

NC Department of Health and Human Services
Division of **Medical Assistance**



HOME AND COMMUNITY LIVING STANDARDS TRAINING

May 25, 2012

HOME AND COMMUNITY BASED SERVICES (HCBS)

HOME AND COMMUNITY BASED SERVICES (HCBS)

- **Services provided in a person's private residence or residential setting that is deemed to meet Home and Community Based Standards.**
- **Residential providers shall adhere to the North Carolina General Statutes § 131D-19, Adult Care Home Residents' Bill of Rights and the North Carolina General Statutes § 122C-51, Clients' Rights and Advance Instruction.**

HOME AND COMMUNITY BASED SERVICE (HCBS) PROVIDERS

- **Adult Care Homes (ACH)**
- **Family Care Homes (FCH)**
- **Group Homes for Developmentally Disabled (5600A) and Mentally Ill Adults (5600C)**

HCBS PROVIDER ATTESTATION

- **CAP I/DD, Innovations, and 1915i State Plan providers must SUBMIT a HCBS Provider Attestation to the Division of Medical Assistance (DMA).**

HCBS PROVIDER ATTESTATION

- **HCBS Provider must meet the following requirements:**
 - **Must be licensed by Division of Health Service Regulation (DHSR)**
 - **Must enroll into North Carolina Medicaid as a provider of CAP I/DD, Innovations, or 1915i State Plan.**

HCBS PROVIDER ATTESTATION

- Notify the DHHS within 30 calendar days of learning of any adverse action initiated against the license, certification, registration, accreditation and/or endorsement of the Provider or any of its officers, agents, or employees.**

HCBS PROVIDER ATTESTATION

- Must be in compliance with Home and Community Based Standards.**
- Must be in compliance with Home and Community Living Characteristics.**

CAP-I/DD and Innovations Services

- **No Adult Care Home may provide CAP-I/DD or Innovations waiver services to recipients who reside in their facilities.**
- **Facilities on the same campus as an ICF or SNF cannot attest to the Home and Community Living Standards.**

Institution for Mental Diseases (IMD)

- **Individuals who reside in a licensed residential facility that has been deemed an Institution for Mental Diseases (IMD) are not eligible for Medicaid.**

HCBS STANDARDS

HOME AND COMMUNITY LIVING STANDARDS

- **The CAP I/DD, Innovations, and 1915(i) State Plan Home and Community-Based Services Program (HCBS), require specific standards for community living as defined by the State.**
- **All CAP I/DD, Innovations, and 1915(i) providers must be in compliance to bill Medicaid for CAP I/DD, Innovations, or Personal Assistance Services (PAS).**

HOME AND COMMUNITY LIVING STANDARDS

- **Home and community living standards must be met by all facilities.**
- **The standards must be applied to all residents in the facility except where such activities or abilities are contraindicated**
 - **Specifically, in a resident's person centered plan and applicable due process has been executed to restrict any of the standards or rights.**

HOME AND COMMUNITY LIVING STANDARDS

- **Residents must be respectful to others in their community**

AND

- **The facility has the authority to restrict activities when those activities are disruptive or in violation of the rights of others living in the community.**

HOME AND COMMUNITY LIVING STANDARDS

- **HCBS providers must develop a Person Centered Service Plan.**
- **HCBS providers must meet NC Home and Community Living Characteristics**

PERSON CENTERED SERVICE PLAN

- **HCBS Providers are required to develop an individual plan of care based on a person-centered process for recipients of:**
 - **CAP I/DD,**
 - **Innovations, and**
 - **1915i State Plan Personal Assistance Services (PAS).**

PERSON CENTERED SERVICE PLAN PROCESS

- **The person-centered planning process is driven by the individual.**
- **The process:**
 - **Includes people chosen by the individual**
 - **Provides necessary information and support to ensure that the individual directs the process to the maximum extent possible, and is enabled to make informed choices and decisions**

PERSON CENTERED SERVICE PLAN PROCESS

- **The process:**
 - **Is timely and occurs at times and locations of convenience to the individual.**
 - **Offers choices to the individual regarding the services and supports they receive and from whom.**

PERSON CENTERED SERVICE PLAN PROCESS

- **The process:**
 - **Reflects cultural considerations of the individual.**
 - **Includes strategies for solving conflict or disagreement within the process, including clear conflict of interest guidelines for all planning participants.**

