

Guidelines

for

**Regional Center Community
Placement Plan**

and

**Community Resource
Development Plan**

For

Fiscal Year 2021-22 Requests

December 23, 2021

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Department of Developmental Services

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Department of Developmental Services

Community Placement Plan and Community Resource Development Plan Guidelines

I. Background

The Department of Developmental Services (Department) has statutory responsibility to ensure that individuals with developmental disabilities live in the least restrictive setting, appropriate to their needs. Under the authority of Welfare and Institutions Code (WIC) Section 4418.25 and Section 4679 [Enclosure A], the Department shall establish policies and procedures for the development and submission of annual Community Placement Plan (CPP) and Community Resource Development Plan (CRDP) funding proposals by regional centers.

II. Goals

The Department's goals for the CPP and the CRDP is to be responsive to the changing needs of individuals receiving services through California's developmental disabilities services system and enhance the capacity for community services.

The CPP and CRDP are designed to support three of the Department's goals:

Goal One: *Expand the availability, accessibility and types of services and supports to meet current and future needs of individuals and their families in the community.*

Goal Two: *Develop systems to ensure that quality services and supports, in the least restrictive environment, are provided to individuals in the community.*

Goal Three: *Develop services that are person-centered, specialized and represent cultural and linguistic diversity throughout the regional center's catchment area.*

III. Priorities

Proposals submitted by the regional center should be driven by the outcomes of annual comprehensive and updated assessments of individuals residing at Porterville Developmental Center (PDC), Canyon Springs, a Stabilization, Training, Assistance and Reintegration (STAR) home, an Institution for Mental Diseases (IMD), or out-of-state, and the current and emerging needs of their community. The proposals must reflect collaborative efforts between the regional center(s), the individual and his or her family, PDC or Canyon Springs, and the regional resource development project, with consideration of stakeholder input. The Department encourages collaborative proposals

between two or more regional centers to develop specialized resources to meet the statewide needs of individuals who have challenging service needs. Regional centers shall ensure that proposed and approved projects include principles of person-centered service planning and that funded services are culturally and linguistically appropriate to the population served by the regional center. [WIC Section 4679(a)]

The Department's statewide priorities for development of the CPP include the following:

- Development of safety net, crisis, and support services;
- Meeting individual and community needs for developing specialized services, including regional community services for individuals with challenging service needs, as well as the needs of our aging population;
- Development and/or identification of community living options and other resources for individuals residing at or transitioning from PDC, STAR homes, Canyon Springs, IMDs, Safety Net facilities, out-of-state and crisis services, consistent with comprehensive assessments (see Section IV. B.);
- Development of resources that will not deny admission to individuals with challenging needs and/or in crisis;
- Development of Community Crisis Homes (CCH) for adults and children;
- Development of residential and non-residential services that provide competency training for individuals who are Incompetent to Stand Trial, including development of residential options designed with a competency training component in homes with Delayed Egress and a Secured Perimeter (DESP) [H&S Code Section 1531.15];
- Requirement to demonstrate the proposed project will be in compliance with the Home and Community-Based Services (HCBS) Final Rule.

The Department's statewide priorities for development of the CRDP include:

- Regional centers establishing priorities that reflect how individual and community needs are incorporated in CRDP funding proposals;
- Continued focus on supporting individuals in their homes, with alternative options when not feasible;
- Development of resources reflective of a regional center's community needs, based on data and community input from stakeholder community engagement;
- Development of resources (may include technology and/or equipment) and opportunities to access resources to reduce disparity between populations, and enables individuals to access and benefit from the services;
- Development of social recreational services;
- Evaluating the inventory of consumer crisis services such as mobile crisis teams and/or wrap around services;
- Identification and development of services for consumers who are deaf;
- Development of service options that align with community needs, including but not limited to:
 - Specialized residential options for adolescents or adults with unique medical and/or challenging service needs
 - Affordable housing
 - Employment
 - Mental health services and supports, when generic resources are not able to meet individual needs
 - Early Intervention Services

- Specialized dental services not covered by generic resources
- Requirement to demonstrate the proposed project will be in compliance with the Home and Community-Based Services (HCBS) Final Rule.

