



COMMUNITY CONNECTIONS

HCBS Community Connections Provider Self-Assessment Manual

2019 Edition v1.0

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Welcome

This manual is a resource to help you access and complete the HCBS Settings Provider Self-Assessment. Completing the HCBS Settings Provider Self-Assessment will help you understand how far along your HCBS site is on the pathway to compliance with the HCBS Settings Final Rule. Results from your assessment will reveal areas where your site needs to make modifications (i.e., remediation) to meet CMS' requirements for the HCBS Settings.

You are encouraged to complete the self-assessment as soon as possible. Please note that completing this assessment is just one step on your pathway to compliance. After you complete the assessment, there will be opportunities to modify your site and demonstrate that it meets all of the qualities and characteristics of a home and community-based setting. Having areas that are not compliant right now does not mean your setting can no longer provide HCB services. There is a remediation period for providers to make changes and bring their site(s) into compliance. The sooner you complete your assessment, the sooner you will receive the results and be able to work on remediation.

Purpose

In January 2014, the Centers for Medicare and Medicaid Services (CMS) announced a requirement for states to review and evaluate current Home and Community-Based Services (HCBS) settings, including residential and non-residential sites, and to demonstrate compliance with the new Federal HCBS Settings Final Rule that went into effect on March 17, 2014. These federal guidelines were developed to ensure members receiving long-term services and supports through HCBS programs under Medicaid waiver authorities have full access to benefits of community living and the opportunity to receive services in the most integrated setting appropriate. Appendix 3 at the back of this manual lists the qualities that HCBS settings must comply with by March 17, 2022.

Who Needs to Complete the Assessment?

The assessment is meant to evaluate an HCBS site's current qualities and characteristics to determine the steps needed for the setting to come into compliance with all requirements of the HCBS Settings Final Rule.

Every provider currently receiving HCBS Medicaid funding should respond to this assessment for every site where HCBS is provided, unless the site has been identified as a setting that is presumed to be fully compliant (see below).

Providers who own or lease settings that are **presumed to be compliant** or **do not fit** the Home and Community-Based (HCBS) criteria do not need to complete an assessment for those settings.

Settings that are ***presumed to be fully compliant***:

- Member owns/leases home, which is not provider-owned or controlled, and where services are provided in person's home
- Supported Employment provided in an integrated community setting/competitive employment, Supported Employment is an individualized (1-1) service.

Settings that are institutional in nature such as:

- Nursing facilities
- Institutions for mental diseases (IMD)
- Intermediate care facilities for individuals with intellectual disabilities (ICF/IDD)
- Hospitals

Why are you asking for documentation of answers?

CMS requires that the self-assessments from 100% of HCBS settings be validated in some way. Kansas has elected to do a "desk review" in which trained reviewers use documentation submitted by providers to verify their answers on the assessment. Although preparing and submitting the documentation can be time-consuming, it's a less invasive method of validating responses than such options as site visits or consumer interviews.

Getting Started

Please follow these steps before you start an assessment.

1. **Create your account:** Go to <https://www.hcbs-kansas.org/> and click on Create Account. Provide the requested contact information and click "Create new account". After you submit your account request, an administrator will verify the information and activate your account within 24 hours or on the next business day. You will receive an email when your account has been activated. Your account will grant you access to your provider dashboard where you can complete assessments and review your progress for each site you are self-assessing. If you have technical difficulties and need assistance with setting up an account, please contact KDADS.FinalRule@ks.gov
2. **Download a copy of the assessment:** Please download and print a copy of the Provider Self-Assessment for each HCBS site (i.e. location) you own or operate that receives HCBS Medicaid Funding. We suggest you use the hardcopy to answer the questions prior to entering your responses online. This will be particularly helpful because you will have to gather and submit documentation to validate answers for each HCBS site (i.e. location) you own or operate. The downloadable copy indicates which responses require documentation and includes documentation type suggestions.