PERSON CENTERED SERVICE PLAN PROCESS

- **The process:**
 - **Includes a method for the individual to request updates to the plan**
 - **Records the alternative home and community-based settings that were considered by the individual.**

PERSON CENTERED SERVICE PLAN

- **The person-centered service plan the plan must reflect:**
 - **The setting in which the individual resides is chosen by the individual.**
 - **The individual's strengths and preferences.**
 - **Clinical and support needs as identified through an assessment of functional need.**

PERSON CENTERED SERVICE PLAN

- **The person-centered service plan must:**
 - **Include individually identified goals and desired outcomes.**
 - **Reflect the services and supports (paid and unpaid) that will assist the individual to achieve identified goals, and the providers of those services and supports, including natural supports. (Natural supports cannot supplant needed paid services unless the natural supports are unpaid supports that are provided voluntarily to the individual in lieu of State plan HCBS.)**

PERSON CENTERED SERVICE PLAN

- **The person-centered service plan must:**
 - **Reflect risk factors and measures in place to minimize them, including Individualized backup plans.**
 - **Be understandable to the individual receiving services and supports, and the individuals important in supporting him or her.**

PERSON CENTERED SERVICE PLAN

- **The person-centered service plan must:**
 - **Identify the individual and/or entity responsible for monitoring the plan.**
 - **Be finalized and agreed to in writing by the individual and signed by all individuals and providers responsible for its implementation.**

PERSON CENTERED SERVICE PLAN

- **The person-centered service plan must:**
 - **Be distributed to the individual and other people involved in the plan.**
 - **Include those services, the purchase or control of which the individual elects to self-direct.**
 - **Prevent the provision of unnecessary or inappropriate care.**

PERSON CENTERED SERVICE PLAN

- **The person-centered service plan must be reviewed, and revised upon reassessment of functional need as follows:**
 - **at least every 12 months,**
 - **when the individual's circumstances or needs change significantly, and**
 - **at the request of the individual.**

HOME & COMMUNITY LIVING CHARACTERISTICS

TELEPHONE ACCESS

HOME AND COMMUNITY LIVING CHARACTERISTICS

Telephone Access

- **Review of person centered plan to determine if any phone limitations are individualized based on individual safety and treatment needs and documented in the PCP.**

HOME AND COMMUNITY LIVING CHARACTERISTICS

Telephone Access

- **Must be Available 24/7/365**
- **Must be private**
- **Most afford assistance if needed.**

HOME AND COMMUNITY LIVING CHARACTERISTICS

Telephone Access

- **Residents must be permitted to have and maintain personal phones in their rooms**

VISITORS

HOME AND COMMUNITY LIVING CHARACTERISTICS

Visitors

- **Review of person centered plan to determine if any limitations on visitors are individualized, based on individual safety and treatment needs and documented in the PCP. Individual interviews about their ability to have visitors and any restrictions placed on visitation by the facility.**

HOME AND COMMUNITY LIVING CHARACTERISTICS

Visitors

- **Must be allowed at any time 24/7/365**
 - **“Facilities maintain the right to restrict or ban visitors identified to be disruptive or dangerous to the health and safety of other residents.”**

HOME AND COMMUNITY LIVING CHARACTERISTICS

Visitors

- **Must not require Facility Approval**
- **Must not have specific Conduct Requirements other than respectful behavior toward other individuals.**

HOME AND COMMUNITY LIVING CHARACTERISTICS

Visitors

- **Visitors may be required to sign in or notify facility staff upon entering and exiting the facility.**

LIVING SPACE

HOME AND COMMUNITY LIVING STANDARDS

Living Space

- **Review of person centered plan to determine if any limitations on individuals' abilities to lock their rooms, decorate roommate choice and come and go at will are individualized, based on individual safety and treatment needs and documented in the PCP.**

HOME AND COMMUNITY LIVING STANDARDS

Living Space

- **Must have no more than 2 residents to a room and choice of roommate.**
- **Individuals must have the ability to decorate and maintain personal items in their room. (must adhere to state safety codes and licensure rules)**

HOME AND COMMUNITY LIVING STANDARDS

Living Space

- **Individuals must have the ability to lock their room,**
- **Access to personal lockable space, and**
- **The ability to come and go at any hour.**

HOME AND COMMUNITY LIVING STANDARDS

Living Space

- **Individuals must be afforded the opportunity to have personal appliances in their room. (must adhere to state safety codes and licensure rules)**
- **Individuals must be able to file anonymous complaints.**

