

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

Conducted by:

Department of Developmental Services

April 15, 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 March 20-29, 2023, at Valley Mountain Regional Center (VMRC). A final report including review findings and VMRC's written responses to the findings was provided to VMRC on February 20, 2024.

DDS conducted a follow-up review on April 15, 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 December 1, 2022, through November 30, 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 March 2023 collaborative review requested VMRC to provide clarification or follow-up to the report findings and recommendations. VMRC submitted a response to DDS on November 29, 2023. Based on the report recommendations and VMRC'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 VMRC's personnel.

Summary of Follow-up Review Findings

The April 2024 follow-up review indicated that no further action is needed to ensure that the IPP is signed, prior to its implementation, by the individual-served and regional center. Also, two vendors did not report a special incident to VMRC within the required timeframes.

SECTION I

REGIONAL CENTER RECORD REVIEW OF INDIVIDUALS SERVED

Summary of the March 2023 Collaborative Monitoring Review Recommendations

The March 2023 monitoring review included findings related to ensuring that the IPP is signed, prior to its implementation, by an authorized representative of the regional center and the individual-served or, where appropriate, his/her parents, legal guardian, or conservator.

Summary of the April 2024 Follow-up Review Findings

All 20 (100 percent) sample individual records selected for the follow-up review contained documentation that the IPP was signed by the individual-served and regional center.

Recommendations

None

SECTION II

SPECIAL INCIDENT REPORTING

Summary of the March 2023 Collaborative Monitoring Review Recommendations

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

Scope of the March 2023 Follow-up 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 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 March 2023 Follow-up Review

1. VMRC reported all deaths during the review period to DDS.
2. VMRC reported all of the SIRs in the sample of 20 records selected for the HCBS Waiver review to DDS.
3. VMRC's vendors reported 8 of the 10 (80 percent) incidents in the supplemental sample within the required timeframes.
4. VMRC reported all (100 percent) incidents in the supplemental sample to DDS within the required timeframes.
5. VMRC's follow-up activities on incidents in the supplemental sample were appropriate for the severity of the situations for all 10 incidents (100 percent).

Findings

SIR #2: The incident occurred on February 23, 2023. However, the vendor did not send a written report to VMRC until March 1, 2023.

SIR #10: The incident occurred on July 7, 2023. However, the vendor did not send a written report to VMRC until July 10, 2023.

Further Action Needed

VMRC should ensure that the vendors report special incidents within the required timeframes.

SAMPLE OF INDIVIDUALS SERVED RECORDS

HCBS Waiver Review

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

SIR Review

#	UCI	Vendor #
SIR1		
SIR2		
SIR3		
SIR4		
SIR5		
SIR6		
SIR7		
SIR8		
SIR9		
SIR10		