You can download a hard copy of the provider self-assessment for residential settings here: [Residential Self-Assessment Questions](#)

You can download a hard copy of the provider self-assessment for non-residential settings here: [Non-Residential Self-Assessment Questions](#)

3. **Collect necessary documents:** As noted previously, you will be required to provide and upload evidence to validate your answers during the assessment. Please gather the necessary documentation prior to starting the online assessment. It will be easier to upload all documents prior to starting the assessment than if you go back and try to add documents once you've started answering questions. There are examples of documents you might use listed in [Appendix 1](#).
4. **Watch the YouTube video:** The video at the following link will help you understand how to navigate the provider dashboard and complete the assessment.
<https://communityconnectionsks.org/final-rule-assessment/>

After you have completed steps 1-4 listed above, you are ready to begin taking the online self-assessment.

Taking the Assessment

Logging In

You need to log-in to the system to be able to access the assessment. If you have not created an account, please read the section in this manual, [Getting Started](#), and follow steps 1-4. After you create an account and receive confirmation that your account has been activated, you may log-in using your unique username and password.

Using the Dashboard

When you log-in to your account, your home screen will have a dashboard that will update as you progress and will notify you of the number of assessments you have remaining. When you log in for the first time your Dashboard will be empty until you start adding information about the sites you own or operate. Then, the dashboard will indicate the assessments that you need to complete by setting type. **When you are in the middle of an assessment and want to return to your dashboard, please remember to click on Save Draft or Next Section first in order to not lose answers you have just entered.** The information will be saved and you can go back to it from your Dashboard.

Accessing the Assessment

The first time you log-in you will need to enter the number of HCBS settings you own or operate by setting type. Click on **Enter Provider Settings** and enter information in the fields. **You are**

required to complete one assessment for each HCBS site/location you own or operate. After you enter the overall number of sites you own or operate by setting type, the number of assessments you need to complete will be added to your dashboard and you can start the assessments.

Uploading Documentation

Do not upload any document that exposes protected health information (PHI) or violates the Health Insurance Portability and Accountability Act (HIPAA). You must de-identify and redact PHI before uploading a document.

Before you start answering questions on an assessment, you will need to upload your documentation. You will be able to organize your documents into categories such as Photos of Geographic Locations, Policies and Procedures, etc. There is no expectation that you upload something in every category or even that you put files into the “right” category. The categories are simply to help you organize and find the correct files. For a full list of categories refer to [Appendix 2](#). To upload a document, click *browse* under the category you want it to go under and select your file. You can upload as many documents as you want. Refer to [Appendix 1](#) for examples of documents you might upload for this assessment.

Do not upload your entire policy handbook or consumer handbook, rather upload only each section that pertains to the assessment question you are answering. For example, if you are uploading a policy document related to having visitors at the setting, upload only the page(s) from the policy handbook that pertain to having visitors at the site.

If you are in the middle of an assessment and need to upload additional documents, you may do so by going back to section B on page 3.

NOTE: Gathering and uploading documentation for the questions in the assessment can be time-consuming. This is why you are urged to gather your documentation prior to beginning the assessment for each of the sites you own or operate.

Navigating the Sections of the Assessment

After you have uploaded documents, you are ready to start answering questions in the assessment. The assessment is composed of 9 sections: Sections A - I. Section A is collecting data about the setting, section B is the document upload section and sections C-I are the assessment. You will be directed to the relevant questions based on the setting type and/or the answers you provide. Each assessment will skip one or more sections that do not apply based on whether the setting is residential or non-residential.

Saving the Assessment

As you complete every section of each site assessment, you can click on Save Draft or Next Section to save your progress. You will only be able to use Next Section if all questions on that

page have been answered, however Save Draft will save answers regardless of how many questions are completed. **To go back to a previous page, your dashboard, or close the webpage, please make sure you select Save Draft so you do not lose any information.**

Drafts

If you stop completing an individual site assessment before it has been reviewed, attested, and submitted, it will appear in the drafts section of your dashboard. Clicking Save Draft or Next Section before you leave the assessment will ensure all of your progress is saved. Drafts are not included in the number of site assessments remaining on the dashboard. You can access these partially completed assessments from your dashboard. You cannot delete drafts, but any drafts remaining when all required site assessments are completed will be disregarded and you will be able to submit the overall assessment.

