

**Valley Mountain Regional Center
Home and Community-Based Services Waiver
Monitoring Review Report**

Conducted by:

**Department of Developmental Services
and
Department of Health Care Services**

March 15–26, 2021

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EXECUTIVE SUMMARY

The Department of Developmental Services (DDS) and the Department of Health Care Services (DHCS) conducted the federal compliance monitoring review of the Home and Community-Based Services (HCBS) Waiver from March 15–26, 2021, at Valley Mountain Regional Center (VMRC). The monitoring team members were Kelly Sandoval (Team Leader), Bonnie Simmons, Natasha Clay, Nadia Flores and Fam Chao from DDS, and JoAnn Wright and Deeanna Tran from DHCS.

Purpose of the Review

DDS contracts with 21 private, non-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 regulations.

Overview of the HCBS Waiver Programmatic Compliance Monitoring Protocol

The compliance monitoring review protocol is comprised of sections/components designed to determine if the consumers' needs and program requirements are being met and that services are being provided in accordance with the consumers' individual program plans (IPP). Specific criteria have been developed for the review sections listed below that are derived from federal/state statutes and regulations and from the Centers for Medicare & Medicaid Services' directives and guidelines relating to the provision of HCBS Waiver services.

Scope of Review

The monitoring team reviewed a sample of 44 HCBS Waiver consumers. In addition, the following supplemental sample consumer records were reviewed: 1) three consumers whose HCBS Waiver eligibility had been previously terminated, 2) seven consumers who moved from a developmental center, 3) ten consumers who had special incidents reported to DDS during the review period of December 1, 2019, through November 30, 2020, and 4) two consumers who were enrolled in the HCBS Waiver during the review period.

The monitoring team completed visits to 16 community care facilities (CCF). The team reviewed 16 CCF consumer records and interviewed and/or observed 26 selected sample consumers.

Overall Conclusion

VMRC is in substantial compliance with the federal requirements for the HCBS Waiver program. Specific recommendations that require follow-up actions by VMRC are included in the report findings. DDS is requesting documentation of follow-up actions taken by VMRC in response to each of the specific recommendations within 30 days following receipt of this report.

Major Findings

Section I – Regional Center Self-Assessment

The self-assessment responses indicated that VMRC has systems and procedures in place for implementing the state and HCBS Waiver requirements addressed in the self-assessment criteria.

Section II – Regional Center Consumer Record Review

Forty-four sample consumer records were reviewed for 31 documentation requirements (criteria) derived from federal and state statutes and regulations and HCBS Waiver requirements. The sample records were 98 percent in overall compliance for this review.

VMRC's records were 99 percent and 98 percent in overall compliance for the collaborative reviews conducted in 2019 and in 2017, respectively.

New Enrollees: Two sample consumers were reviewed for level-of-care determination prior to receipt of HCBS Waiver services. VMRC records were 100 percent in overall compliance for this review.

Section III – Community Care Facility Consumer Record Review

Sixteen consumer records were reviewed at sixteen CCFs for 19 documentation requirements (criteria) derived from Title 17, California Code of Regulations. The sample records were 99 percent in overall compliance for 19 criteria on this review.

VMRC's records were 96 percent and 97 percent in overall compliance for the collaborative reviews conducted in 2019 and in 2017, respectively.

Section IV – Day Program Consumer Record Review

The closure of day programs due to COVID-19 prevented the review of Section IV Day Program records and remote site visits for the 2021 review.

VMRC's records were 99 percent and 98 percent in overall compliance for the collaborative reviews conducted in 2019 and 2017, respectively.

Section V – Consumer Observations and Interviews

Twenty-six sample consumers, or in the case of minors, their parents, were interviewed and/or observed at their CCFs or in independent living settings. The monitoring team observed that all of the consumers were in good health and were treated with dignity and respect. All of the interviewed consumers/parents indicated that they were satisfied with their services, health and choices.

Section VI A – Service Coordinator Interviews

Eight service coordinators were interviewed using a standard interview instrument. The service coordinators responded to questions regarding their knowledge of the consumer, the IPP/annual review process, the monitoring of services, health issues, and safety. The service coordinators were very familiar with the consumers and knowledgeable about their roles and responsibilities.

Section VI B – Clinical Services Interview

The Director of Clinical Services was interviewed using a standard interview instrument. She responded to questions regarding the monitoring of consumers with medical issues, medications, behavior plans, the coordination of medical and mental health care for consumers, clinical supports to assist service coordinators, and the clinical team's role on the Risk Management and Mitigation Committee and special incident reporting.

Section VI C – Quality Assurance Interview

A senior community services liaison was interviewed using a standard interview instrument. He responded to questions regarding how VMRC is organized to conduct Title 17 monitoring reviews, verification of provider qualifications, resource development activities, special incident reporting, and QA activities where there is no regulatory requirement.

Section VII A – Service Provider Interviews

Six service providers at six CCFs were interviewed using a standard interview instrument. The service providers responded to questions regarding their knowledge of the consumer, the annual review process, and the monitoring of health issues, medication administration, progress, safety and emergency preparedness. The staff was familiar with the consumers and knowledgeable about their roles and responsibilities.

Section VII B – Direct Service Staff Interviews

Six CCF direct service staff were interviewed using a standard interview instrument. The direct service staff responded to questions regarding their knowledge of consumers, the IPP, communication, service delivery, procedures for safety, emergency preparedness, and medications. The staff were familiar with the consumers and knowledgeable about their roles and responsibilities.

