

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	Life Steps Foundation SoCal Adult Services
Vendor number(s)	PH1393
Contact Name	Robert Turner
Contact Email Address	rturner@lifestepsfoundation.org
Primary regional center	Harbor Regional Center
Service type(s)	Day Program
Service code(s)	055
Number of consumers typically and currently served	38
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. 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>The Seaside Learning Center exists in an office building in the East Village of Long Beach, CA. There are rooms set aside for the use of the Center. The location is important because it allows the Center to provide many local opportunities for integration for the individuals served. It is also very convenient to the local transit center, which is easily accessible and provides opportunities for further integration in the communities that surround Long Beach. Before the beginning of the pandemic, the Center provided services to individuals served from 9:30 AM to 3:30 PM Monday Through Friday. Individuals served were given freedom to decide the days they would attend and the time they spent there. A range of curriculum, activities, opportunities and resources are offered. Some activities occur on an ongoing basis; others are offered according to individual or group request. The environment is rich in resources and is conducive to spontaneous, free-flowing activity and interaction. The Seaside Learning Center curriculum includes social learning opportunities throughout the spectrum of life activities. Intervention activities include domain areas generally thought to pertain to quality of life and is varied, flexible and changing in accordance with the individual's needs and desires across the lifespan. Classes and activities may include but are not limited to: computer access and training; health and safety classes; cooking classes and nutrition. Other activities include community gardening; dancing; arts & crafts; and aerobics. The program provides space for solitary activity, including computer work, listening to music and books on tape. We may also provide services like self-advocacy and site-cooperative management in which individuals using the Seaside Learning Center can participate, e.g., helping compile the program newsletter, participating in the Advisory Committee and suggesting new activities. Individuals served have a choice in all they do. Currently the Center offers in-person activities from 8:30 AM to 12:00 PM on Monday, Wednesday and Friday, or Tuesday and Thursday. We also offer sessions Monday, Wednesday and Friday from 1:00 PM to 4:30 PM. This was done to limit attendance according to social distancing guidelines. All the same opportunities for social engagement in-house and for</p>	

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community integration are still offered. We are in compliance with most aspects of HCBS rules, but lack a private space for individuals served to store their belongings in a safe and private place, ensuring their right to privacy. We also lack the ability to transport individuals served who utilize a wheelchair. And we lack an official self-advocacy curriculum.

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 will address privacy issues, mobility and self-advocacy within the Day Program setting. Currently, individuals served do not have a place to store private belongings in a safe and secure manner while at the program. We also are not able to transport clients in wheelchairs. And we see a need for a self-advocacy training program for our clients. The concept proposes that we purchase private lockers for the persons served, for their use while in attendance at the facility. The concept also proposes purchasing a wheelchair accessible van for mobility to explore the greater community unreachable by public transport and a self-advocacy program.

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 of the concept is to ensure that individuals served can practice their right to privacy, access the community and advocate for themselves. The outcome will be achieved when individuals served have a safe and private place to store their belongings while attending in-person activities at the Center, when our individuals in wheelchairs can access the greater community the same as their ambulatory peers and when persons served can speak up for themselves, attain what they need and want and know their rights. We propose using HCBS funds to purchase private lockers and hiring a professional handyman to install them at the facility. We also propose purchasing a wheelchair accessible van to access the community beyond the scope of public transport and a curriculum for self-advocacy.

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.

Individuals served have requested to have a place to store their phones, purses, jacket's etc. in a safe place. Currently, nothing like this exists in the Center. Individuals served are currently required to keep their belongings with them and are taught strategies to keep their belongings safe from others, like being observant, knowing where their belongings are at all times and never leaving their belongings when they

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leave the room. Despite their learning and practicing these concepts, a few thefts have occurred. Individuals served have conveyed their need for a safe and private place to keep their belongings to their favored staff members. A wheelchair accessible van will allow us to focus on sights and activities in the community beyond the scope of public transportation, expanding the community experience for all members of the Center. The van will also allow us to support future members and the changing mobility needs of our members. Our individuals served also ask staff to assist them with advocacy, which they do, but no curriculum is in place to teach them to self-advocate, learn their rights and communicate independently.

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

By providing a safe and private place to store their belongings, the program will satisfy the individuals served right to privacy. The right to privacy is an innately person-centered concept. Purchasing a wheelchair accessible van will allow the Center to access public and private sights for our members beyond what is feasible for public transportation; this will give them a greater choice as to the activities they wish to participate in. Currently we provide advocacy services to our individuals served when they ask for assistance, but teaching them to do so by themselves using a person-centered curriculum creates independence in their lives.