Submitting the Assessment

At the end of each site assessment instead of “Next Section” there will be a “Proceed to Review” button. Once you click “Proceed to Review” you will review your answers and documents (by file name) on one page, and will be able to go back and make changes as needed until you are ready to attest that it is complete. You will need to check the box “I have reviewed and do attest” and then you will be able to click the large “Attest and Complete” button. Once you review, attest, and submit an assessment for a site/location, you cannot edit it. You will be taken back to your dashboard, and your list of sites remaining will reflect the completion of that assessment. A PDF of the information you reviewed will remain available for download in the “Completed Sites” section of the dashboard, where you can download it for your record and use it to keep track of the sites you have already completed.

Once you have completed assessments for all sites you own or operate, your dashboard should change. You will no longer see any draft assessments or a count of sites remaining, and under Assessment Links you will be able to check the box next to “I have now completed assessments for all sites”, and then you will be able to select “Finalize Assessment Process”. **Once you click that button your assessment is complete and you will not be able to complete more assessments.** The Completed Sites section will remain so you are able to review what you have completed. If you reach this point and find you still have sites that you need to complete assessments for, click “Edit Provider Settings” and edit the number of sites to reflect the additional sites that you need to complete.

FAQ

Please review this section before you contact KDADS.FinalRule@ks.gov, there may be an answer to your question here.

Am I required to complete the assessment?

You must complete a self-assessment for each site you own or operate that receives HCBS Medicaid funding. Sites that are not assessed will not be eligible to receive Medicaid HCBS funding after March 17, 2022.

When is the deadline to respond to the assessment?

The self-assessment will be available from September 15, 2019 to February 29, 2020. You are encouraged to complete the self-assessment as soon as possible in order to find out which areas you need to remediate. All assessments must be submitted by **February 29, 2020**.

Is there a risk in completing the assessment?

No, there is no risk associated with completing the assessment. You will not lose HCBS Medicaid funding if your site is non-compliant in one or more areas. The assessment will help you understand where you are on your pathway to compliance and you will have additional time to remediate and come into compliance with the HCBS Settings Final Rule.

How will the assessment be administered?

The assessment will be administered online through the online system. You will need to create an account and log-in to your account to answer the questions. You are encouraged to download and print a paper copy of the assessment so that you can collect documents to upload and answer questions before entering responses online.

How long does it take to complete the assessment?

The survey questions themselves do not take long to complete for each site – approximately 15 – 30 minutes. Most questions only require a “yes” or “no” response. However, gathering and uploading documentation can be time-consuming and is required to validate certain responses on the assessment. Advance preparation will help cut down the time spent in the assessment itself. Estimates from a pilot of this assessment are that each site may take up to an hour.

How can I navigate between pages?

If you have completed a page and want to go back to it, you can either click on the number of the page (at the top of the screen) or use the “Previous Page” button.

Why do I not see a section that’s on the hard copy? Or a certain question?

The assessment questions you see online will be based on the HCBS setting type you select, and in some instances, the answer you provide to a previous question. When completing assessments for multiple sites, you may notice that the questions are different. For example, there are different questions for residential and non-residential sites.

Is supporting documentation required to be sent in with the self-assessment?

Yes, the supporting documentation is required to be uploaded with the assessment. If you cannot provide a document when one is required, you must change your response to the question. The lack of documentation will be addressed in remediation and shouldn't be a cause for undue concern.

Why do I have to submit documentation when I've just answered the questions?

CMS requires that all HCBS settings, including all sites/locations, be assessed and that the answers be validated in some way. Kansas has opted to administer the self-assessment and use a "desk review" as the validation method. For desk review, documents must be submitted to verify the answers to each question. For some questions, you may not be able to provide documentation. That's OK but it may require you to change your answer to the question.

How do I upload the documents?

If you need instructions how to upload the required documents, please check the YouTube video that can be found at <https://communityconnectionsks.org/final-rule-assessment/> or refer to the section in this manual [Uploading Documentation](#).

Can I attach more than one file per question?

Yes, you can attach multiple files the same way you attached the first one.

What documentation do I need to upload as evidence?

[Appendix 1](#) has examples of documents you might use for each question in the assessment. There is no specific document you are required to upload. You may upload any documents you want to use to support your answers. The examples below are only suggestions.

