

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	Horrigan Cole Enterprises/ Unlimited Quest
Vendor number(s)	PH1741; PH1113; PH1430; PH0603; PH1609; PH1562; PH2230; PH2092; PH0375; PH1563
Contact Name	Donna Gimm
Contact Email Address	Donna.Gimm@thementornetwork.com
Primary regional center	Harbor Regional Center
Service type(s)	Adult Day Program
Service code(s)	510
Number of consumers typically and currently served	493
Typical and current staff-to-consumer ratio	1:3 Ratio

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?

The CMS Rule focuses on an individual’s full access to the benefits of community life, the opportunity to receive services in the most integrated setting appropriate, and enhancing the quality of service based on the individuals choice while respecting and protecting their individual rights. Cole Vocational Services and Unlimited Quest Adult Day Programs provide center based programming with a community inclusion component. Some of these day programs support individuals that require a therapeutic day program and others that have community employment specific goals. Ten of the day programs we have two therapeutic day programs and two behavioral support programs. The individuals are transported by third party transportation or their homes to the day program and from there the individuals have access through the day program vans. At the center site, a variety of activities are provided that consist of gardening, crafts, computer research and exercise to mention a few. There are two Job Developers on staff that assist with community paid employment and those individuals with employment goals work with the Job Developer to development employment skills, interviewing skills, resume development and then take those skills into the community to apply for employment. With the pandemic, many of the paid employment sites have been lost due to businesses closing or the individuals not being able to return back to their work sites. There has also been an identified need for increased electronics to assist the individuals in regaining resources back into the community along with training for the direct support professionals on person centered goals/objectives.

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.

Due to the pandemic and loss of paid employment community sites, the Job Developers will need to develop new techniques to regaining employment sites for the individuals who have employment goals. The Job Developers could benefit from training on job development techniques (assessments, interviewing techniques, tools, job readiness) to help strengthen their

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skills in seeking employment opportunities for the individuals with paid employment goals. With the two Job Developers on staff we are requesting the following funds specific this training:

2 Job Developers X \$4500/each = \$9,000

We are also requesting additional electronics for our individuals to use at each of the ten day programs. We are requesting laptops that consist of touch screen abilities in order to assist those individuals that may need some adaptive assistance to utilize the laptops. We are requesting the following:

10 Day Programs x 6 Touch Screen Laptops Each X \$1,000 = \$60,000

Through the pandemic and realizing the challenges with person centered programming, we would like to have all of our direct support professionals go through a two day, eight hour each day, person centered training course. We are requesting additional funding for the cost of the employees time to go through this training.

\$100 per all staff (PCT training materials) X 370 total staff = \$37,000

\$24.75 per hour (includes Average Wage/OT) x 16 hours - \$396.00 X 370 direct support professionals = \$146,520

Total Person Centered Training Cost \$183,520

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 job development training will allow our currently employed Job Developers to gain access to new and improved strategies to assist those individuals with their paid employment goals. With the pandemic, seeking employment and techniques used to seek employment has changed. The Job Developers will be allowed to develop new skills to assist them in their current positions to help our individuals be successful when going into the community to apply for employment opportunities.

The increase amount of electronics in each of our day programs will allow individuals to have greater access to the community. They will no longer have to wait to utilize the centered based computer lap, but can check out a laptop and work independently or with their staff on community research, seek educational opportunities with classes, job search and apply for employment online rather than in person to mention just a few. Those individuals who need assistance with utilizing a computer or laptop, can receive that personal time/attention with their direct support professional by using a mobile electronic device that they can use in any room within the center site.

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The Direct Support Professionals are needing the person centered planning training so that they can better support and advocate for the individuals they engage with at the day program. Goals that were similar or generic can be transformed into personal goals specific to the individuals. The staff will be able to gain the skills needed to advocate and assist the individual in developing person centered goals.

The funding received for these request will be tracked and monitored on a spreadsheet. Any monies spent will have the supporting documentation in place to support purchases and employee wages where applicable.

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.

Currently there are several individuals that have goals for community paid employment. As shared above, some of those individuals were able to maintain their current paid employment sites prior to the pandemic but several lost their employment. The interest in community paid employment has been in existence prior to the pandemic and in some of the day programs part of their program design. During the pandemic it was identified that there was a lack of resources when it came to electronics. Those programs that had the ability to share some of their electronics were extremely limited thus leaving several individuals without the opportunity to have electronic access. Increasing the electronics will allow for greater access and availability to the individuals. Person Centered Training for the direct support professionals has been a goal for the organization but then when the pandemic hit, the opportunity for this training decreased. Now that the pandemic seems to be lifting some, it would be a great time to get the training out to all of the employees in order to support the individuals in the day program. Good solid person centered goals specific to the individual's choices and desires can be implemented with the staff having this training and understanding what their role is in assisting in development of these goals.

