

## 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](mailto: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	Marcelo Home Inc., dba Joyce Home
Vendor number(s)	HB 0593, PB 1359
Contact Name	Virginia M. Marcelo
Contact Email Address	Marcelohomeinc@gmail.com
Primary regional center	Regional Center of the East Bay
Service type(s)	ARF Level 4C
Service code(s)	915, 109
Number of consumers typically and currently served	6
Typical and current staff-to-consumer ratio	1 staff to 2 consumers
<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>Joyce home provides its consumers the opportunity to make informed choices of what to eat, wear and preferred activities, wherein they have full access and enjoy the full benefits in the most integrated setting. They enjoy recreational activities indoor and outdoor provided by the home. A typical day consists of 1 on 1 physical assistance to consumers for all ADLs and instrumental ADLs. Staff ensures and encourages consumers to perform self-skills to their maximal capacity, assist with meals and intake of medication. We give support, understanding and appreciation to each of our consumers so that they become a productive part of the community. Our consumers go to day program 5 days a week. Due to only 1 non-ambulatory bathroom, there is a huge rush and stress in the morning for their baths. There is a 2<sup>nd</sup> small bathroom and is not being used as there is not enough space for staff to assist consumer in their bath or a space for a wheelchair. Joyce Home provides a safe environment with purpose of addressing, maximizing and fulfilling individual needs. Our consumers are given opportunity to choose their activity. Some choose to rest in their room to draw, color or other activities of their own. Some prefer to stay in the shared area in the living room by watching TV, listening, or dancing to the music.</p>	
<p><b>Project Narrative Description:</b> 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>Joyce Home currently provides transportation using a 5 passenger vehicle however, transporting consumers in a vehicle without wheelchair accessibility creates difficulty of getting in and out of the vehicle because of their mobility issues, with that, consumer needs assistance from the staff. This is a barrier to their independence in being able to independently help themselves. The recent time of a pandemic created less social</p>	

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

integration. Joyce Home would like to maximize the social opportunity in participating safe community integration. For example, in Hayward, there is a newly built playground/park space that was built specially for individuals with disabilities. Having a transportation vehicle with increased seats/space will improve safe easier access, comfort & physical accessibility going in and out of the vehicle. A large vehicle will also allow enough distance from each consumer to give them their space. Joyce Home supports the structure that allow individuals to interact with who they choose at both home and in the community and participate in activities that interest them. The lack of appropriate transportation and in our case a limited vehicle limits the consumers choices for their mobility and resources for their activities based on their abilities, needs, and preferences.

The setting of the bathroom does not provide accessibility for the consumer to be assisted in the bathroom as there is not enough space for wheelchair, consumer and staff at the same time. Bathroom modification will provide safety to the consumers, space for better mobility, flexibility of their own schedule and ability to move about the the setting they choose independently. It will also prevent or reduce any falling due to unsteady gait as staff will be there to assist consumers. The current bathroom layouts only allow one bathroom that is accessible for a wheelchair. The second bathroom's narrow layout is not wheelchair accessible and does not provide physical accessibility for a caregiver to assist consumer in showering/bathing/toileting. Because of this, consumers need to wait and take turns for the one bathroom that may already be occupied by another consumer and staff, limiting individual's right and choice to set their own daily schedules.

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 objectives and outcomes of the concept will provide safe community integration that allow optimal and timely access for the consumers. Having a vehicle with a wheelchair accessible van compared to our current vehicle will encourage better mobility, consumer comfort and will improve/increase consumer choices in community integration. The methods of achieving and tracking will be followed up by establishing a monthly proposed schedule of activities and community outings. The proposed schedule will be created with the collaboration of the consumers, consumer's family & staff to fit consumer's choices, interests, and needs. Achievement of this schedule will be done by including a log that will be documented after each outing and activity.

The proposed objective and outcomes of the bathroom modifications will support a setting that is fully physically accessible to the consumers. This full access will allow consumers to have increased choices in their daily routine. It's their individual rights to not be limited by having to wait in the current setting due to lack of bathroom accessibility. Joyce Home will include an individualized plan for each consumer that integrates their preferences, needs, and abilities in related to access for toileting,