How do I label/name the documents?

We suggest labeling your documents in a unique manner that allows you to easily identify them compared to other files, such as "ProviderName_Setting_DocumentType.docx". This will help you select the appropriate document when completing the assessment, and it will also help the reviewer get the results back to you in a timely manner.

If my operational manual or handbook (which includes evidence of compliance with the HCBS Settings Rule) is too large for electronic submission, can this document be mailed?

Do not attach your entire manual or handbook. Only upload sections that pertain to the questions you are answering. You may scan the relevant sections. Mailed documents will not be accepted.

Can I upload a document after starting the assessment?

You can upload a document by going back to Section B on page 3 in the assessment.

Is the assessment HIPAA compliant?

Do not upload any document or information that exposes someone's private health information (PHI) or violates the Health Insurance Portability and Accountability Act (HIPAA). You will need to redact and de-identify PHI from any document you want to upload.

What if I have more questions or need further assistance with the assessment?

If you have questions about the HCBS statewide transition process, the heightened scrutiny process, or the assessment process, please contact the Community Connections team at KDADS.FinalRule@ks.gov for assistance.

If you have questions about how to fill out the assessment, please check the YouTube video that can be found at <https://communityconnectionsks.org/final-rule-assessment/>

How many assessments do I need to complete?

Each provider is required to fill out this assessment for EACH site/location they either own or operate that receives HCBS Medicaid funding.

If I completed an assessment during the previous site-assessment process in 2015 and 2016, do I still have to fill out this assessment?

Yes. All providers must complete assessments for each HCBS setting they own or operate that receives HCBS Medicaid Funding by February 29, 2020.

How will I learn about heightened scrutiny, remediation, expectations, strategies and timelines?

The Kansas Department for Aging and Disability Services (**KDADS**) is organizing activities for the State transition process. Information will be updated and available at the State's HCBS website at <https://communityconnectionsks.org/>.

If you have specific questions about the HCBS statewide transition process or the assessment process, please contact the Community Connections team at KDADS.FinalRule@ks.gov

What happens after I complete the assessment?

You will receive communication from KDADS regarding results and next steps. More detailed information will be announced as available at <https://communityconnectionsks.org/>

How do I complete the assessment if I do not have a desktop computer or laptop and/or access to e-mail?

Please contact the Community Connections team at KDADS.FinalRule@ks.gov

Appendix 1: Document Examples

You must validate your responses when directed in the assessment (a message will pop-up with instructions regarding documentation) by providing sufficient documentation to support your response. You should provide any documentation you have which supports your answers. The following documents are examples:

Document examples for section C: Integrated Setting and Community Access

For some questions in sections C through section I, documents are needed as evidence to support your answer. Below is a list of examples of documents that can be uploaded as evidence for each question. This list serves as an example but does not restrict you in what to upload. Please upload any and all of the documents you believe are appropriate.

C1. Is this site located in or attached to a building that also provides inpatient institutional treatment (e.g. nursing home/facility or hospital etc.)?

Document Examples (what you have may vary):

- Pictures of outside of facility from all directions,
- Birds-eye-view image (from google maps or another source),
- or other applicable documents.

C2. Is this site located in a building on the grounds of, or immediately adjacent to, a public institution? Examples of public institutions are a nursing facility, an institution for mental diseases, an intermediate care facility for individuals with intellectual disabilities, a hospital, or any other locations that have qualities of an institutional setting (42 CFR 441.301(c).5).

Document Examples (what you have may vary):

- Pictures of outside of facility from all directions,
- Birds-eye-view image (from google maps or another source),
- or other applicable documents.

C3. Is this site in a gated/secured community?

Document Examples (what you have may vary):

- Picture of outside of facility from all directions,
- Picture (google maps, provider picture, or another source) from the front out to the street or from the street in showing there is no gate,
- or other applicable documents.

C4. Does your agency own or operate multiple sites (i.e., locations) located on the same street/block?

Document Examples (what you have may vary):

- File (word document/excel spreadsheet/etc.) with all site addresses listed,
- Birds-eye-view image (google maps or other source) with site locations noted,
- or other applicable documents.