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

100% of the individuals served by the program will benefit by implementation of the privacy concept, self-advocacy concept and mobility concept.

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

The privacy concept will be successful once lockers are purchased and installed at the primary location of the program. Once installed and secured at the location, no further maintenance will be required outside of regular cleaning. Individuals served will be assigned a permanent locker and given options for ways they can secure their belongings i.e., a variety of different locks with keys. Individuals served will be asked to provide a duplicate key for safekeeping in case they lose their own key. The duplicate keys will be kept safe in a secure location in the manager's office. Locks will be purchased for their lockers according to their wishes. The self-advocacy project will be successful once training begins and individuals served are able to advocate for themselves with minimal prompting; this concept will be ongoing as needs arise and will include individual or group training. The mobility concept will also be ongoing and successful when all individuals served are given more choices to access their community, both local and beyond. The Seaside Learning Center will maintain the wheelchair accessible van and include all necessary maintenance, washes, registration and insurance fees in a calendar year budget funded by Life Steps Foundation.

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.

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<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>	
<p>If the project is approved, we will purchase online from Uline or Global Industrial a set of 6 tier by 3 wide lockers (total 18 lockers each) and a 1 tier/ 1 wide locker (total 6 lockers) for a total of 42 lockers. We currently have 38 clients who attend Seaside Learning Center. Lockers will come unassembled and are metallic. A professional handyman will be hired to assemble the lockers and secure them to the wall. Individuals served will be taken to a local Ace Hardware store to purchase locks of their choosing. Money received will all be spent on the lockers, a professional installer and the locks. The budget for this concept is set at \$1,900.00. We will purchase a wheelchair accessible van from MobilityWorks! in southern California with a budget of \$70,260.17. This van will serve our current and future needs as it can be configured to fit two wheelchairs and carry up to 14 individuals, or six people including two wheelchairs. We will also purchase from Moss Canyon through their SNAP Program which contains over 200 lessons for adults with disabilities, including self-advocacy, communication, civics and more. The total budget for this concept is \$450.85, which includes postage and tax.</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.</p>	
<p>The self-advocacy concept and the privacy concept will require no further funding once the items are purchased and assembly is complete. The mobility concept will require further and ongoing funding for maintenance, registration and insurance costs. These equipment depreciation costs will be budgeted yearly by Life Steps Foundation through their operating budget and no further HCBS funding will be required for this purpose.</p>	
<p>11. Have you or the organization you work with been a past recipient of DDS funding? If yes, what fiscal year(s)?</p>	<p>HCBS Funding <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. If Yes, FY(s) _____ Service Access and Equity Funding <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. If Yes, FY(s) _____ CPP Funding <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. If Yes, FY(s) _____ CRDP Funding <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. If Yes, FY(s) _____ If yes to any question be sure to answer questions 13 and 14.</p>
<p>For providers who have received prior HCBS, Disparity, CPP or CRDP Funding from DDS</p>	
<p>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.</p>	
<p>NA</p>	
<p>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.</p>	
<p>NA</p>	

		Year 1 Budget		Year 2 Budget		Total
		FTE	Annual Cost	FTE	Annual Cost	Cost
Life Steps Foundation - Seaside Learning Center						
PH1393						
Personnel (wage + benefits)						
	Wage and Benefits		\$ -		\$ -	\$ -
			\$ -		\$ -	\$ -
			\$ -		\$ -	\$ -
			\$ -		\$ -	\$ -
			\$ -		\$ -	\$ -
			\$ -		\$ -	\$ -
			\$ -		\$ -	\$ -
			\$ -		\$ -	\$ -
			\$ -		\$ -	\$ -
Personnel Subtotal			\$ -		\$ -	\$ -
Operating expenses						
SNAP Curriculum						
Operating Subtotal			\$ 455		\$ -	\$ 455
Administrative						
Administrative Subtotal			\$ -		\$ -	\$ -
Capital						
42 Lockers and locks and installation			\$ 1,900			\$ 1,900
Ford Transit T350 XL Wagon for wheelchairs			\$ 69,260			\$ 69,260
Registration			\$ 400			\$ 400
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
Capital Subtotal			\$ 71,560		\$ -	\$ 71,560
Total Concept Cost			\$ 72,015		\$ -	\$ 72,015

See Attachment F for budget details and restrictions