumers to benefit from. The updates are requested due to the changing in our consumers' mobility and to help them be more independent around their home.

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?

The proposed objective and expected outcome of the concept is to continue improving the understanding and skills related to recognition, safety in setting, structure, and foundation, in a home that allows for the appropriate privacy and accessibility. The goal is to improve the setting to ensure the proper privacy and accessibility is afforded to our consumers. Additionally, the aim is for the consumers to also benefit from independently being able to navigate the home as they choose. This will help to form positive experiences and relationships with others through the implementation of this concept.

To track the objectives and outcomes the consumers will be observed and monitored for progress, in the formation of positive relationships with others at home. With more space and updates the consumers will have less limitations in mobility and accessibility. The outcome expected is only made possible via the new home updates which will make the whole environment more enjoyable for the consumers. The bathroom updates could allow consumers to identify new goals towards being more independent in areas such as toileting, hand-washing, and/or showering. Any goals developed that are derived from the updates will be tracked and measured for each individual.

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.

Our concept was developed primarily based upon consumers input and through staff,

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family, and circle of support observations of being able to independently access the identified areas of the home. The staff, family, and circle of support also provide input and ideas during quarterly and annual consumer IPP meetings. The concept was identified with the aim to ensure that continuous quality of life is maintained and improved as we provide the necessary supports and services to the consumers.

Consumers and others involved request that improvements to the bathrooms be made for better accessibility. With the appropriate setting once the concept is complete the consumers quality of life will improve with more accessibility and features in the home that are suited to them. As the consumers age and begin to experience any associated reduction in physical abilities, and/or for the consumers who currently require a mobility device, will need to be accommodated in a way that promotes independence and privacy in the home. Improving the way the consumers can move around their bathroom spaces, where they spend a great deal of time participating in important daily hygiene and grooming activities, will allow for support in these areas to be practiced with more privacy, dignity, and a more enjoyable atmosphere overall.

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

The proposed concept will enable more person-centered services by making it possible for consumers to navigate the home at their own pace and enjoy their independence by being able to access the restrooms and outdoor spaces more independently and by being able to better access their features due to the accessible changes/upgrades. This may include not requiring as much supervision when entering or exiting the shower, or being able to practice more privacy in any restroom activities such as toileting, showering, or changing clothes, for example. These modifications will help to promote individual's rights of independence, privacy, and dignity. Additionally, the updates would assist staff and enable them to optimize care to promote individual initiative autonomy in making choice regarding activities, physical environment and with whom to interact. With the improvement of the spacing and updating the consumers who require a wheelchair will have more control with what works for their needs and accommodations required instead of relying on what space was available before.

With the current home's features, our consumers cannot always adequately move around unassisted which could become more flexible once the changes are made. The new ease of accessibility will provide the consumers independence and promote self-development. The consumers who attend work, school, or volunteer programs will have a better time getting ready for the day in the updated bathrooms.

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

All of individuals served will directly benefit 100% from the implementation of our concept.

8. Please address your plan for maintaining the benefits, value, and success of your project at the conclusion of 2021-22 HCBS Funding.

Maintenance of the benefits, value, and success of the project will be planned, scheduled, and documented in each consumer's progress reports to ensure the

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objective and outcomes as a result of the modifications are developed and worked towards. Input and updates will regularly be requested from the consumers and staff to monitor how the setting updates have improved or changed the services and supports provided. The updates and new features in the home will continue to encourage clients to feel-at-home, independent and respected by giving them the freedom with improved accessibility in their setting. All future maintenance will be scheduled to be completed as recommended. The home will cover any future associated maintenance costs to ensure the benefits, value and success of the concept continues to be available for the consumers.

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 project spans 2 years or occurs in phases, budget should be separated by phase/year.

Administrative costs, if any, must comply with DDS' vendor requirements, including a cap of 15% of the sum of personnel/benefits, consulting, and operating costs (must exclude capital costs). This information can be found at this [link](#).

The two major cost categories are the materials cost for the updates and the cost of the labor. The HCBS funding requested will go to cover the cost of both the materials and labor only. The updates will include:

- Modifications to make three bathrooms more accessible/safe including non-slip flooring, roll-in showers, accessible sinks installed with single-handle faucets, grab bars throughout, adaptive toilet chair, and 1 bathroom will have a floor adjustment to eliminate the need of a ramp due to uneven floor levels. Bathroom construction would occur one at a time to not decrease utilization of these necessary home features.
- Widening the back door to a single sliding door and the garage entry door to be ADA compliant and allow better access for consumers to get in and out of the home.
- A portable ramp to place outside of the external garage door which is utilized for fire drills, laundry access, and is a potential emergency exit with a high step vs. a ramp therefore potentially creating a safety barrier for the non-ambulatory individuals to be able to exit the home safely.

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.

The home will not require any funding for the concept past the timeframe of the requested funding. There will not be any cost associated to additional staff or long-term costs for the proposed concept. Any maintenance costs involved with the updates completed will be funded by the home. The home is willing to finance and maintain upkeep, future repairs for any of the modifications that are funded in this concept beyond the 2 year.

11. Have you or the organization you work with been a past

HCBS Funding No Yes. If Yes, FY(s) _____
Service Access and Equity Funding No Yes. If Yes, FY(s) _____

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recipient of DDS funding? If yes, what fiscal year(s)?	CPP Funding X___ No ___ Yes. CRDP Funding X___ No ___ Yes. If yes to any question be sure to answer questions 13 and 14.	If Yes, FY(s) _____ If Yes, FY(s) _____
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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.

N/A

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.

N/A

HCBS CONCEPT BUDGET		Individual Rights- Home Setting Updates				
Vendor Name		Fagan Home Care				
Vendor Number(s)		HH2279				
	Wage and Benefits	Year 1 Budget		Year 2 Budget		Total
		FTE	Annual Cost	FTE	Annual Cost	Cost
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						
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
Operating Subtotal			\$ -		\$ -	\$ -
Administrative Expenses						
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
Administrative Subtotal			\$ -		\$ -	\$ -
Capital expenses						
widen and replace 2 entry doors			\$ 2,350			\$ 2,350
3 bathrooms updates total:			\$ 31,250			\$ 31,250
Includes: new no-slip flooring						\$ -
roll-in showers						\$ -
single-handle faucet fixtures/new sinks						\$ -
grab bars						\$ -
1 bathroom floor adjustment			\$ 3,250			\$ 3,250
ramp			\$ 680			\$ 680
Capital Subtotal			\$ 37,530		\$ -	\$ 37,530
Total Concept Cost			\$ 37,530		\$ -	\$ 37,530

See Attachment F for budget details and restrictions