IV. CPP and CRDP Proposals

Fiscal Year (FY) 2021-22 proposals for Placement, Assessment, Start-Up (CPP and/or CRDP), and Operations (OPS) funding must be justified based upon the regional center's comprehensive analysis of individuals residing at PDC and Canyon Springs; historical and projected placements from developmental centers (including PDC Secure Treatment Program and Canyon Springs); individuals residing at a STAR home; individuals who receive services out-of-state, including those funded by other entities, such as the California Department of Education or the county (and to note if child served is in foster care); individuals residing in IMDs; individuals residing in acute psychiatric facilities beyond what is therapeutically necessary; and other service development needs, as identified as priorities of CPP and CRDP.

The Department will work in collaboration with each regional center to develop CPP and CRDP budgets and establish priorities. When developing a new CPP and CRDP proposal, consideration should be given to all the CPP Start-Up and CRDP projects currently in progress and the regional center's ability to complete those projects. The regional center should consider current community capacity availability prior to proposing new development.

FY 2021-22 CPP proposals shall include the following:

A. Placement Funding Proposals

CPP Placement funding is available for individuals who currently reside at PDC, Canyon Springs, an IMD, a skilled nursing facility (SNF), or are receiving services out-of-state and are projected to move to the community within California.

Planned placement of a consumer into a licensed facility that has more than six beds must be preceded by a person-centered plan that demonstrates the consumer's purposeful choice of that residential option. If no other option exists, within 60 days of the consumer transitioning to the facility a person-centered plan for transitioning to a less restrictive setting must be developed and must be updated at least quarterly.

For tracking and utilization purposes, each placement will be identified as "SO" (State-Operated, which includes PDC and Canyon Springs), "IMD", "SNF" or "OOS" (indicating out-of-state). Placement funding shall be based on projected service and support costs for those individuals projected to be placed in FY 2021-22, and include only costs associated with transitioning and maintaining an individual previously living at PDC, Canyon Springs, an IMD, a SNF, or an out-of-state placement.

Placement funding will be allocated based on claims associated with CPP placements occurring during the fiscal year. For individuals who transitioned from an IMD or an out-of-state placement, only the placement and transition costs above what the expenditure for services, per individual, is prior to transitioning into the community, will be funded.

In the event that an inter-disciplinary team (ID team) identifies a service provider and the established rate is not adequate to safely support the transition, the regional center may submit a Health and Safety Waiver request to the Department prior to the individual's transition [Enclosure B]. The Department will prioritize review of these requests to facilitate transition of an individual from a more restrictive to a less restrictive setting.

Effective January 1, 2020, the exceptions in WIC Section 4648(a)(9)(C)(ii) regarding IMD placements due to emergencies no longer apply, and the prohibition in WIC Section 4648(a)(9)(C)(i) does not apply to acute crises when a consumer meets specific conditions as defined by WIC Section 4648.

A consumer may not reside in an IMD longer than six months before being placed into a community living arrangement, unless, prior to the end of the six months all of the criteria listed in WIC Section 4648 occurs. A consumer's placement in an IMD shall not exceed one year unless certain circumstances occur. In that case, the regional center may request from the court an extension of the commitment, not to exceed 30 days [WIC Section 4648].

B. Assessment Funding Requests

The regional center's FY 2021-22 CPP proposal requesting Assessment funds must include the following:

1. Name and UCI of each individual residing in a facility listed below;
2. Date of each individual's last comprehensive assessment; and
3. Projected cost of all updated comprehensive assessments scheduled for FY 2021-22.