Section VIII – Vendor Standards Review

The monitoring team reviewed six CCFs utilizing a standard checklist with 23 criteria that are consistent with HCBS Waiver requirements. The reviewed CCFs were in good repair with no immediate health or safety concerns observed.

Section IX – Special Incident Reporting

The monitoring team reviewed the records of the 44 HCBS Waiver consumers and 10 supplemental sample consumers for special incidents during the review period. VMRC reported 9 of the 10 special incidents for the sample selected for the HCBS Waiver review. For the supplemental sample, the service providers reported 6 of the 10 applicable incidents to VMRC within the required timeframes, and VMRC subsequently transmitted all 10 special incidents to DDS within the required timeframes. VMRC's follow-up activities for the 10 consumer incidents were timely and appropriate for the severity of the situation.

SECTION I

REGIONAL CENTER SELF-ASSESSMENT

I. Purpose

The regional center self-assessment addresses the California Home and Community-Based Services (HCBS) Waiver assurances criteria and is designed to provide information about the regional center's processes and practices. The responses are used to verify that the regional center has processes in place to ensure compliance with federal and state laws and regulations.

The self-assessment obtains information about VMRC's procedures and practices to verify that there are processes in place to ensure compliance with state and federal laws and regulations as well as the assurances contained in the HCBS Waiver application approved by the Centers for Medicare & Medicaid Services.

II. Scope of Assessment

VMRC is asked to respond to questions in four categories that correspond to the HCBS Waiver assurances with which the regional center is responsible for complying. The questions are shown at the end of this section.

III. Results of Assessment

The self-assessment responses indicate that VMRC has systems and procedures in place for implementing the state and HCBS Waiver requirements addressed in the self-assessment criteria.

✓ The full response to the self-assessment is available upon request.

Regional Center Self-Assessment HCBS Waiver Assurances	
HCBS Waiver Assurances	Regional Center Assurances
State conducts level-of-care need determinations consistent with the need for institutionalization.	The regional center ensures that consumers meet ICF/DD, ICF/DD-H, or ICF/DD-N facility level-of-care requirements as a condition of initial and annual eligibility for the HCBS Waiver program. Regional center ensures that the regional center staff responsible for certifying and recertifying consumers' HCBS Waiver eligibility meet the federal definition of a Qualified Intellectual Disabilities Professional (QIDP). The regional center ensures that consumers are eligible for full scope Medi-Cal benefits before enrolling them in the HCBS Waiver.
Necessary safeguards have been taken to protect the health and welfare of persons receiving HCBS Waiver services.	The regional center takes action(s) to ensure consumers' rights are protected. The regional center takes action(s) to ensure that the consumers' health needs are addressed. The regional center ensures that behavior plans preserve the right of the consumer to be free from harm. The regional center maintains a Risk Management, Risk Assessment and Planning Committee. The regional center has developed and implemented a Risk Management/Mitigation Plan. Regional centers and local Community Care Licensing offices coordinate and collaborate in addressing issues involving licensing requirements and monitoring of CCFs pursuant to the MOU between DDS and Department of Social Services. The regional center has developed and implemented a quality assurance plan for Service Level 2, 3 and 4 community care facilities. The regional center reviews each community care facility annually to assure services are consistent with the program design and applicable laws and oversees development and implementation of corrective action plans as needed. The regional center conducts not less than two unannounced monitoring visits to each CCF annually. Service coordinators perform and document periodic reviews (at least annually) to ascertain progress toward achieving IPP objectives and the consumer's and the family's satisfaction with the IPP and its implementation. Service coordinators have quarterly face-to-face meetings with consumers in CCFs, family home agencies, supported living services, and independent living services to review services and progress toward achieving the IPP objectives for which the service provider is responsible. The regional center ensures that needed services and supports are in place when a consumer moves from a developmental center (DC) to a community living arrangement.

Regional Center Self-Assessment HCBS Waiver Assurances	
HCBS Waiver Assurances	Regional Center Assurances
Necessary safeguards have been taken to protect the health and welfare of persons receiving HCBS Waiver services (cont.)	Service coordinators provide enhanced case management to consumers who move from a DC by meeting with them face-to-face every 30 days for the first 90 days they reside in the community.
Only qualified providers serve HCBS Waiver participants.	The regional center ensures that all HCBS Waiver service providers have signed the "HCBS Provider Agreement Form" and meet the required qualifications at the time services are provided.
Plans of care are responsive to HCBS Waiver participant needs.	The regional center ensures that all HCBS Waiver consumers are offered a choice between receiving services and living arrangements in an institutional or community setting. Regional centers ensure that planning for IPPs includes a comprehensive assessment and information gathering process which addresses the total needs of HCBS Waiver consumers and is completed at least every three years at the time of his/her triennial IPP. The IPPs of HCBS Waiver consumers are reviewed at least annually by the planning team and modified, as necessary, in response to the consumers' changing needs, wants and health status. The regional center uses feedback from consumers, families and legal representatives to improve system performance. The regional center documents the manner by which consumers indicate choice and consent.

SECTION II

REGIONAL CENTER CONSUMER RECORD REVIEW

I. Purpose

The review is based upon documentation criteria derived from federal/state statutes and regulations and from the Centers for Medicare & Medicaid Services directives and guidelines relating to the provision of Home and Community-Based Services (HCBS) Waiver services. The criteria address requirements for eligibility, consumer choice, notification of proposed action and fair hearing rights, level of care, individual program plans (IPP) and periodic reviews and reevaluations of services. The information obtained about the consumer's needs and services is tracked as a part of the program reviews.