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

The individuals supported at each of the day program require various levels of support to meet their person centered goals. Through the Interdisciplinary Team Meetings, there is discussion around goals that the individual would like to work towards and achieve. It is through those conversations that it was identified that some individuals are eager to return back to traditional services and community inclusion where others are wanting to return back to the center based site but are reserved when it comes to fully integrating back into the community. By having Job Developers who have developed some new skills to assist with the "new normal" job developing will allow the individuals the opportunity to get back into the community working. Through the additional electronics, there will be an increased resource for individuals to utilize the electronics for the "new normal" applying for employment on line, seeking educational classes via zoom, participating in community integration via zoom with the new way of taking a museum tour or a tour of the zoo etc...via zoom. The person centered training for the employees will only enhance the opportunities for the individuals in having staff that are equipped to support them with their person-centered goals.

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

100% of the individuals will be able to benefit from the three requested areas.

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

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<p>The Job Developers will continue to utilize the skills they received through their training opportunities received through this funding. The electronics will continue to be available and accessible resources in our day programs and the person centered training for the staff will benefit all individuals when it comes to developing goals that will continue on after the funding.</p>	
<p>At the conclusion of the 2021-2022 HCBS Funding, each site will have had an opportunity to assess alternative community sites as they open up from the pandemic which will allow for different community inclusion opportunities. The electronic devices being requested will continue to be used as a resource to the individuals when they are in the center site each day of service.</p>	
<p>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.</p>	
<p>Job Development Training: With the two Job Developers on staff we are requesting the following funds specific this training to occur within 24 months:</p> <p>2 Job Developers X \$4500/each = \$9,000</p> <p>Electronics: We would like to request to purchase all 60 touchscreen laptops within the first six months of funding. We are requesting the following:</p> <p>10 Day Programs x 6 Touch Screen Laptops Each X \$1,000 = \$60,000</p> <p>Person Centered Training: We are requesting additional funding for the cost of the employees time to go through this training. We would like to have this occur within the 24 months of funding.</p> <p>\$100 per all staff (PCT training materials) X 300 total staff = \$30,000 \$24.75 per hour (includes Average Wage/OT) x 16 hours - \$396.00 X 300 direct support professionals = \$118,800</p>	
<p>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. Not Applicable</p>	
<p>11. Have you or the organization you work with been a past</p>	<p>HCBS Funding ___ No X Yes. If Yes, FY(s) 2017/2018 Service Access and Equity Funding X No ___ Yes. If Yes, FY(s) ___</p>

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recipient of DDS funding? If yes, what fiscal year(s)?	CPP Funding <input checked="" type="checkbox"/> No ___ Yes. If Yes, FY(s) _____ CRDP Funding <input checked="" type="checkbox"/> No ___ Yes. If Yes, FY(s) _____ If yes to any question be sure to answer questions 13 and 14.
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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.

2017/2018 – PH0375 055 Unlimited Quest Inc Long Beach, HRC \$63,480 (Job Developer)

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.

2017/2018 HCBS Funding received was for a Job Developer position. The current year funding being requested is for operating expenses only.

HCBS CONCEPT BUDGET						
Vendor Name	Horrigan Cole Enterprises and Unlimited Quest Inc.					
Vendor Number(s)	PH1741;PH1113;PH1430;PH0603;PH1609;PH1562;PH2230;PH2092;PH0375;PH1563					
	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						
Tablets			\$ 60,000			\$ 60,000
Job Developer Training Seminars/Classes			\$ 4,500		\$ 4,500	\$ 9,000
Person Centered Training - All DSPs			\$ 183,520			\$ 183,520
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
Operating Subtotal			\$ 248,020		\$ 4,500	\$ 252,520
Administrative Expenses						
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
Administrative Subtotal			\$ -		\$ -	\$ -
Capital expenses						
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
Capital Subtotal			\$ -		\$ -	\$ -
Total Concept Cost			\$ 248,020		\$ 4,500	\$ 252,520

See Attachment F for budget details and restrictions