Comprehensive assessments shall be completed through person-centered practices, and are required as follows:

- PDC: Regional centers shall complete an updated comprehensive assessment for each individual residing in a developmental center (DC) who is not committed pursuant to Section 1370.1 of the Penal Code. The updated comprehensive assessment shall identify the types of community-based services and supports that are available and/or needed for each individual. Updates to the comprehensive assessment are required on an annual basis as part of the individual program planning process for as long as the individual resides in the DC. [WIC Section 4418.25(c)(2)]
- STAR Homes: A comprehensive assessment for individuals who are admitted to a STAR home shall be completed within 30 days of admission.

If an individual resides at a STAR home longer than six months, the

regional center shall complete an additional comprehensive assessment.
[WIC Sections 4418.7(e)(1) and 4418.7(e)(3)(A)(i)]

- IMDs: A comprehensive assessment shall be completed by the regional center within 30 days of admission to an IMD, and prior to the individual's next scheduled IPP meeting. [WIC Section 4648(a)(9)(B) and (C)]
- Out-of-State: A comprehensive assessment shall be completed by the regional center prior to submitting a request for out-of-state services and for any extension beyond the initial six months. [WIC Section 4519(a)]

C. Start-Up Funding Requests

Start-Up funds are intended to assist in the development of new and innovative resources, but not intended to fund 100 percent of the development costs. It is expected that the vendor will identify funds that, along with Start-Up funds, would demonstrate financial capacity to complete a project. The Department may request an estimated and/or final "Sources and Uses" project development budget outlining the project cost and funding sources.

Once a residential service is developed, or when a facility is licensed, it should be fully occupied within 90 days. Provider Start-Up funds may be used for this transition period. Use of Provider Start-Up funds beyond the 90-day period may be permitted only with the Department's written approval. Once the home has been fully operational, subsequent vacancies cannot be funded through CPP or CRDP Start-Up.

All services purchased for CPP and CRDP Start-Up projects must be eligible for Federal Financial Participation (FFP) unless otherwise approved.

Start-Up Contracts: Upon approval of the CPP or CRDP, the regional center must encumber funds through a contract by identifying a vendor utilizing the "Request for Proposal" (RFP) process, consistent with the regional center's Board-approved policies. The RFP must be posted within 45 calendar days from receipt of the approved plan. Contracts between the regional center and vendor should be executed prior to the end of the fiscal year, and the fully executed contract must be submitted to the Department. If an extension to this timeline is needed the regional center must discuss with and obtain the Department's approval. The contract must contain the following:

1. Identify the vendor accountability for the expenditure of funds consistent with the contract terms and for program outcomes;
2. The vendor's obligation of service to individuals with developmental disabilities for a specified length of time;
3. In the event a project cannot be completed, the regional center may be required to recover the Start-Up funds from the vendor and the funds must be deallocated; and,

4. Upon completion of the project, all unexpended contracted funds will be recouped by the regional center and returned to the State.

The regional center may request from the Department, approval for Start-Up funds for the purchase of permanent housing through an approved Housing Developer Organization (HDO). Proposals requesting Start-Up funding for the acquisition of real estate, must meet the current CPP 2017-18 Housing Guidelines.

The CPP Housing Guidelines identify several CPP/CRDP housing milestone documents that the regional center is required to submit to the Department following the completion of residential project milestones. The Department requests receipt of these documents to ensure the restriction of homes for the exclusive use by individuals with developmental disabilities, the protection of State funds, and the timely completion of residential projects.

Consistent with applicable CPP Housing Guidelines, the regional center is required to provide CPP housing milestone documents, including, but not limited to, the Restrictive Covenant, updated budget documents, certification of CPP fund reconciliation, executed long-term lease agreement, executed property management agreement, and annual report with attached accounting of replacement reserve fund. For a complete listing of required documents, refer to the CPP Housing Guidelines. (<https://www.dds.ca.gov/services/cpp/>)

Prior to initiating major property renovations that exceed \$50,000, the regional center shall ensure that an HDO obtains at least two (2) itemized bids for the renovation of a project and shares the bids with the regional center for identification of the most cost-effective selection.