II. Scope of Review

1. Forty-four HCBS Waiver consumer records were selected for the review sample.

Living Arrangement	# of Consumers
Community Care Facility (CCF)	18
With Family	13
Independent or Supported Living Setting	13

2. The review period covered activity from December 1, 2019 through November 30, 2020.

III. Results of Review

The 44 sample consumer records were reviewed for 31 documentation requirements derived from federal and state statutes and regulations and HCBS Waiver requirements. Three supplemental records were reviewed solely for documentation that VMRC had either provided the consumer with written notification prior to termination of the consumer's HCBS Waiver eligibility, or the consumer had voluntarily disenrolled from the HCBS Waiver. Seven supplemental records were reviewed solely for documentation indicating that the consumer received face-to-face reviews every 30 days for the first 90 days after moving from a developmental center. Two supplemental records were reviewed for documentation that VMRC determined the level of care prior to receipt of HCBS Waiver services.

- ✓ The sample records were 100 percent in compliance for 26 criteria.
- ✓ Findings for five criteria are detailed below.

- ✓ A summary of the results of the review is shown in the table at the end of this section.

IV. Findings and Recommendations

- 2.2 Each record contains a dated and signed Medicaid Waiver Consumer Choice of Services/Living Arrangements form (DS 2200). *[SMM 4442.7; 42 CFR 441.302(d)]*

Finding

Forty-three of the forty-four (98 percent) sample consumer records contained a completed DS 2200 form. However, the DS 2200 form in the record for consumer #11 was not completed until February 9, 2021. Accordingly, no recommendation is required.

- 2.7.a The IPP is signed, prior to its implementation, by an authorized representative of the regional center and the consumer, or where appropriate, his/her parents, legal guardian, or conservator. *[W&I Code §4646(g)]*

Finding

Forty-three of the forty-four (98 percent) sample consumer records contained IPPs that were signed by VMRC and the consumers or their legal representatives. However, the IPP for consumer #29 was not signed by the consumer. Subsequent to the monitoring review, the IPP for consumer #29 was signed by the consumer. Accordingly, no recommendation is required.

- 2.10.a The IPP includes a schedule of the type and amount of all services and supports purchased by the regional center. *[W&I Code §4646.5(a)(4)]*

Findings

Thirty-eight of the forty-four (86 percent) sample consumer IPPs included a schedule of the type and amount of all services and supports purchased by VMRC. However, IPPs for six consumers did not indicate VMRC funded services as indicated below:

1. Consumer #7: Individual or Family Training Services; corrected with an addendum dated March 16, 2021. Accordingly, no recommendation is required;
3. Consumer #9: Registered Nurse; corrected with addendum dated March 16, 2021. Accordingly, no recommendation is required;

4. Consumer #11: Supplemental Residential Program Support; Behavior Management Program; Transportation Company; and Residential Facility Serving Adults; corrected with addendum dated March 18, 2021. Accordingly, no recommendation is required;
5. Consumer #16: Psychiatrist; corrected in IPP of December 2, 2019. Accordingly, no recommendation is required;
6. Consumer #27: Independent Living Program; corrected with addendum dated March 22, 2021. Accordingly, no recommendation is required; and,
7. Consumer #34: Transportation - Public/Rental/Taxi; corrected with addendum dated March 16, 2021. Accordingly, no recommendation is required.

2.13.a Quarterly face-to-face meetings are completed for consumers 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

Twenty-eight of the thirty-one (90 percent) applicable sample consumer records had quarterly face-to-face meetings completed and documented. However, the records for consumer #11, #15 and #17 contained documentation of only three of the required meetings.

2.13.a Recommendations	Regional Center Plan/Response
VMRC should ensure that all future face-to-face meetings are completed and documented each quarter for consumers #11, #15 and #17.	Program Managers, Senior Service Coordinators and Service Coordinators have been reminded of our regulatory requirements for conducting face-to-face meetings on a quarterly basis.

2.13.b Quarterly reports of progress are completed for consumers 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

Twenty-seven of the thirty-one (87 percent) applicable sample consumer records had quarterly reports of progress completed for consumers living in community out-of-home settings. However, the records for consumers #11, #15, #17 and #36 contained documentation of only three of the required quarterly reports of progress.

2.13.b Recommendations	Regional Center Plan/Response
VMRC should ensure that future reports of progress are completed quarterly for consumers #11, #15, #17 and #36.	Program Managers, Senior Service Coordinators and Service Coordinators have been reminded of our regulatory requirements for completing quarterly reports of progress on a quarterly basis.

