

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/>

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

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.

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

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.

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

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.

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

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.

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

Vendor name	Vocational Improvement Program, Inc. (VIP)
Vendor number(s)	HJ0552-954; HJ0553-954; HJ0554-954
Contact Name	Karen Jones
Contact Email Address	karenj@vipsolutions.com
Primary regional center	Inland Regional Center
Service type(s)	Work Activity Program (WAP)
Service code(s)	954
Number of consumers typically and currently served	Rancho Cucamonga: 123 Traditional Services; 37 ASD San Bernardino: 87 Traditional Services; 36 ASD Hesperia: 71 Traditional Services; 21 ASD
Typical and current staff-to-consumer ratio	There is no required ratio for a work activity program
<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>A work activity program (WAP) has a daily production focus (typically assembly and packaging in nature) in a production facility that is owned/leased by the vendored organization. The structure of a WAP is site-based and does not allow for any staff position(s) for sustained integration opportunities, nor position(s) to implement a true person-centered approach. If a person desires to explore CIE, it does not allow for job development, discovery, traditional job placement, or customized employment.</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>Continuation of the position of Employment Specialist</p> <p>A. Barriers and Resulting Needs:</p> <ol style="list-style-type: none"> For those persons served that are interested in moving from the WAP model (non-integrated) to community-based employment, including CIE (Competitive Integrated Employment), additional supports are needed. Additional supports are also needed for clients that might otherwise attempt to enter a WAP (deflection). While some persons served are able to find a job on their own, most that desire to enter community-based employment are in need of comprehensive job development support through working with an employment specialist. Current WAP funding does not cover the cost of the tasks of an employment specialist who will perform services such as discovery, job preparation for interviews, resume development, support for application completion and actual job search/placement itself. The Employment Specialist funded through this grant will work closely with VIP's current unfunded employment specialist who has historically had a large caseload that has resulted in longer than desired outcomes. 	

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

B. How these barriers will be addressed for compliance:

To increase options and access to community-based employment, including CIE: The employment specialist may perform tasks such as but not limited to:

1. Discovery
2. Job Preparation
3. Interview skills/Resume Development
4. Development of Traditional CIE and Customized Employment job sites
5. Support for Application Completion
6. Performing the actual job search, placement, and support for retention
7. Other needed services for success of persons served

C. Method to implement:

To complete this, VIP's employment specialist's key focus will be the transition of persons served from WAP to Community-based Employment, or on working with clients that might otherwise attempt to enter a WAP (deflection). The geographic area will include the High Desert area of Hesperia/Victorville/Apple Valley and the greater Inland Empire. The toolkit used may include traditional placement methods as well as other models such as discovery and customized employment.

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?

Outcomes: Specific/measurable outcomes will be included in VIP's annual outcomes reporting tool. Measurements may include but are not limited to data such as length of time in job development; number of placements; average hours worked; average wage; benefits; retention; others defined by VIP's leadership and industry standards.

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.

Feedback was gathered, not only about the currently funded transition services now being provided through funding from the FY 20/21 grant cycle and previously funded FY16/17 grant cycle (ACE – Achieving Competitive Employment), but also about how they would like to see services expanded and/or new services added. Solicited client/family feedback included comments indicating they would like to learn more about job development and placement, specific jobs (trade training), trial job placements, resume writing, interviewing, computer class. The person-centered process implemented as part of ACE also provided feedback about the desire on many clients' part to begin the job search process. Services will be individualized and go through the person-centered thinking process.

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

<p>6. Please describe how the concept you propose will enable you to provide more person-centered services to the individuals you serve.</p>	
<p>The very nature of supported employment is more individualized and person-centered than WAP. Job development is a one-to-one service and keeps the individual at the center of the planning. Information gleaned from person-centered thinking meetings currently being conducted by VIP's ACE team will be relied on for successful potential transitions from WAP (congregated/nonintegrated) to SE (community-based/integrated)</p>	
<p>7. What percentage of individuals served by your program will directly benefit from implementation of this concept?</p>	
<p>Depending upon the choices made by individuals currently in program, it is anticipated that up to 25% of clients served in VIP WAPs will directly benefit from the implementation of this concept.</p>	
<p>8. Please address your plan for maintaining the benefits, value, and success of your project at the conclusion of 2021-22 HCBS Funding.</p>	
<p>VIP's core values and guiding principles state that every individual has the right to a quality of life, regardless of disability, that leads to self-fulfillment and meaning. This may include exposure to opportunities, freedom to make individual choices, participation and inclusion in the community(s) of their choice, and a life that is self-directed. The benefits, value and success of this project will far outlive conclusion of the funding through offering individuals the dignity of work that he/she chooses and owns.</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>Major costs (2-year project): salary package for one Employment Specialist position; vehicle; mobile operating tools. Methodology for calculation of administration costs is program occupancy square footage in relation to overall organizational square footage.</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 potential increase in placements will help sustain the revenue stream necessary to support the ongoing nature of the employment specialist position. VIP might also seek additional vendorization in discovery/customized employment.</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 ___ No <u>X</u> Yes. If Yes, FY(s) <u>16/17; 18/19; 19/20; 20/21</u> Service Access and Equity Funding ___ 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.</p>

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

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.