C5. Are the persons-served at this site exclusively people with disabilities?

Document Examples (what you have may vary):

- Any applicable documentation available. (Reminder: do not include private health information).

C6. Are persons-served at this site required to receive medical, behavioral, or therapy services on-site?

Document Examples (what you have may vary):

- Section of a policy document,
- organizations policy on people receiving medical/behavioral/other needs,
- a section of a manual,
- a pamphlet of activities provided,
- or other applicable documents.

[Shown for IDD day service providers – determined by chosen setting type]

C7A. Does this site also offer residential services?

Document Examples (what you have may vary):

- Section of a policy document,
- section of a manual,
- a pamphlet of activities provided,
- or other applicable documents.

C7B. Does this site also offer on-site day services?

Document Examples (what you have may vary):

- Section of a policy document,
- section of a manual,
- a pamphlet of activities provided,
- or other applicable documents.

Document examples for section D: Community Integration

D1. In addition to on-site activities, does this site provide opportunities for persons-served to participate in community events, activities and services?

Document Examples (what you have may vary):

- Activities calendars,
- picture of an activity board,
- section of a manual or policy that shows opportunities available,
- or other applicable documents.

D2. Does this site share information with persons-served about community events and activities?

Document Examples (what you have may vary):

- Picture/image of a message board,
- bulletin board,
- Facebook page,
- flyer,
- newsletter,
- email,
- or other methods of information sharing/or other applicable documents.

D3. Can persons-served at this site attend community activities and services (e.g., shopping, religious services, scheduled appointments, lunch with family and friends) whenever they choose?

Document Examples (what you have may vary):

- Section of a policy document or handbook about:
 - procedures regarding sign up,
 - how persons-served can decide whether to attend activities and services,
 - and/or transportation policy/schedule,
- or other applicable documents.

D4. Are there restrictions at this site regarding when persons-served can "come and go"?

Document Examples (what you have may vary):

- Section of a policy document or handbook,
- or other applicable documents.

[Shown if yes is selected to previous question]

D4.1 Were the restrictions at this site regarding when persons-served can "come and go" developed and agreed upon by persons-served?

Document Examples (what you have may vary):

- Section of a policy document about writing the behavioral support plan,
- a section of a de-identified person-centered support plan,
- service agreement,
- or other applicable documents.

D5. Can persons-served have visitors of their choosing at any time?

Document Examples (what you have may vary):

- Section of a policy document,
- section of an organizations policy,
- section of a manual,
- section of a handbook,
- or other applicable documents.

Document examples for section E: Housing Protection and Due Process

E1. Does the Landlord-Tenant law apply at the site for which you are filling out this assessment?

Document Examples (what you have may vary):

- Blank lease or service agreement,
- or other applicable documents.

[Question shown only if "no" is selected on the previous question]

E1.1 Is there a written agreement at this site that offers responsibilities/protections from eviction for persons-served?

Document Examples (what you have may vary):

- Blank copy of the written agreement which offers protection for residents,
- or other applicable documents.

Document examples for section F: Living Arrangements

[Note: Section F shown only if “**residential**” is selected for the question “Is this setting considered residential or non-residential?”]

F1. Does this site have entrance doors that can be locked by the persons-served, with only appropriate staff having keys to door?

Document Examples (what you have may vary):

- Section of a policy document,
- lease in provider manual,
- copy of lease that states the number of keys provided and number of people who have access, etc.,
- or other applicable documents.

F2. Does this site provide anyone (besides the persons-served and appropriate staff) with a key or a way to be "buzzed in" for entering the facility?

Document Examples (what you have may vary):

- Section of a policy in provider manual or copy of lease that states who has access,
- or other applicable documents.

F3. Can persons-served at this site lock the bathroom door for privacy?

Document Examples (what you have may vary):

- Section of a policy document or consumer and family handbook,
- picture(s) of bathroom including visible lock,
- or other applicable documents.

F4. Do persons-served at this site have the option of locking his/her bedroom door for privacy when they choose?

Document Examples (what you have may vary):

- Section of policy document or consumer and family handbook,
- picture(s) of bedroom including visible lock,
- or other applicable documents.