Regional Center Consumer Record Review Summary Sample Size = 44 + 10 Supplemental Records (see Section II, Part III)						
	Criteria	+	-	N/A	% Met	Follow-up
2.0	The consumer is Medi-Cal eligible. (SMM 4442.1)	44			100	None
2.1	Each record contains a Medicaid Waiver Eligibility Record (DS 3770), signed by a Qualified Intellectual Disabilities Professional (QIDP), which documents the date of the consumer's initial HCBS Waiver eligibility certification, annual recertifications, the consumer's qualifying conditions and short-term absences. [SMM 4442.1; 42 CFR 483.430(a)]	Criterion 2.1 consists of four sub-criteria (2.1.a-d) that are reviewed and rated independently.				
2.1.a	The DS 3770 is signed by a Qualified Intellectual Disabilities Professional and the title "QIDP" appears after the person's signature.	44			100	None
2.1.b	The DS 3770 form identifies the consumer's qualifying conditions and any applicable special health care requirements for meeting the Title 22 level-of-care requirements.	43		1	100	None
2.1.c	The DS 3770 form documents annual re-certifications.	44			100	None
2.1.d	The DS 3770 documents short-term absences of 120 days or less, if applicable.	1		43	100	None
2.2	Each record contains a dated and signed Medicaid Waiver Consumer Choice of Services/Living Arrangements form, (DS 2200). [SMM 4442.7; 42 CFR 441.302(d)]	43	1		98	See Narrative
2.3	There is a written notification of a proposed action and documentation that the consumer has been sent written notice of their fair hearing rights whenever choice of living arrangements is not offered, services or choice of services are denied, the consumer/parent/legal guardian or legal representative does not agree with all or part of the components in the consumer's IPP, or the consumer's HCBS Waiver eligibility has been terminated. [SMM 4442.7; 42 CFR Part 431, Subpart E; W&I Code §4710(a)(1)]	3		44	100	None

Regional Center Consumer Record Review Summary Sample Size = 44 + 10 Supplemental Records (see Section II, Part III)						
	Criteria	+	-	N/A	% Met	Follow-up
2.4	Each record contains a current Client Development Evaluation Report (CDER) that has been reviewed within the last 12 months. <i>(SMM 4442.5; 42 CFR 441.302)</i>	44			100	None
2.5.a	The consumer's qualifying conditions and any special health care requirements used to meet the level-of-care requirements for care provided in an ICF/DD, ICF/DD-H, and ICF/DD-N facility are documented in the consumer's CDER and other assessments. <i>(SMM 4442.5; 42 CFR 441.302(c); Title 22, CCR, §51343)</i>	43		1	100	None
2.5.b	The consumer's qualifying conditions documented in the CDER are consistent with information contained in the consumer's record.	43		1	100	None
2.6.a	IPP is reviewed (at least annually) by the planning team and modified as necessary in response to the consumer's changing needs, wants or health status. <i>[42 CFR 441.301(b)(1)(I)]</i>	44			100	None
2.6.b	The HCBS Waiver Standardized Annual Review Form is completed and signed annually by the planning team to document whether or not a change to the existing IPP is necessary, and health status and CDER have been reviewed. <i>(HCBS Waiver requirement)</i>	5		39	100	None
2.7.a	The IPP is signed, prior to its implementation, by an authorized representative of the regional center and the consumer, or where appropriate, his/her parents or legal guardian or conservator. <i>[W&I Code §4646(g)]</i>	43	1		98	See Narrative
2.7.b	IPP addenda are signed by an authorized representative of the regional center and the consumer, or where appropriate, his/her parents, legal guardian, or conservator.	17		27	100	None
2.7.c	The IPP is prepared jointly with the planning team. <i>[W&I Code §4646(d)]</i>	44			100	None
2.8	The IPP includes a statement of goals based on the needs, preferences and life choices of the consumer. <i>[W&I Code §4646.5(a)]</i>	44			100	None

Regional Center Consumer Record Review Summary Sample Size = 44 + 10 Supplemental Records (see Section II, Part III)						
	Criteria	+	-	N/A	% Met	Follow-up
2.9	The IPP addresses the consumer's goals and needs. [W&I Code §4646.5(a)(2)]	Criterion 2.9 consists of seven sub-criteria (2.9.a-g) that are reviewed independently.				
2.9.a	The IPP addresses the qualifying conditions identified in the CDER and Medicaid Waiver Eligibility Record (DS 3770).	43		1	100	None
2.9.b	The IPP addresses special health care requirements.	12		32	100	None
2.9.c	The IPP addresses the services which the CCF provider is responsible for implementing.	18		26	100	None
2.9.d	The IPP addresses the services which the day program provider is responsible for implementing.	21		23	100	None
2.9.e	The IPP addresses the services which the supported living services agency or independent living services provider is responsible for implementing.	14		30	100	None
2.9.f	The IPP addresses the consumer's goals, preferences and life choices.	44			100	None
2.9.g	The IPP includes a family plan component if the consumer is a minor. [W&I Code §4685(c)(2)]	6		38	100	None
2.10.a	The IPP includes a schedule of the type and amount of all services and supports purchased by the regional center. [W&I Code §4646.5(a)(4)]	38	6		86	See Narrative
2.10.b	The IPP includes a schedule of the type and amount of all services and supports obtained from generic agencies or other resources. [W&I Code §4646.5(a)(5)]	44			100	None
2.10.c	The IPP specifies the approximate scheduled start date for the new services. [W&I Code §4646.5(a)(5)]	17		27	100	None
2.11	The IPP identifies the provider or providers of service responsible for implementing services, including but not limited to vendors, contract providers, generic service agencies and natural supports. [W&I Code §4646.5(a)(5)]	44			100	None

Regional Center Consumer Record Review Summary Sample Size = 44 + 10 Supplemental Records (see Section II, Part III)						
	Criteria	+	-	N/A	% Met	Follow-up
2.12	Periodic reviews and reevaluations of consumer progress are completed (<i>at least annually</i>) to ascertain that planned services have been provided, that consumer progress has been achieved within the time specified, and the consumer and his/her family are satisfied with the IPP and its implementation. <i>[W&I Code §4646.5(a)(8)]</i>	44			100	None
2.13.a	Quarterly face-to-face meetings are completed for consumers 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. (<i>Title 17, CCR, §56047; Title 17, CCR, §56095; Title 17, CCR, §58680; Contract requirement</i>)	28	3	13	90	See Narrative
2.13.b	Quarterly reports of progress are completed for consumers 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. (<i>Title 17, CCR, §56047; Title 17, CCR, §56095; Title 17, CCR, §58680; Contract requirement</i>)	27	4	13	87	See Narrative
2.14	Face-to-face reviews are completed no less than once every 30 days for the first 90 days following the consumer's move from a developmental center to a community living arrangement. (<i>W&I Code §4418.3</i>)	7		44	100	None