FY16/17: Job Readiness Training participation: 216; Person-centered thinking meetings held: 140; Family/client educational community nights: 4; Annual staff training completed on Person-Centered Thinking, rights and choice; the A-TEAM, a national client advocacy group was established (first chapter in CA) at all 3 WAP locations; Market research for potential employment markets completed; employer outreach took place; multiple employers took advantage of diversity/sensitivity training; multiple opportunities for clients to participate in community-based employment opportunities (job trails, substitute/temporary positions, etc.), non-work community activities; grant goals met or exceeded.

FY18/19: Significant challenges were experienced due to the temporary closure of WAP due to Covid and the loss of face-to-face interactions. 36 clients participated in Advanced Job Readiness Training; 49 clients participated in ACE I classes; 55 Person-centered thinking meetings were held; Family training on working and the impact on Social Security held at all WAP sites; objectives met for multiple opportunities to participate in community-based employment (substitute and temporary positions, job trails, etc.) and non-work community activities; Continuation of A-Team Advocacy Group; 6 clients participated in discovery activities, 2 completed the process and 4 are in process; Annual staff training completed on person-centered thinking, advocacy, rights and choice.

FY19/20: This contract has just completed 5 of 8 quarters. Significant challenges were experienced due to the Covid-19 pandemic, community lockdowns, and the temporary closure of WAP resulting in the loss of face-to-face interactions. One Employment Specialist position was filled, and one was put on hold due to the continuing challenges of job development and placement in the midst of Covid. The Employment Specialist has worked with 23 clients, 20 of which were successfully placed (8 working 6 months or longer; 8 working 1-4 months; 4 were placed and later quit or were terminated by the employer). Of the 23, 3 clients decided to leave job development prior to being placed.

FY 20/21: This contract has just completed its first quarter. A work skills assessment is under development and 32 clients have been identified for the assessment process; work sites have been identified for individual training and 23 occurrences of individualized hands-on training have taken place at job trial sites in the community; 112 opportunities have been offered for job trials and/or community participation; 129 90-day Person-Centered Thinking follow-up meetings have been held; 3 A Team Meetings held.

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.

This request is not redundant, but a continuation of prior funding (which was directly impacted by the Covid-19 pandemic) for an employment specialist with a focus on CIE. Covid-19 affected movement of WAP clients into integrated employment opportunities. Clients in the WAP were not actively working for fifteen months during the pandemic. Many choosing to return to in-person services in July 2021 needed retraining due to the length of time since they had been actively engaged in work/employment tasks. In addition, many individuals in WAP have been reluctant to go out into the community and/or seek CIE positions due to the ongoing concerns of exposure to Covid-19.

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

HCBS CONCEPT BUDGET						
Vendor Name		Vocational Improvement Program, Inc. (VIP)				
Vendor Number(s)		HJ0552-954; HJ0553-954; HJ0554-954				
	Wage and Benefits	Year 1 Budget		Year 2 Budget		Total
		FTE	Annual Cost	FTE	Annual Cost	Cost
Personnel (wage + benefits)						
Employment Specialist	75000	1.00	\$ 75,000	1.00	\$ 75,000	\$ 150,000
			\$ -		\$ -	\$ -
			\$ -		\$ -	\$ -
			\$ -		\$ -	\$ -
			\$ -		\$ -	\$ -
			\$ -		\$ -	\$ -
			\$ -		\$ -	\$ -
			\$ -		\$ -	\$ -
Personnel Subtotal			\$ 75,000		\$ 75,000	\$ 150,000
Operating expenses						
Fuel			\$ 5,000		\$ 5,000	\$ 10,000
Vehicle Insurance			\$ 4,000		\$ 4,000	\$ 8,000
Cell Phone			\$ 1,200		\$ 1,200	\$ 2,400
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
Operating Subtotal			\$ 10,200		\$ 10,200	\$ 20,400
Administrative Expenses						
General Liability Insurance			\$ 2,081		\$ 2,081	\$ 4,162
Occupancy (based on square footage)			\$ 8,734		\$ 8,734	\$ 17,468
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
Administrative Subtotal			\$ 10,815		\$ 10,815	\$ 21,630
Capital expenses						
Vehicle			\$ 32,000		\$ -	\$ 32,000
Laptop			\$ 1,500		\$ -	\$ 1,500
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
Capital Subtotal			\$ 33,500		\$ -	\$ 33,500
Total Concept Cost			\$ 129,515		\$ 96,015	\$ 225,530

See Attachment F for budget details and restrictions