F5. Do staff at this site knock on the door or ring a doorbell for access to persons-served private room(s)?

Document Examples (what you have may vary):

- Section of a policy document
- section of a consumer and family handbook,
- or other applicable documents.

F6. Are the living spaces at this site arranged in a way that ensures privacy during personal care?

Document Examples (what you have may vary):

- Section of a policy document,
- section of a consumer and family handbook,
- image of facility layout,
- or other applicable documents.

F7. Does the facility at this site offer privacy to persons-served while using a telephone, internet, or any other personal communication devices?

Document Examples (what you have may vary):

- Section of a policy document,
- section of a family and consumer handbook,
- or other applicable documents.

F8. Does the facility at this site have larger than double occupancy bedrooms?

Document Examples (what you have may vary):

- Section of a policy document,
- section of a lease agreement,
- section of a family and consumer handbook,
- or other description of the facility/or other applicable documents.

F9. Are persons-served at this site given the option to choose their roommate when sharing a bedroom?

Document Examples (what you have may vary):

- Section of a policy document,
- section of a family and consumer handbook,
- or other description of the facility/or other applicable documents.

F10. Are bedroom decorations and furniture arranged at the discretion of the person-served at this site?

Document Examples (what you have may vary):

- Section of a policy document,
- section of a lease agreement,
- section of a family and consumer handbook,
- or other description of the facility/or other applicable documents.

F11. Do persons-served at this site set their own daily routines for things such as hygiene, care delivery, recreation, and meals?

Document Examples (what you have may vary):

- Section of a policy document, section of a family and consumer handbook,
- de-identified person-centered service plan,
- person-centered support plan,
- service agreement,
- other behavior plans,
- or other description of the facility/or other applicable documents.

F12. Do persons-served at this site have full access to laundry facilities?

Document Examples (what you have may vary):

- Section of a policy document, section of a lease agreement,
- section of a family and consumer handbook,
- other description of the facility/or other applicable documents,
- image of facility layout,
- or other applicable documents.

F13. Can persons-served at this site choose to do their own laundry?

Document Examples (what you have may vary):

- Section of a policy document, section of a lease agreement,
- section of a family and consumer handbook other description of the facility/or other applicable documents,
- image of facility layout,
- or other applicable documents.

F14. Do persons-served at this site have full access to the common area?

Document Examples (what you have may vary):

- Section of a policy document, section of a lease agreement, section of a family and consumer handbook, OR other description of the facility/or other applicable documents
- image of facility layout,
- or other applicable documents.

F15. Do persons-served at this site have full access to the dining area?

Document Examples (what you have may vary):

- Section of a policy document,
- section of a lease agreement,
- section of a family and consumer handbook,
- other description of the facility,
- or other applicable documents.

F16. Do persons-served at this site have full access to the microwave and refrigerator?

Document Examples (what you have may vary):

- Section of a policy document,
- section of a lease agreement,
- section of a family and consumer handbook,
- description of the facility,
- an image of facility layout,
- or other applicable documents.

F17. Do persons-served at this site have full access to the kitchen?

Document Examples (what you have may vary):

- Section of a policy document,
- section of a lease agreement,
- section of a family and consumer handbook
- a description of the facility,
- an image of facility layout,
- or other applicable documents.

[Question shown only if “no” is selected for the previous question]

F17.1 Do persons-served at this site have access to a separate meal prep area or options to cook if they desire (within the limitations of their service plan)?

Document Examples (what you have may vary):

- Section of a policy document,
- section of a lease agreement,
- section of a family and consumer handbook,
- a description of the facility,
- an image of facility layout,
- or other applicable documents.

F18. Do persons-served at this site have a choice of when AND what to eat?

Document Examples (what you have may vary):

- Section of a policy document,
- section of a lease agreement,
- section of a family and consumer handbook,
- or other applicable documents.

F19. Do persons-served at this site have a choice to eat alone or with others?

Document Examples (what you have may vary):

- Section of a policy document,
- section of a lease agreement,
- section of a family and consumer handbook,
- other description of the facility,
- or other applicable documents

Document examples for section G: Rights

G1. Do you provide staff and volunteers at this site with training and continuing education related to the rights of persons-served?