SECTION III

COMMUNITY CARE FACILITY CONSUMER RECORD REVIEW

I. Purpose

The review addresses the requirements for community care facilities (CCF) to maintain consumer records and prepare written reports of consumer progress in relation to the services addressed in the individual program plan (IPP) for which the facility is responsible. The criteria are derived from Title 17, California Code of Regulations.

II. Scope of Review

Sixteen consumer records were reviewed at sixteen CCFs visited by the monitoring team. The facilities' consumer records were reviewed to determine compliance with 19 criteria.

III. Results of Review

The consumer records were 99 percent in compliance for 19 criteria.

- ✓ The sample records were 100 percent in compliance for 18 applicable criteria. There are no recommendations for these criteria.
- ✓ Finding for one criterion is detailed below.
- ✓ A summary of the results of the review is shown in the table at the end of this section.

IV. Finding and Recommendation

- 3.1.e The consumer record contains a recent photograph and a physical description of the consumer.

Finding

Fifteen of sixteen (94 percent) sample consumer records contained a recent photograph and physical description of the consumer. However, the record for consumer #2 at CCF #7 did not contain the eye and hair color of the consumer in the description. During the monitoring review, CCF #7 revised the physical description of the consumer to contain eye and hair color. Accordingly, no recommendation is required.

Community Care Facility Record Review Summary Sample Size: Consumers = 16; CCFs = 16						
	Criteria	+	-	N/A	% Met	Follow-up
3.1	An individual consumer file is maintained by the CCF that includes the documents and information specified in Title 17 and Title 22. <i>[Title 17, CCR, §56017(b); Title 17, CCR, §56059(b); Title 22, CCR, §80069)</i>	16			100	None
3.1.a	The consumer record contains a statement of ambulatory or nonambulatory status.	16			100	None
3.1.b	The consumer record contains known information related to any history of aggressive or dangerous behavior toward self or others.	10		6	100	None
3.1.c	The consumer record contains current health information that includes medical, dental and other health needs of the consumer including annual visit dates, physicians' orders, medications, allergies, and other relevant information.	16			100	None
3.1.d	The consumer record contains current emergency information: family, physician, pharmacy, etc.	16			100	None
3.1.e	The consumer record contains a recent photograph and a physical description of the consumer.	15	1		94	See Narrative
3.1.i	Special safety and behavior needs are addressed.	8		8	100	None
3.2	The consumer record contains a written admission agreement completed for the consumer that includes the certifying statements specified in Title 17 and is signed by the consumer or his/her authorized representative, the regional center and the facility administrator. <i>[Title 17, CCR, §56019(c)(1)]</i>	16			100	None
3.3	The facility has a copy of the consumer's current IPP. <i>[Title 17, CCR, §56022(c)]</i>	16			100	None

Community Care Facility Record Review Summary Sample Size: Consumers = 16; CCFs = 16						
	Criteria	+	-	N/A	% Met	Follow-up
3.4.a	Service Level 2 and 3 facilities prepare and maintain written semiannual reports of consumer progress. <i>[Title 17, CCR, §56026(b)]</i>	7		9	100	None
3.4.b	Semiannual reports address and confirm the consumer's progress toward achieving each of the IPP objectives for which the facility is responsible.	7		9	100	None
3.5.a	Service Level 4 facilities prepare and maintain written quarterly reports of consumer progress. <i>[Title 17, CCR, §56026(c)]</i>	9		7	100	None
3.5.b	Quarterly reports address and confirm the consumer's progress toward achieving each of the IPP objectives for which the facility is responsible.	9		7	100	None
3.5.c	Quarterly reports include a summary of data collected. <i>[Title 17, CCR, §56013(d)(4); Title 17, CCR, §56026]</i>	8		8	100	None
3.6.a	The facility prepares and maintains ongoing, written consumer notes, as required by Title 17. <i>[Title 17, CCR, §56026(a)]</i>	16			100	None
3.6.b	The ongoing notes/information verify that behavior needs are being addressed.	11		5	100	None
3.7.a	Special incidents are reported to the regional center within 24 hours after learning of the occurrence of the special incident. <i>(Title 17, CCR, §54327)</i>	2		14	100	None
3.7.b	A written report of the special incident is submitted to the regional center within 48 hours after the occurrence of the special incident. <i>(Title 17, CCR, §54327)</i>	2		14	100	None
3.7.c	Follow-up activities were undertaken to prevent, reduce or mitigate future danger to the consumer. <i>(Title 17, CCR, §54327)</i>	2		14	100	None

SECTION IV

DAY PROGRAM CONSUMER RECORD REVIEW

I. Purpose

The review criteria address the requirements for day programs to maintain consumer records and prepare written reports of consumer progress in relation to the services addressed in the individual program plan (IPP) that the day program provider is responsible for implementing. The criteria are derived from Title 17, California Code of Regulations.

II. Scope of Review

The closure of day programs due to COVID-19 prevented the review of Section IV Day Program records and remote site visits for the 2021 review.