SERVICE CUSTOMIZATION

HOME AND COMMUNITY LIVING STANDARDS

Service Customization

- **Review of the person centered plan to determine individual's involvement is documented.**
- **The person-centered plan must reflect the services that are important for the individual to meet individual services and support needs as assessed through a person-centered functional assessment as well as what is important to the person with regard to preferences for the delivery of such supports.**

Food, Meal(s), and Storage of Food Access

HOME AND COMMUNITY LIVING STANDARDS

Food, Meal(s), and Storage of Food Access

- **Review of person centered plan to determine if any limitations on individuals' abilities to access the kitchen are individualized, based on individual safety and treatment needs and documented in the PCP.**

HOME AND COMMUNITY LIVING CHARACTERISTICS

Food, Meal(s), and Storage of Food Access

- **Individuals must have access to Food, Meals, and Storage of Food 24/7/365**
- **Individuals must have input on food options provided.**

HOME AND COMMUNITY LIVING CHARACTERISTICS

- **Individuals must be allowed to chose when and whom to eat meals with including the ability to eat alone if desired.**

GROUP ACTIVITIES

HOME AND COMMUNITY LIVING CHARACTERISTICS

Group Activities

- **Review of person centered plan to determine if any limitations on individuals' abilities to participate in recreational choice are individualized, based on individual safety and treatment needs and documented in the PCP.**

HOME AND COMMUNITY LIVING CHARACTERISTICS

Group Activities

- Residents must be given the choice of participating in facility's recreational activities
- Individuals must be encouraged and supported to remain active in their community.
- Individuals must be allowed to choose when and who to eat meals with including the ability to eat alone if desired.

COMMUNITY ACTIVITIES

HOME AND COMMUNITY LIVING CHARACTERISTICS

Community Activities

- Review of person centered plan to determine if any limitations on individuals' abilities to participate in community activities are individualized, based on individual safety and treatment needs and documented in the PCP.

HOME AND COMMUNITY LIVING CHARACTERISTICS

Community Activities

- **Individuals must be given the opportunity to take part in community activities of their choosing.**
- **Individuals must be encouraged and supported to remain active in their community.**
- **Individuals must be supported in pursuing activities of interest and not be restricted from participating in community activities of their choosing.**

Community Integration

HOME AND COMMUNITY LIVING CHARACTERISTICS

Community Activities

- **Review of person centered plan to determine if any limitations on individuals' abilities to participate in community integration are individualized, based on individual safety and treatment needs and documented in the PCP.**

HOME AND COMMUNITY LIVING CHARACTERISTICS

Community Activities

- **Home and community based settings are:**
 - **integrated in the community,**
 - **provide meaningful access to both the community and community activities,**
 - **choice about providers,**
 - **individuals with whom to interact, and**
 - **daily life activities.**

Questions or concerns

If you have questions regarding (i) option, or PAS services, please contact:

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If you have questions regarding CAP I/DD or Innovations Services, please contact:

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The following slides are applicable only to existing facilities of over 6 beds where identified CAP I/DD and Innovations Waiver recipients reside.

CAP-I/DD and Innovations Services

- **If a provider chooses not to attest to meeting the HCBS standards during this initial phase of implementation, then identified CAP I/DD and Innovations Waivers recipients:**
 - **may choose to stay in the non compliant facility, or**
 - **may choose to move to a facility that meets the home and community based living HCBS standards.**

CAP-I/DD and Innovations Services

- **If they choose to remain in the non compliant facility, they will lose their CAP-MR/DD or Innovations slot.**
- **For these identified recipients, State funding will be utilized to maintain their services at the currently approved plan of care amount.**

****Please note that state funding is only applicable to individuals identified in this phase of implementation.**

CAP-I/DD and Innovations Services

- If a provider chooses not to attest to meeting the HCBS standards in future attestation periods, or is found not to meet the HCBS standards then identified CAP I/DD and Innovations Waivers recipients will have to move to a facility that meets the home and community based living HCBS standards to continue receiving CAP I/DD or Innovations Waiver funding. If at that time they choose to remain in the facility, they will lose their CAP I/DD or Innovations Waiver slot. There will not be a state-funded option to remain in the facility.

Questions or concerns

If you have questions regarding CAP I/DD or Innovations Services, please contact:

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