Document Examples (what you have may vary):

- Training manual,
- section of a policy document,
- schedule or agenda of training,
- copy of consumer rights,
- or other applicable documents.

G2. Do you provide persons-served at this site with information about their rights?

Document Examples (what you have may vary):

- Section of a policy document,
- a section of a family and consumer handbook,
- a copy of consumer rights,
- or other applicable documents.

G3. Do you provide persons-served at this site with a process to file a grievance if they believe their rights have been violated?

Document Examples (what you have may vary):

- Section of a policy document,
- section of a family and consumer handbook,
- copy of grievance process (and grievance form if applicable),
- copy of consumer rights IF not included in the above documents,
- or other applicable documents.

Document examples for section H: Accessible Environment

H1. Is the facility physically accessible to persons-served at this site?

Document Examples (what you have may vary):

- ADA compliance/ licensing,
- a pictures of grab bars, seats in the bathroom, ramps for wheelchairs, etc.,
- section of facility/program handbook,
- section of service agreement,
- or other applicable documents.

H2. Does this site offer accommodations (e.g., grab bars, seats in the bathroom, ramps for wheelchairs, etc.) to persons-served who need supports to move about the facility?

Document Examples (what you have may vary):

- ADA compliance/ licensing,
- a pictures of grab bars, seats in the bathroom, ramps for wheelchairs, etc.,
- section of facility/program handbook,
- section of service agreement,
- or other applicable documents.

H3. Does the facility at this site have any barriers which limit access (e.g., Velcro strips, locked doors, locked cupboards, locked refrigerators, etc.)?

Document Examples (what you have may vary):

- Pictures without barriers (e.g., Velcro strips, locked doors, locked cupboards, locked refrigerators, etc.),
- section of facility/program handbook,
- section of service agreement,
- or other applicable documents.

Document examples for section I: Non-Residential Services

[Page shown only if **“non-residential”** is selected for the question “Is this setting considered residential or non-residential?”]

I1. Is this site a work setting? [Branch question only – no compliance result at all]

Document Examples (what you have may vary):

- Section of a policy document,
- ADA compliance/ licensing,
- or other applicable documents.

[Question shown only if “yes” is selected on the previous question]

I1.1 When working, are persons-served allowed to participate in deciding their work schedule?

Document Examples (what you have may vary):

- Section of a policy document,
- section of a handbook,
- a de-identified copy of a person-centered support plan,
- other de-identified behavior support plan,
- or other applicable documents.

I2. When not doing paid work, are persons-served allowed to participate in deciding their activity schedule?

Document Examples (what you have may vary):

- Section of a policy document,
- section of a handbook,
- a de-identified copy of a person-centered support plan,
- other de-identified behavior support plan,
- or other applicable documents.

13. Does the facility at this site have a space for persons-served to secure personal belongings?

Document Examples (what you have may vary):

- Section of a policy document,
- section of a manual/handbook,
- a pamphlet of facilities provided,
- picture of lockers,
- image of facility layout,
- or other applicable documents.

14. Is the facility at this site arranged in a way that ensures privacy during personal care?

Document Examples (what you have may vary):

- Section of a policy document,
- section of a handbook,
- an image of facility layout,
- or other applicable documents.

15. Do persons-served at this site have the opportunity to participate in tasks and activities matched to their skills, abilities, and desires?

Document Examples (what you have may vary):

- Section of a policy document,
- section of a handbook,
- a de-identified copy of a person-centered support plan,
- other de-identified behavior support plan,
- or other applicable documents.

Appendix 2: Section B – Document Categories

On each site assessment Section B is where you will upload all the documents you have collected for that site. The following categories are provided to make finding the document you need easier during the assessment. **Please note that there is no expectation that you upload something in every category or that you put files into the “right” category. The categories are simply to help you organize and find the correct files.**

- **Photos of Geographic Locations:** Providers submit photos of the outside of their buildings that show any buildings adjacent to theirs. In addition, providers are asked to provide a bird’s eye view of the setting or a neighborhood map that shows the surrounding neighborhood with businesses, residences, and other buildings or landmarks.

