

**Eastern Los Angeles Regional Center
Home and Community-Based Services Waiver
Follow-up Review Report**

Conducted by:

Department of Developmental Services

February 20-23, 2024

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INTRODUCTION

The Department of Developmental Services (DDS) and the Department of Health Care Services (DHCS) conducted a collaborative federal compliance monitoring review of the Home and Community-Based Services (HCBS) Waiver from February 21, 2023-March 1, 2023, at Eastern Los Angeles Regional Center (ELARC). A final report including review findings and ELARC's written responses to the findings was provided to ELARC on February 26, 2024.

DDS conducted a follow-up review on February 20, 2024, to ensure that issues raised during the collaborative review had been addressed. The monitoring team selected 20 records of individuals served for the HCBS Waiver follow-up review for the period of November 1, 2022, through October 31, 2023. In addition, the team reviewed a supplemental sample of 10 records of individuals who had special incidents reported to DDS during this review period.

Purpose of the Follow-up Review

DDS contracts with 21 private, not-for-profit corporations to operate regional centers, which are responsible under state law for coordinating, providing, arranging or purchasing all services needed for eligible individuals with developmental disabilities in California. All HCBS Waiver services are provided through this system. It is the responsibility of DDS to ensure, with the oversight of DHCS, that the HCBS Waiver is implemented by regional centers in accordance with Medicaid statute and regulation. As stipulated in the HCBS Waiver application approved by the Centers for Medicare & Medicaid Services (CMS), the monitoring review process is a two-year cycle with a collaborative review in the first year, and a smaller, focused review in the second year addressing issues raised during the collaborative review.

Overview of the HCBS Waiver Federal Follow-up Review

The collaborative monitoring review protocol is composed of sections/components designed to determine if the individual's needs and program requirements are being met, and that services are being provided in accordance with the individual program plan. Specific criteria have been developed that are derived from federal/state statutes and regulations and from CMS directives and guidelines relating to the provision of the HCBS Waiver services.

The DDS and DHCS monitoring report from the February 2023 collaborative review requested ELARC to provide clarification or follow-up to the report findings and recommendations. ELARC submitted a response to DDS on January 25, 2024. Based on the report recommendations and ELARC's response, the monitoring team evaluated supporting documents to determine the degree and completeness of the implementation process. Specifically, the team reviewed, evaluated and made determinations based on the selected HCBS Waiver eligible sample records for individuals served and discussions with ELARC's personnel.

Summary of Follow-up Review Findings

The February 2024 follow-up review indicated that no further action is needed to ensure that quarterly face-to-face meetings and reports of progress are completed. All special incident reports were reported within the required timeframes.

SECTION I

REGIONAL CENTER RECORD REVIEW OF INDIVIDUALS SERVED

Summary of the February 2023 Collaborative Monitoring Review Recommendations

The February 2023 monitoring review included findings related to ensuring that quarterly face-to-face meetings and reports are completed for individuals living in community out-of-home settings, i.e., Service Level 2, 3 or 4 community care facilities, family home agencies or supported living and independent living settings.

Summary of the February 2024 Follow-up Review Findings

- 2.13.a Quarterly face-to-face meetings are completed for individuals living in community out-of-home settings, i.e., Service Level 2, 3 or 4 community care facilities, family home agencies or supported living and independent living settings. (*Title 17, CCR, §56047*), (*Title 17, CCR, §56095*), (*Title 17, CCR, §58680*), (*Contract requirement*)

Findings

Eighteen of the twenty (90 percent) sample records of individuals served selected for the follow-up review contained documentation that quarterly face-to-face meetings were completed for individuals living in out-of-home community settings. However, the records for the individuals #16 and #19 contained documentation of three of the required meetings.

Recommendation

ELARC should ensure that face-to-face visits for individuals who live in community out-of-home settings are completed quarterly.

- 2.13.b Quarterly reports of progress are completed for individuals living in community out-of-home settings, i.e., Service Level 2, 3 or 4 community care facilities, family home agencies or supported living and independent living settings. (*Title 17, CCR, §56047*), (*Title 17, CCR, §56095*), (*Title 17, CCR, §58680*), (*Contract requirement*)

Findings

Eighteen of the twenty (90 percent) sample records of individuals served selected for the follow-up review contained documentation that quarterly face-to-face meetings were completed for individuals living in out-of-home community settings. However, the records for the individuals #16 and #19 contained documentation of three of the required quarterly reports of progress.

Recommendation

ELARC should ensure that reports of progress for individuals who live in community out-of-home settings are completed quarterly.

SECTION II

SPECIAL INCIDENT REPORTING

Summary of the February 2023 Collaborative Monitoring Review Recommendations

ELARC should continue to determine what actions are necessary to ensure that vendors report special incidents within the required timeframes.

Scope of the February 2024 Follow-up Review

1. Special incident reporting of deaths by ELARC was reviewed by comparing deaths entered into the Client Master File for the review period with special incident reports (SIR) of deaths received by the Department of Developmental Services (DDS).
2. The records of the 20 individuals selected for the Home and Community-Based Services (HCBS) Waiver sample were reviewed to determine that all required special incidents were reported to DDS during the review period.
3. A supplemental sample of 10 individuals who had special incidents reported to DDS within the review period was assessed for timeliness of reporting and documentation of follow-up activities. The follow-up activities were assessed for being timely, appropriate to the situation, resulting in an outcome that ensures the individual served is protected from adverse consequences, and that risks are either minimized or eliminated.

Results of the February 2024 Follow-up Review

1. ELARC reported all deaths during the review period to DDS.
2. ELARC reported all of the SIRs in the sample of 20 records selected for the HCBS Waiver review to DDS.
3. ELARC's vendors reported all (100 percent) incidents in the supplemental sample within the required timeframes.
4. ELARC reported all (100 percent) incidents in the supplemental sample to DDS within the required timeframes.
5. ELARC's follow-up activities on incidents in the supplemental sample were appropriate for the severity of the situations for all incidents (100 percent).

Findings

None

Further Action Needed

None

SAMPLE OF INDIVIDUALS SERVED RECORDS

HCBS Waiver Review

#	UCI
1	XXXXXX
2	XXXXXX
3	XXXXXX
4	XXXXXX
5	XXXXXX
6	XXXXXX
7	XXXXXX
8	XXXXXX
9	XXXXXX
10	XXXXXX
11	XXXXXX
12	XXXXXX
13	XXXXXX
14	XXXXXX
15	XXXXXX
16	XXXXXX
17	XXXXXX
18	XXXXXX
19	XXXXXX
20	XXXXXX

SIR Review

#	UCI	Vendor #
SIR-1	XXXXXX	XXXXXX
SIR-2	XXXXXX	XXXXXX
SIR-3	XXXXXX	XXXXXX
SIR-4	XXXXXX	XXXXXX
SIR-5	XXXXXX	XXXXXX
SIR-6	XXXXXX	XXXXXX
SIR-7	XXXXXX	XXXXXX
SIR-8	XXXXXX	XXXXXX
SIR - ALT 2	XXXXXX	XXXXXX
SIR-10	XXXXXX	XXXXXX