SECTION V

CONSUMER OBSERVATIONS AND INTERVIEWS

I. Purpose

The consumer observations are conducted to verify that the consumers appear to be healthy and have good hygiene. Interview questions focus on the consumers' satisfaction with their living situation, day program and work activities, health, choices, and regional center services.

II. Scope of Observations and Interviews

Twenty-six of the forty-four consumers, or in the case of minors, their parents, were interviewed and/or observed via Zoom at community care facilities (CCF), and independent living settings.

- ✓ Sixteen consumers agreed to be interviewed by the monitoring teams.
- ✓ Seven consumers did not communicate verbally or declined an interview; but were observed.
- ✓ Three interviews were conducted with parents of minors.
- ✓ Eighteen consumers were unavailable for, or declined, interviews.

III. Results of Observations and Interviews

All consumers and parents of minors interviewed indicated satisfaction with their living situation, day program, work activities, health, choices, and regional center services. The consumers' overall appearance reflected personal choice and individual style.

SECTION VI A

SERVICE COORDINATOR INTERVIEWS

I. Purpose

The interviews determine how well the service coordinators know their consumers, the extent of their participation in the individual program plan (IPP)/annual review process, and how they monitor services, health and safety issues.

II. Scope of Interviews

1. The monitoring team interviewed seven Valley Mountain Regional Center (VMRC) service coordinators.
2. The interview questions are divided into two categories.
 - ✓ The questions in the first category are related to the consumers selected by the monitoring team.
 - ✓ The questions in the second category are related to general areas.

III. Results of Interviews

1. The service coordinators were very familiar with their respective consumers. They were able to relate specific details regarding the consumers' desires, preferences, life circumstances and service needs.
2. The service coordinators were knowledgeable about the IPP/annual review process and monitoring requirements. Service providers and family members provided input on the consumers' needs, preferences and satisfaction with services outlined in the IPP. For consumers in out-of-home placement settings, service coordinators conduct quarterly face-to-face visits and develop written assessments of consumer progress and satisfaction. In preparation for the quarterly visits, service coordinators review their previous progress reports, pertinent case notes, special incident reports, and vendor reports of progress.
3. To better understand issues related to consumers' use of medication and issues related to side effects, the service coordinators utilize VMRC's medical director and online resources for medication.

4. The service coordinators monitor the consumers' services, health and safety during periodic visits. They are aware of the consumers' health issues. The service coordinators are knowledgeable about the special incident reporting process and work with the vendors to ensure all special incidents are reported and appropriate follow-up activities are completed.

SECTION VI B

CLINICAL SERVICES INTERVIEW

I. Purpose

The clinical services interview is used to obtain supplemental information on how the regional center is organized to provide clinical support to consumers and service coordinators. This interview aids in determining what measures the regional center is utilizing to ensure the ongoing health and safety of all Home and Community-based Services Waiver consumers.

II. Scope of Interview

1. The questions in the interview cover the following topics: routine monitoring of consumers with medical issues: medications and behavior plans; coordination of medical and mental health care for consumers; circumstances under which actions are initiated for medical or behavior issues; clinical supports to assist service coordinators; improved access to preventive health care resources; role in Risk Management Committee and special incident reports (SIR).
2. The monitoring team interviewed the Clinical Director at VMRC.

II. Results of Interview

1. VMRC's clinical services team includes three physicians, one clinical nurse director, an assistant clinical director, two registered nurses, psychologists, behavior analyst, intake staff, clinical project coordinators, education specialist autism coordinators and pharmacy services contracted through University of the Pacific.
2. The clinical staff is available for consultation with service coordinators regarding consumer health concerns. A clinical team nurse is available to visit hospitalized consumers. The nurse will also participate in discharge planning and palliative care meetings as requested. Nurses are also available to provide training on health topics to service coordinators. Members of the clinical team are also available to assist with consents for medical treatment. Due to the recent COVID-19 pandemic, the Department of Developmental Services has provided guidance, which advised for all regional centers to quarantine consumers.
3. Clinical team members are available to assist with monitoring consumers' medications. Polypharmacy and other concerns identified by the service coordinator are referred to the pharmacist for consultation. The pharmacist also provides medication training to service coordinators.

4. The clinical team is involved with consumer behavior plans and mental health issues. The regional center contracts with a behavior management agency that reviews consumer behavior plans. To meet the needs of VMRC consumers the regional center utilizes telemedicine services with the Psychiatric Center of San Diego. Members of the clinical team collaborate with San Joaquin and Stanislaus County Mental Health agencies to facilitate services.
5. The pharmacist provides training to staff and vendors on an ongoing basis. Topics have included medications, seizures, diabetes, pain management, nutrition, autism, cerebral palsy and brain injuries. Due to the COVID-19 pandemic, the clinical team has held COVID-19 information session via WebEx with staff, vendors, consumers and their families. They have also partnered with Safeway to administer vaccines to staff at the regional center.
6. VMRC has improved access to health care resources through the following programs and services:
 - ✓ Behavioral Training classes to parents and care providers
 - ✓ Home evaluations for environmental modifications
 - ✓ Gait Clinic
 - ✓ Occupational Therapy Clinic and Sensory Assessment
 - ✓ Communication Clinic
 - ✓ Nurses consulting with local managed care plans to assist in the development of services for consumers
 - ✓ Managed care liaisons
 - ✓ Healthy Smiles Program
 - ✓ Drive-thru COVID-19 testing
 - ✓ TeleMed Clinics via Zoom
 - ✓ Genetic Resources
 - ✓ Biocept Laboratories
 - ✓ Interdisciplinary Team meetings
 - ✓ Dental Assessments; and,
 - ✓ COVID-19 information session weekly.
7. A physician participates in the Risk Assessment and Behavior Management Review Committees. A physician or nurse reviews SIRS related to unusual medical occurrences and all deaths. The pharmacist reviews medication errors. The regional center utilizes Mission Analytics Group, Inc., the State's risk management contractor that meets quarterly with QA and clinical staff, to analyze SIRS for trends and discuss cases and review deaths. The committee uses this information to make recommendations for follow-up and training as needed.