- **Policies and Procedures:** Providers submit their written policies and procedures on topics such as training, restraints, admission processes, and plan of care development. It is important to see newer and updated policies and forms that explicitly address HCBS requirements.
- **Redacted/De-identified Person-Centered Service Plans and/or Support Plans:** Providers submit redacted/de-identified person-centered service plans and/or support plans.
- **Description of “Facility Access” To Community:** Providers submit information and resources that demonstrate their efforts to ensure that HCBS recipients are connected to the community. Examples include providing photos of such evidence as a bulletin board or brochures with notices of community events, accessible computers with WIFI and staff support, and accessible resource corners that an individual can use at any time. Other examples are facility newspapers or brochures for community activities, services, and other resources. Policies and procedures on how staff provide support and guidance to consumers and their friends and families on a regular basis could also be provided, in addition to the topics noted above under “Policies and Procedures.”
- **Consumer or Family Handbooks:** Providers submit any consumer or family handbooks that share important information with their clients.
- **Description of Collaborations with Organizations and Volunteers:** Providers submit a chart or diagram that illustrates the working relationships providers have with outside organizations and volunteers in terms of how these partnerships advance accessibility to the greater community. Other details may include how long the collaborations have existed, the expected duration (i.e., short or long term), and frequency of interactions.
- **Calendars:** Facilities’ activity calendars are submitted as documentation of when activities occur outside or inside the setting and whether outside partnerships or volunteers are involved. According to Virginia’s State Transition Plan (STP), CMS has indicated they would like evidence of a variety of activity opportunities (including alternatives to planned group activities) and that the information is clearly understandable to HCBS recipients.
- **Documentation of Consumer or Family Councils:** Providers submit evidence of family councils, activity planning councils, or consumer-participated councils that communicate activity planning, field trips, and/or feedback and consumer satisfaction. Providers must also provide documentation such as meeting minutes or other information/data that provides evidence of implementation or outcomes of the councils.

Appendix 3: 42 CFR § 441.301 – The HCBS Settings Final Rule

Each HCBS setting must comply with the following qualities by March 17, 2022.

(4) Home and Community-Based Settings. Home and community-based settings must have all of the following qualities, and such other qualities as the [Secretary](#) determines to be appropriate, based on the needs of the individual as indicated in their person-centered service plan:

- (i)** The setting is integrated in and supports full access of individuals receiving [Medicaid](#) HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving [Medicaid](#) HCBS.
- (ii)** The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board.
- (iii)** Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and [restraint](#).
- (iv)** Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.
- (v)** Facilitates individual choice regarding services and supports, and who provides them.
- (vi)** In a provider-owned or controlled residential setting, in addition to the qualities at [§ 441.301\(c\)\(4\)\(i\)](#) through (v), the following additional conditions must be met:
 - (A)** The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity. For settings in which landlord tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each HCBS participant, and that the document provides protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law.
 - (B)** Each individual has privacy in their sleeping or living unit:
 - (1)** Units have entrance doors lockable by the individual, with only appropriate [staff](#) having keys to doors.
 - (2)** Individuals sharing units have a choice of roommates in that setting.
 - (3)** Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.

(C) Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.

(D) Individuals are able to have visitors of their choosing at any time.

(E) The setting is physically accessible to the individual.

(F) Any modification of the additional conditions, under [§ 441.301\(c\)\(4\)\(vi\)\(A\)](#) through (D), must be supported by a specific assessed need and justified in the person-centered service plan. The following requirements must be documented in the person-centered service plan:

(1) Identify a specific and individualized assessed need.

(2) Document the positive interventions and supports used prior to any modifications to the person-centered service plan.

(3) Document less intrusive methods of meeting the need that have been tried but did not work.

(4) Include a clear description of the condition that is directly proportionate to the specific assessed need.

(5) Include regular collection and review of data to measure the ongoing effectiveness of the modification.

(6) Include established time limits for periodic reviews to determine if the modification is still necessary or can be terminated.

(7) Include the informed consent of the individual.

(8) Include an assurance that interventions and supports will cause no harm to the individual.