Homes are to be developed with single occupancy bedrooms. (Only with prior Department approval, can homes be developed with double occupancy bedrooms to accommodate individual preferences.)

Enhanced Behavioral Supports Homes (EBSH) require a capacity of four, unless the Department approves an alternative capacity.

CPP Start-Up Funding Requests

CPP Start-Up funding may be used to develop resources as identified through individual comprehensive assessments including, but not limited to, EBSHs, CCHs, mobile crisis services, Transitional Homes and Specialized Residential Facilities, vocational or day services, transportation services, Supported Living Services, clinical and crisis services. Residential Start-Up projects funded by CPP funds must have a percentage of placements dedicated to individuals residing in a DC, an IMD, and/or individuals residing out-of-state, based on the regional center's current population in each of these settings. The Department's ability to fund CPP proposals is dependent upon sufficient appropriation of funds; therefore, the regional center must prioritize the proposed projects and provide supporting information of identified need for each proposal.

CPP funded homes designated for CPP placements shall only be used for CPP placements, however, exceptions may be approved by the Department. The Department may require priority use of the resource to be made available to another regional center for an individual residing in a DC, a STAR home, or IMD, prior to approval of an exception.

CRDP Start-Up Funding Requests

Each CRDP proposal submitted by the regional center shall be driven by the principles of person-centered planning and be culturally and linguistically appropriate to the individuals served by the regional center. [WIC Section 4679(a)]. It should also include the community capacity and needs for all crisis services including residential services, wrap-around services, and available crisis teams.

The request shall include information received from the regional center's meaningful outreach activities that seek the input of stakeholders representing the diversity of the regional center's catchment area, including, but not limited to, individuals, family members, providers and advocates. The proposal must identify the stakeholders with whom the regional center consulted and include information on how the regional center incorporated the input of stakeholders into its CRDP funding request. [WIC Section 4679(c)]

In addition to community input, the regional center shall include applicable data to support their request (e.g., individual growth trends or changes in individual demographics or service needs, such as the number of individuals graduating from high school within a specific time period, etc.). Regional centers are encouraged to address current and future needs based on assessed trends. [WIC Section 4679(d)]

FY 2021-22 CRDP funding proposals shall include the following information:

1. Identification of community resources needed.
2. The results of the outreach activities (e.g., community meetings, internet postings, etc.), identifying the stakeholders consulted and how the information received from the stakeholder input was incorporated into the CRDP proposal request.
3. A justification for funding requests.
4. How the regional center will track quantitative data, monitor development and assess outcomes to be reported in monthly reviews with the Department.

At least two weeks prior to a regional center submitting its CRDP funding proposal(s) to the Department, the regional center shall post its priorities for the CRDP proposal(s) on its website, as informed by the stakeholder process, to allow for any final stakeholder input. [WIC Section 4679 (c)]

D. Operations Funding Requests

Operations (OPS) funding is one-time only and must be used exclusively as approved. The amount funded in one fiscal year will not automatically be funded in the next fiscal year. Approval of OPS funding will be based on several factors, including the regional center's past CPP/CRDP performance, the number of Start-Up

projects the regional center has in progress and is requesting, and the proposed number of individuals for whom the regional center plans to provide services (including placements into the community from a restrictive environment, transitions of individuals within the community, and assessments) during FY 2021-22.

OPS funding must be used for regional center employees and/or consultants specific to CPP/CRDP activities only and cannot be used to fund operation/administrative costs for other purposes. Examples of regional center employees and/or consultants that may be funded with CPP/CRDP OPS funds include staff to assist with resource development, assessments, placements; technical support to new providers focused on expansion of community resources in underserved communities; nurses, behavioral specialists, and quality management staff necessary to implement the approved plan. Staffing shall be proposed in 0.25, 0.50 and 1.0 Full Time Equivalent (FTE) increments.