SECTION VI C

QUALITY ASSURANCE INTERVIEW

I. Purpose

The interview with quality assurance (QA) staff ascertains how the regional center has organized itself to conduct Title 17 monitoring of community care facilities (CCF), two unannounced visits to CCFs, and service provider training. The interview also inquires about verification of provider qualifications, resource development activities, and QA among programs and providers where there is no regulatory requirement to conduct QA monitoring.

II. Scope of Interview

The monitoring team interviewed a senior community services liaison who is part of the team responsible for conducting VMRC's QA activities.

III. Results of Interview

1. The annual Title 17 visits are conducted by community services liaisons and other staff as necessary. Visits are usually set at times where QA staff are able to visit with consumers. During the visit, the liaisons review vendor files, licensing reports, medication logs, behavior plans, individual program plans, special incident reports (SIR) and open corrective action plans (CAP). QA staff and service coordinators each conduct one of the unannounced visits. Service coordinators are trained collectively and individually as needed on identifying immediate dangers and substantial inadequacies as well as on VMRC's alert system to transmit all concerns to the QA department. For programs where there are no regulatory requirements to monitor, QA staff review the vendor's self-assessments and conduct onsite monitoring visits annually.
2. VMRC uses information collected from QA monitoring to provide technical assistance for providers. VMRC offers continuing education classes through their website for a fee. Once a participant completes one of the website classes, the final is forwarded to VMRC for approval. If a participant fails, the class can be taken again. Other no-cost trainings are provided by VMRC to their vendors to address ongoing training needs in areas such as special incident reporting.
3. The liaisons follow up on SIRs and collaborate with Community Care Licensing and/or law enforcement as needed. If an SIR requires an investigative follow-up, such as a threat to consumer's health or safety or a breach in the consumer's standard of care, the QA team will conduct the follow-up. The QA team issues all CAPs. If a CAP is issued, the QA team

will conduct the follow-up and will provide any necessary training onsite. VMRC uses a database to track monitoring visits, SIRs, and CAPs.

4. The liaisons are responsible for analyzing data from SIRs and QA monitoring. When issues are identified, recommendations to correct the issues are provided to the vendor as part of their CAP.
5. VMRC's Risk Assessment Committee meets quarterly. A rotating member of the QA team always attends the meeting, in addition to a consulting pharmacologist who will address trends pertaining to medication issues.

SECTION VII A

SERVICE PROVIDER INTERVIEWS

I. Purpose

The interviews determine how well the service provider knows the consumers; the extent of their assessment process for the individual program plan (IPP) development and/or review; the extent of their plan participation; how the plan was developed; how service providers ensure accurate documentation, communicate, address and monitor health issues; their preparedness for emergencies; and how they monitor safety and safeguard medications.

II. Scope of Interviews

1. The monitoring team interviewed six service providers at six community care facilities where services are provided to the consumer who was visited by the monitoring team.
2. The interview questions are divided into two categories.
 - ✓ The questions in the first category are related to sample consumers selected by the monitoring team.
 - ✓ The questions in the second category are related to general areas.

III. Results of Interviews

1. The service providers were familiar with the strengths, needs and preferences of their consumer.
2. The service providers indicated that they conducted assessments of the consumer, participated in their IPP development, provided the program-specific services addressed in the IPPs and attempted to foster the progress of their consumer.
3. The service providers monitored the consumer's health issues and safeguarded medications.
4. The service providers communicated with people involved in the consumer's life and monitored progress.
5. The service providers were prepared for emergencies, monitored the safety of the consumer, and understood special incident reporting and follow-up processes.

SECTION VII B

DIRECT SERVICE STAFF INTERVIEWS

I. Purpose

The interviews determine how well the direct service staff know the consumers and their understanding of the individual program plan (IPP) and service delivery requirements, how they communicate, their level of preparedness to address safety issues, their understanding of emergency preparedness, and their knowledge about safeguarding medications.

II. Scope of Interviews

1. The monitoring team interviewed five direct service staff at six community care facilities where services are provided to the consumer who was visited by the monitoring team.
2. The interview questions are divided into two categories:
 - ✓ The questions in the first category are related to sample consumers selected by the monitoring team.
 - ✓ The questions in the second category are related to general areas.

III. Results of Interviews

1. The direct service staff were familiar with the strengths, needs and preferences of their consumer.
2. The direct service staff were knowledgeable about their roles and responsibilities for providing the services addressed in the consumer's IPP.
3. The direct service staff demonstrated that they understood the importance of communication with all individuals concerned with the consumer.
4. The direct service staff were prepared to address safety issues and emergencies and were familiar with special incident reporting requirements.
5. The direct service staff demonstrated an understanding about emergency preparedness.
6. The direct service staff were knowledgeable regarding safeguarding and assisting with self-administration of medications where applicable.

