

# Medicaid Home and Community- Based Services Assessment Tools

## Residential Settings

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# Agenda Overview

- Overview of the Centers for Medicare & Medicaid Services (CMS) Final Rule
- Review Home and Community-Based Services (HCBS) Characteristic Tools
  - Residential settings
- Discussion of Draft HCBS Characteristic Tools



# Terminology

**HCBS** – Home and Community-Based Services

**HCB Settings** – Home and Community-Based Settings

**HCBS Characteristics** – Collective term for the following home and community-based characteristics:

- Home-Like Environment
- Person-Centered Planning
- Community Inclusion



# Intent of the Final Rule

- To ensure recipients receiving long-term services and supports through HCBS programs under the 1915(c), 1915(i) and 1915(k) Medicaid authorities have full access to benefits of community living and the opportunity to receive services in the most integrated setting appropriate.
- To enhance the quality of the HCBS and provide protections to participants.



# Affected Florida Medicaid Programs

- 1915(b)(c) Long-term Care Waiver
- 1915(c) Model Waiver
- 1915(c) Familial Dysautonomia Waiver
- 1915(c) Project AIDS Care Waiver
- 1915(c) Traumatic Brain Injury and Spinal Cord Injury Waiver
- 1915(c) Adult Cystic Fibrosis Waiver
- 1915(c) Developmental Disabilities Individual Budgeting Waiver
- 1915(i) HCBS State Plan Service/Redirections



# HCBS Characteristics

- **Home-like environment**

“A home-like environment is one that de-emphasizes the institutional character of the setting.”

- **Person-Centered Planning**

A process that results in a plan of care with individually identified goals and preferences, including those related to community participation, employment, income and savings, health care and wellness, education and others.

- **Community Inclusion**

Participation by recipients receiving Medicaid HCBS in the greater community to the same extent as those not receiving Medicaid HCBS.



# Key Themes of the Rule

- Improve how recipients experience daily life.
- Provide support for states and stakeholders making transitions to more inclusive operations.
- Enhance choice among settings that meet a level playing field.



# Hallmarks of Compliant Settings



- Integrated in and supports access to the greater community.
- Provides opportunities to seek employment and work in competitive integrated settings, engage in community life, and control personal resources.
- Ensures recipients receive services in the community to the same degree of access as individuals not receiving Medicaid HCBS.





# Florida's Next Steps



- The state will assess impacted provider sites to determine initial compliance with the HCBS Rule.
- Based on assessment results, the state will work with providers to remediate deficiencies and achieve compliance.
- The state will update its draft Statewide Transition Plan with additional information on:
  - The results of its assessment activity,
  - Remediation strategy, and
  - Monitoring strategy.



# Affected Settings

The state will conduct initial compliance assessments and continue to monitor the following provider sites:

## **Residential**

- Adult Family Care Home
- Assisted Living Facility
- Group Home
- Residential Habilitation Center

## **Non-Residential**

- Adult Day Care Center



# Elements of the Assessment Tools

## Instruction Sheet

- Background
- Tool Layout
- Documentation

## Cover Sheet

- Basic information about the setting
- Varies by waiver and setting

## Tool

- Residential
- Non-Residential



# Residential Tool

The tool includes six sections:

1. Setting
2. Room/Privacy
3. Meals
4. Activities/Community Integration
5. Respect/Rights/Choice
6. Other



*In conjunction with the tool, probing questions are provided to assist evaluators in determining whether each standard is met.*



# 1. Setting

- The facility's setting does not isolate recipients from the surrounding community.
- The facility's common areas have a home-like feel.
- The facility is traversable by the recipients it serves; it meets the needs of recipients who require supports.
- Visitors are not restricted from entering the facility and there is a private meeting room to receive visitors.
- There are no areas within the facility a recipient cannot enter without permission or an escort.
- Recipients have access to standard household amenities/appliances.



## 2. Room/Privacy

- Recipients have a choice of private/semi-private room and choice of roommate if applicable.
- The facility's rooms are home-like.
- Recipients have privacy in their living quarters.
- The facility has a policy and procedure that addresses staff access to recipients' rooms.
- If the desired living arrangement is not available when the recipient moves in, the recipient is given the opportunity to change when their first choice becomes available.



## 2. Room/Privacy - Continued

- Recipients are able to make/send private telephone calls/text/emails at their preference and convenience.
- Recipients right to dignity and privacy is respected.
- Recipients know how to file an anonymous complaint.
- Restrictions are identified, documented and based on the recipient's needs and preferences.



# 3. Meals

- Recipients are not required to follow a set schedule for meals.
- Recipients have a choice of meals that are consistent with their preferences.
- Recipients have a choice of where, and with whom to eat their meals in the facility.
- Recipients are afforded dignity and respect during meal times.
- Recipients have access to snacks and are allowed to make their own snacks; there is an area recipients can use to keep their own food and prepare snacks (e.g., kitchen or snack preparation area with refrigerator, sink, and microwave).





# 4. Activities/Community Integration

- Recipients are able to move freely outside of the facility.
- Recipients are made aware of community activities via a community board, flyers, etc.
- Recipients have access to newspapers, radio, computers, television, and/or the Internet.
- Recipients are allowed to create their personal daily schedules (e.g., decide when to wake up or go to bed; go to the movies, the mall, religious events, etc.).
- Transportation is provided or arranged by the facility to community activities.
- Recipients are employed outside of the facility.



# 5. Respect/Rights/Choice

- Recipients can keep/control of their own resources.
- Recipients are free from coercion.
- Staff treats recipients in a respectful way.
- Recipient choices are accommodated.
- Recipients, or their delegate, are an active participant in the development of, and updates to, the person-centered plan.



# 6. Other

- There is a legally enforceable agreement for the unit or dwelling where the recipient resides.
- Modifications to the HCBS Characteristics are addressed and documented.



# HCBS Rule References

Many websites are available on the Internet that provide access to the new rule.

- Rule fact sheet: <http://www.cms.gov/Newsroom/MediaReleaseDatabase/Fact-Sheets/2014-Fact-sheets-items/2014-01-10-2.html>
- AHCA Website: [http://ahca.myflorida.com/Medicaid/hcbs\\_waivers/index.shtml](http://ahca.myflorida.com/Medicaid/hcbs_waivers/index.shtml)
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# Discussion

To submit suggestion in writing, please email

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