

Home and Community Based Services (HCBS) Final Rules

**Training for RCOC Board of Directors
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Arturo Cazares

Jack Stanton

Randy Laya

Scott Sweaza

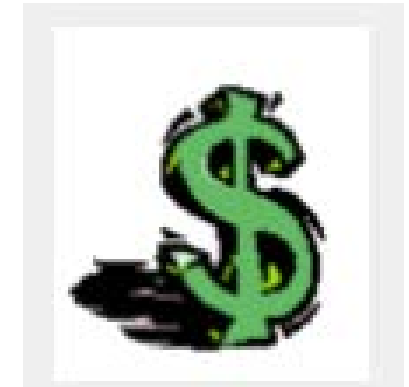
Outcome of Tonight's Training

- 1. Knowledge of Home and Community Based Services (HCBS) and the Final Rules**
- 2. Effect of rules on where a person lives**
- 3. Effect of rules on where a person works**
- 4. Importance of Person Center Thinking and Planning - with a focus on going from 'we know best' to "the person knows best"**



What are Home and Community Based Services?

- Also known as Medicaid Waiver
 - MediCal in California
- Federal money coming into the state through the Center for Medicare and Medicaid Services (CMS)
- Types of services funded
 - 50% of certain Purchase of Services are reimbursed
 - Targeted Case Management



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

Home and Community Based Services Final Rule



- **On March 17, 2014, the Center for Medicare and Medicaid Services (CMS) new rules became effective that will fundamentally transform residential and day services through Medicaid (MediCal) as part of the Home and Community Based Services (HCBS).**
- **All states have until March 17, 2019, to implement these new requirements or they will not receive federal funding.**

Four areas of the new rule

- 1. Setting – where the service is being provided**
- 2. Planning – how do we determine which service is needed**
- 3. Substituted judgement – help to make “safe” decisions**
- 4. Conflict free case management – services are provided in multiple settings by different providers**

A Change of Mindset

Avoid defining what “is not” a setting – location, physical environment/characteristics, specific vendor.

Must define settings by the overall experience and quality as defined by the recipient.

- 1. Person centered**
- 2. Where a person lives**
- 3. Where a person works**



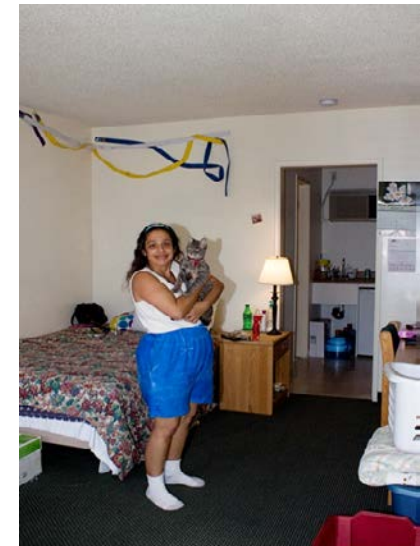
Settings Will Now

- **Be integrated and support full access to the greater community**
- **Be selected from among any and all options**
- **Ensure privacy, dignity, respect**
- **Maximize independence and self direction**



Home Settings: Where a Person Lives

- **Group Homes (Community based setting)**
 - Home-like settings developed for the Individual - choice is key!
 - Direct or plan your own services – provider mandated to determine staffing, menu, activities, furnishings.....
- **Living on your own with supports**



What is Clear?

- **The home/dwelling will be owned, rented, or occupied under a legally enforceable agreement – Individual Lease!**
- **Protection from immediate eviction**
- **Right to privacy in sleeping or living unit**
 - **Door locks, choice of roommate/no roommate**
- **Set your own schedule, have visitors at any time**
- **Determine your own activities, free access to food, etc.**



And What is Not....

- **Community Care Licensing Regulation changes**
- **Regional Center placement agreements**
- **Reimbursement rates**
- **Fixed costs, grocery bills, vehicles, reasonable requests**

Community Settings: Where a Person Works



- **Site-Based vs. Community-Based**
- **Competitive Integrated Employment**
- **Work Activity Programs**

- **Community Integration vs. Reverse Integration**
- **Daily activities that are based on participants' needs and preferences**
- **Opportunities to form natural relationships**



What are the challenges?

- **Transportation Services**
- **Training for vendors' staff**
 - **Job Development**
 - **Community Integration**
 - **Person Centered Thinking and Planning**
- **Training for families and service recipients**
 - **Benefits**
 - **Managing Wages**
 - **ABLE Act**



Person Centered Planning Process

Service planning for participants in HCBS programs must be developed through a person-centered planning process that addresses health and long-term services and support needs in a manner that reflects individual needs and preferences.



Person Centered Planning In Action

The life of Judy Allen

A Quarterly Publication of the Regional Center of Orange County

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In the Spotlight
Judith Allen

Though 69-year-old Judith (Judy) Allen has difficulty communicating, those who know her best are convinced that she's never been happier than she is now, living at Peppermint Ridge in Corona. Formerly a resident of Fairview Developmental Center, Judy moved into the intermediate care facility (ICF) in August of 2016.

Back in the 1940s, the study of autism was in its infancy.

Karlene Allen, Judy's mother, says that since she was a child, Judy has talked about a place called "Shay-Hee High High." No one in the family had ever heard of such a place, but over the years, circumstances led them to believe that when she spoke of Shay-Hee High High, Judy was referring to heaven. So, when she moved into Peppermint Ridge and told her mother "This is Shay-Hee High High!" Karlene knew she loved living there.



Judy enjoyed competing in the Special Olympics when she was younger. This is Karlene's favorite photo of her, taken in 1983 when Judy was 38 years old.

Now older and needing some assistance herself, Karlene is thrilled to have her daughter living closer to her, and in a place where she is clearly very happy and healthy. It was, however, a long journey getting there.

While she was very young, the Allens were able to cope with Judy's challenges.

Karlene was just 19 years old when Judy was born. Judy was her first baby, and she had no experience with children, but she knew early on that something wasn't right.

"As a newborn baby, she didn't want to be cuddled," Karlene said, noting that Judy doesn't want people touching her, and would push her hand away when she was feeding her. Back in the 1940s, the study of autism was in its infancy, and there were no community resources, no services, and no supports for families like theirs.

See Judith Allen on page 7.

Tickets on Sale for 2017 Spotlight Awards Gala

RCOC's 20th Annual Spotlight Awards Gala is scheduled for Friday, March 24 at the Embassy Suites Anaheim South in Garden Grove. Supported by sponsors and organized by Integrity House, the event honors individuals and organizations who improve the lives of people with developmental disabilities in Orange County. This fun event sells out each year, so be sure to get your tickets early!

For information and to purchase tickets, contact Integrity House at (714) 759-1499 or visit RCOC's website at www.rcocdd.com/news-and-events/spotlight-awards to download the ticket order form.

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<http://www.rcocdd.com/wp-content/uploads/newsandevents/dialogue/dialogue-eng.pdf>

Opportunities of New Regulations

- **Support people in making informed choices**
- **Optimize independence through expanded self-advocacy and freedom of choice**
- **Increase integration in all aspects of person's life**
- **Increases opportunities for competitive integrated employment**
- **Working collaboratively with other agencies**

What is next?

- **DDS submitting transition plan to Center for Medicare and Medicaid Services**
- **RCOC implementing transition plan**
- **Vendors completing self-assessments to identify areas of non-compliance with final rules**
- **Vendors modifying service designs to comply with final rules**
- **Training for RCOC staff to develop Person Centered Thinking and Planning**



Questions?

Thank You!