Positions and costs for employees at the regional center who focus on CPP/CRDP to pursue resource development, complete assessments, provide quality assurance, and provide clinical expertise are supported with CPP/CRDP funds.

The regional center shall provide the Department with the following information for each person dedicated for CPP/CRDP purposes:

1. Name;
2. Hire date;
3. Position title;
4. Full-time position/part-time position/consultant; and
5. Clarification whether the position is proposed to support Regular CPP or Ongoing DC Workload.

With the closure of the developmental centers and the transition of individuals to community living arrangements, regional centers will continue to provide support and monitoring of consumers who have moved into the community. This includes, but is not limited to, coordination of clinical health and dental services. Funding is available for salaries, benefits, and operating expenses and equipment for the continuing regional center positions for quality assurance management, healthcare community specialists, nurse and oral health consultants, service coordinators, clinical support teams and administrative assistants. Positions and costs for employees at the regional center who focus on providing support and monitoring of individuals who have moved into the community are funded by DC Closure/Ongoing Workload funds.

V. Additional Guidelines and Relevant Statute

A. Home and Community-Based Services Rules

When developing resources, regional centers must assure all new development is in compliance with Centers for Medicare and Medicaid Services (CMS) rules and in accordance with Code of Federal Regulations (CFR), Title 42, Section 441.530(a)(2)(v) (Home and Community-Based Setting), unless approved by the Department.

B. Statewide Specialized Resource Service

In accordance with WIC Section 4418.25, the Statewide Specialized Resource Service (SSRS) was created to track the availability of specialized residential development and clinical services. Pursuant to WIC Section 4418.25(b)(2), in order to track and share needed resources, regional centers shall provide the Department with monthly updates on newly developed resources and current vacancies in specialized resources developed with CPP funds from FY 2005-06 forward, and any other specialized resource developed without CPP funds. The process for accessing the SSRS is described in the Department's September 26, 2012, letter to regional centers, entitled, *Statewide Specialized Resource Services* [Enclosure C]. For more information regarding SSRS, contact the Department at ssrs@dds.ca.gov or (916) 654-1956.

VI. Approval, Modification and Monitoring

A. Timelines

FY 2021-22 CPP/CRDP proposed plans are due to the Department within 45 calendar days from the release date of these Guidelines.

B. Approval Process

The Department will review the FY 2021-22 CPP/CRDP proposals in their entirety and approve the request(s) based on feasibility, reasonableness, the justification for the resources, alignment with statewide priorities, FFP eligibility of services, and availability of funding. If the Department determines approval of the regional center's FY 2021-22 CPP/CRDP Plan, the Department will send a conditional approval letter to the regional center's Executive Director, Administrator and CPP Liaison.

C. Submission and Modification to the CPP or CRDP

The regional center must submit, using the Modification Request Form [Enclosure D], any proposed modifications made to the original, approved CPP or CRDP. The regional center must receive Department approval for any modifications to their approved plans prior to implementation of modifications.

D. Monthly Reporting

Regional centers are required to report on the progress of development and transition activities. The Department will work with regional centers to complete monthly worksheets [Enclosure E] with updated information that shall include, but not be limited to, the following:

1. Placement activity that identifies individuals who transitioned into the community, and updated projections of individuals to move into the community.
2. Assessment activity that identifies the dates of completed comprehensive assessments (as specified in Section IV.C.).
3. Start-Up activity:
 - a. Status of Request(s) for Proposals
 - b. Anticipated or actual completion date(s)

- c. Date(s) contract(s) signed
 - d. Contracted amount(s)
 - e. Amount(s) expended or updated estimate(s)
 - f. Updated "Sources and Uses" budget(s), if changed
 - g. Date(s) of occupancy
- 4. Community placement activity that identifies individuals residing in the community who required increased services.
 - 5. Utilization of CPP and CRDP developed beds, which identifies the number of vacant beds.
 - 6. Operations activity that includes hire dates and staff identified for each position approved.