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

<p>bathing, grooming, and hygiene needs that take place in the proposed bathroom modification outcome. In addition, there will be evaluations taken place to assist with determining the progress whether individual choices are being met as well as the increased accessibility for consumers.</p>
<p>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.</p>
<p>Observation and past meeting with consumer, family members and case managers were utilized for each consumer to discuss and report their goals, choices and interest. Example, a consumer’s goal is to go to other parts of the Bay Area and to some consumer, just anywhere. It was asked how can they feel more comfortable in the car, Joyce Home found out that consumers feel more comfortable if they are sitting far away from each other for distancing and to have easy access to get in and out of the car because of their mobility issues. The current vehicle has limited space and does not allow easy transport with a wheelchair. The frustration tolerance to some of our consumers are at times low which makes transportation to them a stressful situation. In addition, past travel experience allowed observations of the consumer displaying such physical efforts. A spacious and comfortable vehicle will better support consumers’ comfort considering their endurance level and activity tolerance.</p> <p>A modified/renovated bathroom will be safer and fully accessible to everyone without the constraint of having to wait for the spacious bathroom if it’s occupied. A spacious bathroom will give space for staff to assist consumer and to avoid/prevent consumer’s fall due to unsteady gait.</p>
<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>Joyce home supports individualized care. Methods of tracking outcome and objectives include person centered plan for each consumer, evaluation of each plan to determine level of progress and log for community outings. By identifying our consumer needs, meeting and explaining to them that we are committed in putting our efforts in optimizing access to community integration with a spacious wheelchair accessible vehicle and safer access to the community. Having a wheelchair accessible van with more seats will allow an individualized action plan for our client who is wheelchair bound and for those consumers with mobility issues who require increased time for transportation due to their limited mobility and decreased endurance. Consumer will increase independence by being able to independently help themselves to go in and out of the vehicle without assistance from the staff.</p> <p>Providing supports for bathroom modifications will support individual’s rights and choices. Maximizing consumer’s safety in reducing fall risk by having enough space for consumers to be assisted by staff, adaptive tools such professionally installed grab bars, and proper height surfaces that accommodate to wheelchair use. A modified bathroom will give consumers the ability to independently choose which bathroom they want to use at any given time without having to wait for the other wheelchair accessible bathroom.</p>
<p>7. What percentage of individuals served by your program will directly benefit from implementation of this concept?</p>

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

100% of the individuals served by our program will have direct benefits from implementation of a spacious with more seating wheelchair accessible van and safe bathroom modifications.	
8. Please address your plan for maintaining the benefits, value, and success of your project at the conclusion of 2021-22 HCBS Funding.	
Joyce Home will ensure continued maintenance of both the proposed vehicle and accessible bathroom. The vehicle will keep up with all car service deadlines, routine cleaning, and will file all documentation and logs notes. The consumers do participate in self-care activity for their Training Skills goals that requires use of a bathroom. The value is immense in the fact that consumers will be using this daily. A rotating cleaning schedule for the staff will be completed to maintain and preserve the modifications of the bathroom. Also, having insight from a occupational therapist about their expertise in environmental modifications adds value to the proposed concepts.	
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 <a href="#">link</a> .	
A vehicle/van to fit up to 10 people \$71,000. To modify a small bathroom to be wheelchair accessible and/or better spacious design \$22,500 project span 1 yr	
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.	
N/A	
11. Have you or the organization you work with been a past recipient of DDS funding? If yes, what fiscal year(s)?	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.
<b>For providers who have received prior HCBS, Disparity, CPP or CRDP Funding from DDS</b>	
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	FY 21-22					
Vendor Name	Marcelo Home Inc., dba Joyce Home					
Vendor Number(s)	HB 0593 & PB 1359					
	Wage and Benefits	Year 1 Budget		Year 2 Budget		Total
		FTE	Annual Cost	FTE	Annual Cost	Cost
<b>Personnel (wage + benefits)</b>						
Position Description			\$ -		\$ -	\$ -
Position Description			\$ -		\$ -	\$ -
Position Description			\$ -		\$ -	\$ -
Position Description			\$ -		\$ -	\$ -
Position Description			\$ -		\$ -	\$ -
Position Description			\$ -		\$ -	\$ -
Position Description			\$ -		\$ -	\$ -
Position Description			\$ -		\$ -	\$ -
Personnel Subtotal			\$ -		\$ -	\$ -
<b>Operating expenses</b>						
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
Operating Subtotal			\$ -		\$ -	\$ -
<b>Administrative Expenses</b>						
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
Administrative Subtotal			\$ -		\$ -	\$ -
<b>Capital expenses</b>						
Van			\$ 71,000			\$ 71,000
Bathriom renovation			\$ 22,500			\$ 22,500
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
Capital Subtotal			\$ 93,500		\$ -	\$ 93,500
Total Concept Cost			\$ 93,500		\$ -	\$ 93,500

See Attachment F for budget details and restrictions