SECTION VIII

VENDOR STANDARDS REVIEW

I. Purpose

The review ensures that the selected community care facilities (CCF) and day programs remotely are serving consumers in a safe, healthy and positive environment where their rights are respected. The review also ensures that CCFs are meeting the HCBS Waiver definition of a homelike setting.

II. Scope of Review

1. The monitoring teams reviewed six CCFs via remote electronic communication. Remote electronic communication was used to conduct service provider, direct staff and consumer interviews, as well as site inspections.
2. The teams used a monitoring review checklist consisting of 24 criteria. The review criteria are used to assess the physical environment, health and safety, medications, services and staff, consumers' rights, and the handling of consumers' money.

III. Results of Review

All of the CCFs were found to be in good condition with no immediate health and safety concerns.

IV. Findings and Recommendations

None

SECTION IX

SPECIAL INCIDENT REPORTING

I. Purpose

The review verifies that special incidents have been reported within the required timeframes, that documentation meets the requirements of Title 17, California Code of Regulations, and that the follow-up was complete.

II. Scope of Review

1. Special incident reporting of deaths by VMRC 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 44 consumers 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 consumers 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 consumer is protected from adverse consequences, and that risks are either minimized or eliminated.

III. Results of Review

1. VMRC reported all deaths during the review period to DDS.
2. VMRC reported all special incidents in the sample of 44 records selected for the HCBS Waiver review to DDS.
3. VMRC's vendors reported seven of the ten (70 percent) applicable incidents in the supplemental sample within the required timeframes.
4. VMRC reported nine of ten (90 percent) incidents to DDS within the required timeframes.
5. VMRC's follow-up activities on consumer incidents were appropriate for the severity of the situations for the ten incidents.

IV. Finding and Recommendation

SIR 1: The incident occurred on January 13, 2020. However, the vendor did not submit a written report to VMRC until January 21, 2020.

SIR 2: The incident occurred on January 3, 2020. However, the vendor did not submit a written report to VMRC until January 8, 2020.

SIR 9: The incident occurred on August 23, 2020. However, VMRC did not submit the special incident report to DDS until August 27, 2020.

SIR 10: The incident occurred on December 9, 2019. However, the vendor did not submit a written report to VMRC until January 24, 2020.

Recommendation	Regional Center Plan/Response
VMRC should ensure that the vendors for SIR 1, SIR 2, and SIR 10 report special incidents within the required timeframes.	VMRC will provide technical assistance to the vendors for SIR 1, SIR 2 and SIR 10 to report special incidents within the required timeframes.
VMRC should ensure that special incidents are reported to DDS within the required timeframes.	VMRC will ensure that all special incidents are reported to DDS within the required timeframes.

SAMPLE CONSUMERS AND SERVICE PROVIDERS/VENDORS

HCBS Waiver Review Consumers

#	UCI	CCF	DP
1	xxxxxxx	15	
2	xxxxxxx	7	
3	xxxxxxx	8	
4	xxxxxxx	9	
5	xxxxxxx	2	
6	xxxxxxx		
7	xxxxxxx	10	
8	xxxxxxx	11	
9	xxxxxxx	12	
10	xxxxxxx	6	
11	xxxxxxx	1	
12	xxxxxxx	13	
13	xxxxxxx	16	
14	xxxxxxx	14	
15	xxxxxxx	3	
16	xxxxxxx		
17	xxxxxxx	5	
18	xxxxxxx	4	
19	xxxxxxx		
20	xxxxxxx		
21	xxxxxxx		
22	xxxxxxx		
23	xxxxxxx		
24	xxxxxxx		
25	xxxxxxx		
26	xxxxxxx		
27	xxxxxxx		
28	xxxxxxx		
29	xxxxxxx		
30	xxxxxxx		
31	xxxxxxx		
32	xxxxxxx		
33	xxxxxxx		
34	xxxxxxx		
35	xxxxxxx		
36	xxxxxxx		

#	UCI	CCF	DP
37	xxxxxxx		
38	xxxxxxx		
39	xxxxxxx		
40	xxxxxxx		
41	xxxxxxx		
42	xxxxxxx		
43	xxxxxxx		
44	xxxxxxx		

Supplemental Sample Terminated Waiver Consumers

#	UCI
T-1	xxxxxxx
T-2	xxxxxxx
T-3	xxxxxxx

New Enrollees

#	UCI
NE-1	xxxxxxx
NE-2	xxxxxxx

Supplemental Sample Developmental Center Consumers

#	UCI
DC-1	xxxxxxx
DC-2	xxxxxxx
DC-3	xxxxxxx
DC-4	xxxxxxx
DC-5	xxxxxxx
DC-6	xxxxxxx
DC-7	xxxxxxx

HCBS Waiver Review Service Providers

CCF #	Vendor
1	XXXXXXXX
2	XXXXXXXX
3	XXXXXXXX
4	XXXXXXXX
5	XXXXXXXX
6	XXXXXXXX

SIR Review Consumers

#	UCI	Vendor
SIR 1	XXXXXXXX	XXXXXXXX
SIR 2	XXXXXXXX	XXXXXXXX
SIR 3	XXXXXXXX	XXXXXXXX
SIR 4	XXXXXXXX	XXXXXXXX
SIR 5	XXXXXXXX	XXXXXXXX
SIR 6	XXXXXXXX	XXXXXXXX
SIR 7	XXXXXXXX	XXXXXXXX
SIR 8	XXXXXXXX	XXXXXXXX
SIR 9	XXXXXXXX	XXXXXXXX
SIR 10	XXXXXXXX	XXXXXXXX