E. IMD Reporting

Regional centers are required to report every other month, or more frequently if necessary, on the progress of development and placement activities associated with individuals residing in an IMD. The Department will work with regional centers to complete worksheets with updated information that shall include, but not be limited to, the following:

- 1. Names of individuals who were admitted to an IMD and the length of their current stay;
- 2. Transition activities and the projected dates when individuals will transition to the community;
- 3. Dates of completed assessments for each individual residing in an IMD, including additional assessment activity if placement at the IMD is beyond six months;
- 4. Extension requests at 90 days, including the transition plan;
- 5. Recent regional center visits, including the date of the last quarterly face-to-face visit;
- 6. Requirement to adhere to and provide updates related to WIC Section 4648(a)(9)(B) and (C).

F. Performance

The Department will evaluate the CPP and CRDP performance success of the regional center based on a combination of factors that will measure placements, assessments completed, and resource development efforts that are aligned with the CPP priorities outlined in these Guidelines. This will be taken into consideration when discussing funding and approval of future proposed CPPs.

The Department will evaluate the performance of an approved CRDP using measurable indicators that the regional center must provide at the time of submission of the proposal.

G. Safety Net Plan Update

The updated Safety Net Plan was submitted to the legislature by January 10, 2020, pursuant to WIC Section 4474.15(a). The plan provides updates on service options, models of care and initiatives developed in the May 2017 Safety Net Plan, provides an overview of additional safety net activities, and presents proposals for future activities and initiatives. The updated plan was developed in consultation with

stakeholders and recommendations from the stakeholder community, considering new models of care and evaluating current models.

VII. Claims

An integral part of the CPP and CRDP is the monitoring and reconciliation of claims submitted by the regional center. Claims will be reconciled to the State Claims File of the Uniform Fiscal System (UFS) and monitored based on the regional center's use of approved allocated funding. The regional center will be required to claim in the manner allocated (i.e., CPP Funded: POS – Placement, POS – Assessment, POS – CPP Start-Up, POS – CRDP Start-Up, and OPS; NON-CPP Funded (START)) in the approved CPP. Submission of the claim must be accompanied by sufficient detail to support the claim.

IMPORTANT: For claims to be processed and paid, the regional center must follow the POS claiming procedure developed by the Department. This now includes the addition of sub codes that identify the specific start-up project for which a claim is submitted. [Enclosures F & G]

It is the responsibility of the regional center to correct discrepancies in the State Claims File. Technical support is available from the Department's Regional Center Technology Support Section by calling (916) 654-1466, or the Office of Community Development at (916) 654-1956.

VIII. Allocations

The Department will allocate POS and OPS funds based on plan implementation and verification of progress. Failure to demonstrate progress on the regional center's current plan may affect future funding to the regional center. Any unspent funds shall revert to the State General Fund.

As outlined in the Department's contract with regional centers, on August 15 of each fiscal year, or not later than fifteen (15) days following the enactment of the annual Budget Act, whichever is later, the Department will allocate to all regional centers Operations and POS funds consistent with the approved allocation methodology. On or before January 15 of each fiscal year, the Department will allocate to all regional centers the remaining funds unless specified in the approved allocation methodology or agreed to by the Association of Regional Center Agencies.

The allocation process is described as follows:

1. Start-Up: Once the Department approves the regional center's Plan, funding for POS Start-Up, will be allocated in the subsequent allocations.
2. Operations: Operations approved in FY 2020-21 for Regular CPP and Ongoing DC Workload, that are continued positions into FY 2021-22 will be allocated to regional centers.

3. Placement: Placement funds will be initially allocated at 50 percent in the first allocation amendment of what was approved in FY 2020-21 claims, then subsequently funded based on actual POS costs at various points during the year. Adjustments will be made at year-end to reflect actual reconciled placement and assessment costs.
4. Assessment: Assessment funds will be approved first by the Department, after submission from the regional center, and allocated in a subsequent allocation.